

MINUTES
CRIME COMMISSION QUARTERLY MEETING

DATE: March 21, 2012
TIME 1:35pm – 3:00pm

LOCATION: DEM Conference room
2478 Fairview Dr., Carson City, NV
NHP Southern Command
4615 W. Sunset Rd., Las Vegas, NV

METHOD: Conference **RECORDER:** Linda Herron

MEMBERS	PRESENT	ABSENT	PROXY
Patricia Lee	X		
Chris Perry	X		
Terry Johnson		X	
Greg Cox	X		
Michael Wilden		X	
David Gustafson	X		
Leo Drozdoff	X		
Claudia Vecchio		X	
Mark Lipparelli	X		
Richard Clark	X		
Connie Bisbee	X		
Mike Haley		X	Todd Vinger
Robert Roshak	X		
Dick Gammick		X	
Doug Gillespie	X		
Robert Fisher		X	
Tom Lozich	X		
Greg Smith	X		
Lucas Foletta		X	
Richard Varner	X		
EX-OFFICIO MEMBERS			
Stephen Herkins ATF		X	
Kevin Favreau FBI		X	
Tim Landrum		X	
Michael Harris ICE		X	
ADMINISTRATIVE STAFF			
Michael Jensen Gen. Counsel	X		
Linda Herron Exec. Sec.	X		

#1. CALL TO ORDER AND ROLL CALL

Chairwoman Patricia Lee called the meeting to order at 1:35pm. Chris Molnar called the roll and a quorum was established.

#2. COMMENTS BY THE CHAIRWOMAN

The Chairwoman introduced Linda Herron as the new Administrative Assistant for the Crime Commission. Chairman Lee asked each member to identify themselves before they speak to report their names properly for the record.

#3. PUBLIC COMMENT

There was no public comment.

#4. APPROVAL OF THE NOVEMBER 4, 2011 MINUTES

Dick Clark made a motion to approve the minutes and Leo Drozdoff seconded the motion. Motion passed.

#5. DISCUSSION ON WHETHER NON-CRIME COMMISSION MEMBERS CAN SERVE ON THE SUB-COMMITTEES ESTABLISHED BY THE CRIME COMMISSION

Chairwoman Lee introduced Mr. Mike Jensen as the new legal counsel for the Crime Commission replacing Samantha Ladich. At the last meeting a member of the public asked if a non crime commission member can serve on a sub-committee of the commission. Mr. Jensen explained that there was an Amended Executive Order that clarifies how the process works for sub-committee members, the amended Executive Order specifically states under that order the commission may form sub-committees comprised of members of the commission to aid in its performance of its duties, but the sub-committee members must be members of the commission. Members of the public may attend these sub-committee meetings. Mr. Jensen will look into the open meeting law regarding sub-committee's. Response will be tabled until the next meeting, as for now we will comply with the open meeting law for sub-committee meetings.

#6. CONFIRM COMMISSION MEMBERS WHO WILL BE SERVING AS SUB-COMMITTEE CHAIRS AND IDENTIFY COMMISSION MEMBERS WHO ARE WILLING TO SERVE ON SUB-COMMITTEES

PUBLIC EDUCATION: Chairman Michael Harris

CRIME SOLUTIONS: Chairman Chris Perry/ Richard Varner and Dick Clark

MONITOR CRIME TRENDS: Chairman Mike Haley

REDUCTION OF RECIDIVISM: Chairman Greg Cox

LEGISLATIVE FUNCTION: Chairman Dick Gammick

FUND RAISING: Chairman Tom Lozich

Chairwoman Lee asked if anyone would like to be a part of the sub-committees, the following chairperson's volunteered for the following committees;

Sheriff Gillespie – Monitor Crime Trends and Crime Solution Committee’s
Connie Bisbee – Recidivism Committee
Leo Drozdoff – Recidivism Committee

Chairwomen Lee requested that if additional members decide to volunteer for a sub-committee please contact the chair head for the upcoming meetings. Please inform Chairwomen Lee at the next meeting what committee you have joined. The Sub Committee heads may also email Chairwomen Lee if they need assistance contacting members to volunteer for the sub-committees.

#7. DISCUSSION ON S.B. 251 (NRS 232A.020(6) WHICH PROVIDES THAT THE GOVERNOR SHALL NOT APPOINT A PERSON TO A BOARD, COMMISSION, OR SIMILAR BODY IF THE PERSON IS A MEMBER OF ANY OTHER BOARD

Mike Jensen, Legal Council, researched S.B.251 and spoke briefly with Lucas Foletta regarding this issue. S.B. 251 in last session had a provision that amended NRS 232A.020 – “specifically providing that the Governor shall not appoint a person to a board, commission or other similar body if the person is a member of another board, commission or similar body”. In talking to Lucas he stated the Governor’s office has looked at amended NRS 232A.020 and they interpreted it to mean” Statutory Boards”. Mr. Jensen’s understanding is that the crime commission is an executive order board and it wouldn’t be considered as one of the boards members would be serving on based on the interpretation from the Governors office.

Sheriff Doug Gillespie asked if the Commission would get something in writing on the interpretation and implementation from the Governors office. He feels he will be confronted about the number of boards he resides on. Chairwoman Lee will speak to Lucas Foletta the liaison with the Governor office about a written statement Sheriff Gillespie could utilize in the event he was confronted with the conflicts of serving on to many boards.

#8. CYBER CRIMES PRESENTATION BY MR. CHRIS IPSEN

Mr. Ipsen was invited to the meeting to discuss Cyber Crimes, possibly memorializing his presentation into a report and recommendation’s to the Governor, apprising the Governor of the major issues, major concerns, to detect it, prevent it and educate the public.

Mr. Ipsen spoke about the following topics;

1. Cyber security – security of systems / Cyber Crime – the way Cyber is being used. We must bridge the gap between technology and crime. He will send a link referencing a presentation by Secretary Robert Molar of the FBI at the RSA conference
2. What is the probability that this is happening and what is the vulnerability around this? He will provide links to different references such as 60 minute discussion of Stuxvin - (A large portion of the Iranian centrifuge capabilities was destroyed by a computer virus).
3. What is being done about the above situations.

Specific to Homeland Security they are using continuous monitoring program and testing environments – hoping to have actionable information by the end of the year on this project. They are looking to see what controls work best. There have been a number of projects that are looking at critical controls and four have been identified as being very important. Mr. Ipsen will send the Commission the information on the controls.

1. Your Operating Systems
2. 3rd party applications
3. Administrative Control over workstations
4. Application White Listing

If all these controls are done there should be a 90% security in our environment. Continuous monitoring, Application White Listing as a technique and Disaster recovery plan are very important for the most secure environments.

University of Texas San Antonio has received grant funding to provide awareness training inside the States, Nevada competed and won 1 of 2 slots available – CIAS training – Center for Infrastructure Assurance & Security

The Governors position at the recent Homeland Security Commission Meeting was that Cyber Security is the number one priority.

A project that is being working on in the background is how to take cyber security and move us to the forefront both to protect infrastructure and the economic resilience of our community to attracting technology companies. Director of the Sands Institute included Nevada as a potential site for a Cyber training facility.

Chairwoman Lee says the ultimate goal is to write a report based on the presentation of Mr. Ipsen, he will forward presentation of Allen Poweller, links to Secretary Molar's speech, and other articles.

The Cyber Crime committees already in Existence:

Nevada Cyber Crime
Nevada Tech Crime Advisory Board
Statewide Cyber Security Committee
NV Commission on Homeland Security / “Critical Infrastructure Committee”
Crime Commission

National

Multi State **ISCA**
Homeland Security
Office of the Director of Intelligence

Dick Clark inquired about a grant funded consortium in California call “Search”; Mr. Ipsen was unaware of “Search; Chairwoman Lee inquired about a local Nevada system infrastructure assessment –how do we fare, what needs to be done, is it sufficient? Mr. Ipsen said yes and no to her question. There is a challenge, there is inter-dependency to all systems – they are interconnected so there can be breaches. There is constant monitoring, assessment, Legislative authority to break in systems, physical evaluations and cyber tests. Chairwomen Lee questioned if there has ever been a major security

breach. One million attempts a day try to break into our system by different nations, states and organized crime. On 9-11 attacks on our system increased 10 fold in 10 minutes checking to seek out response time.

Dave Gustafson added that the CIAS program that was kicked off recently is addressing concerns such as stuxnet in the power grid or our water being turned off, how do we as both private and public entities get together and build the bridge to over come the problem. That is what the 14 month assessment and training exercises are for.

#9 GOVERNOR REPORT AND RECOMMENDATIONS

Chairwoman Lee will put together a preliminary report based on what was presented by Mr. Ipsen .We will not have a comprehensive report to guide the Governor to move forward on this as of yet. She will do an initial report, go to the site's Mr. Ipsen will send her and do a preliminary analysis for the Governor. Along with the sub-committees delving into their issues further and reporting back to the Commission at the next meeting the Commission will then have more information to address the issues.

Doug Gillespie recommends the Crime Tech Advisory Board chaired by Catherine-Cortez Masto, they are reporting out on Cyber crime itself – presentation by local law enforcement, FBI, Secret Service in regards to Cyber Crime Activity, taskforce operations, a good overview of the programs in the state. The board could provide you the information needed to be reported to the Governor so we don't take on their responsibilities. Maybe our sub-committees could collectively gather information from all these agencies, boards and commission and put our recommendations to the Governor. Dave Gustafson has asked in regards to BDR'S if there is anyone that has any legislation that needs to modified, change or delete now is the time to start thinking about it. A motion for Chairwoman Lee to do a preliminary report for the Governor submitted between now and the next meeting, motioned by Richard Varner, 2nd by Dave Gustafson. Motion passed.

#10 SEMI ANNUAL REPORT

Connie Bisbee commended Chairwomen Lee on an excellent job on the Semi Annual Report. There are two typos; Cover sheet - last meeting was November 4, 2011 not 2012 and page 2 the Executive Order was established May 25, 2010 not 2011. Exhibit C - A report by the Department of Public Safety is missing; Chris Perry will check with Criminal History Repository for a copy or try to have it recreated. Chairwoman Lee will make corrections. A motioned by Sheriff Doug Gillespie and Dave Gustafson 2nd the motion. Motion passed

#11 AMENDED EXECUTIVE ORDER GOVERNING CRIME COMMISSION

Chairwoman Lee refers to the Archives – what is the process to put the Semi Annual Reports in the archives. Chris Perry will have Linda Herron take care of the archived information. Also the addition of the Commission ceases as of July 1, 2015 was added to the amended Executive Order.

12 MEMORANDUM ISSUED BY THE GOVERNOR DISCUSSING THE EXECUTIVE ORDER ADOPTING THE RECOMMENDATION OF THE SUNSET TASK FORCE.

A copy of the memo explaining the Sunset Task Force was an attachment to the meeting handouts. They include recommendations, open meeting laws and Governor's office contact Lucas Foletta, also the by laws, and sub-committees. If you have any questions contact Chairwoman Lee or Mr. Jensen.

#13 STATUS OF THE CRIME COMMISSION WEBSITE

Dave Gustafson reported that the Crime Commission website is up and running; crimecommission.nv.gov. The agenda and minutes will be put on the website. Mr. Gustafson needs current bios and photos.

Chairwoman Lee questioned whether our reports should go on the website, Dick Clark would recommend it be private that the Governor may not want them to be posted but rescinded the recommendation later, Sheriff Doug Gillespie suggests that its public record and we should it put it out there. Connie Bisbee feels not everything has to be put on the website. Sheriff Doug Gillespie said during Legislation session boards get criticized as to who and what they do, the Commission could say its public record and all our information is on our website for their reading pleasure. Chairwoman Lee will contact Lucas Foletta for input as to the Governors preference and we will also put the question on the next agenda. If there is anything you would like to put on the agenda please let her know.

Mike Jensen also said that sub-committee meeting agendas and meeting notes must be posted on the website. Chief Varner asked if minutes must be taken during the sub-committee meeting. Mr. Jensen suggested a recording of the meeting be available and the minutes must be typed out and posted.

#14 ELECT NEW VICE-CHAIRMAN OF CRIME COMMISSION

Chairwoman Lee has accepted the resignation of Sheriff Mike Haley as the Vice Chair. Chairwoman Lee nominated Dave Gustafson – Dick Clark motioned to appoint Dave Gustafson , Leo Drozdoff 2nd the motion. Motion passes.

#15 DISCUSSION RELATED TO CURRENT ISSUES OF CRIME OF PARTICULAR CONCERN TO THE PUBLIC AND ASSIGNMENT OF FURTHER EXPLORATION BY SUB-COMMITTEES REGARDING THE SAME FOR PRESENTATION AT NEXT REGUARLY-SCHEDULED CRIME COMMISSION MEETING.

Chairwoman Lee explained the purpose of the commission is in addition to the Governor letting us know when he's interested in an area of crime – such as the Cyber Crime issue, it's important that we are pro active and bring areas of crime to his attention. Based on your respective position's in the community and State - you are in the best position to alert the Governor to anything that is concerning to our citizens, agencies, etc, we can identify other crime issues to be delegated to the sub-committees and report them to the governor. This is the recommended process.

Doug Gillespie suggested that we start with the Crime Trends committee and they be responsible at the next meeting with a number of areas we could focus on and having them tasked with advising in advance what those areas would be, then the commission could be prepared to discuss them. It would be a mistake to focus on specific areas we have 17 counties and a number of them have crime issues, Sheriff Gillespie will get the crime trends for Southern Nevada. Todd Vinger will ask Sheriff Haley to get crime trends in Washoe. Dick Clark suggested Crime Trends and Crime Solutions should be coordinated meeting before hand – Chris Perry suggested the two sub-committees be combined. Chairwomen Lee will add that to the next meeting agenda. The next meeting will be scheduled in June, an email will go out.

Cyber crime issue - sub-committees could do progress reports and report their findings. It will be on the next meetings agenda.

#16 PUBLIC COMMENTS

Dane Claussen of the ACLU of Nevada has a concern as to the discussion of what should be a public record or what should be on the website. He would urge the committee to carefully read the text of the Open meeting law and records law. The commission has various sub-committees, if they want the public involved in this work it should be as transparent as possible it should be posted on the website, the agenda, meeting notes, semi annual report etc. Chairwoman Lee agreed that the Commission has echoed the same sentiment. She will add this issue to the next meeting agenda.

Dick Clark would like to welcome Bob Roshak to the commission he is the new director of the Nevada Sheriff and Chiefs

#17 – ADJOURNMENT

Dick Clark motion to adjourn, Dave Gustafson 2nd the motion. Motion passed.

The next meeting was scheduled for June.

The meeting was adjourned at 3:00pm.

**Meeting notes completed by Linda Herron. For questions, contact (775) 684-44564 or email lherron@dps.state.nv.us.