**MEETING MINUTES FOR 6/12/13/-VIOLENT CRIME COORDINATION COUNCIL (VCCC)**

Council members in attendance: John Marti; Hilary Caligiuri; David Hermerding; David Voigt; John Gross; Jim Jensen; Kip Carver (for Rich Stanek); Eddie Frizzel (for Janee Harteau); Ken Reed; Hector Garcia; Melvin Carter; Russel Balenger; Drew Evans (for Wade Setter); and Matt Bostrom.

**DPS Staff:** Mona Dohman; Tricia Hummel; Rita Joyce, Kristin Lail and Brian Marquart;

**Guests:** Rick Moldenhauer (DHS)

**Absent:** Cari Gerlicher, Chris Benson, Bill Hutton, Mike Goldstein, Gordon Ramsay and Bill Ziegler.

**Meeting materials:** 2013 Minnesota Violent Crime Coordinating Council member list; Committee Structure; Guidelines for Roundtable Discussions; Disposal of Manufactured drugs; Professional Standards 3-12 Confidential Informant Management; Legislative committee on synthetic drugs; Synthetic Cathinones (Bath Salts) and Synthetic Cannabanoids (Synthetic Marijuana)

**Location:** The meeting was held in the Itasca Conference Room, Lower Level, Minnesota Department of Corrections. 1450 Energy Park Drive.

**Welcome and Introductions**Chair Jim Jensen called the meeting to order at 10:10 a.m. and attendees introduced themselves.

**Action on 4/10/13 meeting minutes:** Correction, Rick Moldenhauer is a guest not a council member. Motion to approve minutes, Ken Reed. Seconded by John Marti.

**Action on Agenda:** No discussion. Motion to approve agenda, Hilary Caligiuri. Second, Ken Reed. Motion passed.

**Review and update VCCC Member List and Committee Structure:** There were no additional changes to the 2013 VCCC membership list. David Hermerding has filled Ben Bejar’s outstate prosecutor’s position on the Data Committee and former chair Ken Reed is returning to the Governance Committee. John Gross noted that Hector Garcia is now the chair of the Community Engagement and Prevention Committee. There were no changes to any of the committee activities.

There have not been any updates to the VCCC Tactical Plan activities or accomplishments since 2012. Kristin Lail noted that subcommittees were asked to look at that at the last meeting and pointed out that the tactical plan doesn’t overlap directly with committee responsibilities. So the subcommittees are busy doing their activities but they are not taking the time to look at the bigger picture. Ken Reed suggested addressing the tactical plan at the fall retreat and Lail agreed to contact the Strategic Planning facilitator used in 2011 to check on availability.

**Professional Standards Committee:** Hilary Caligiuri reported that the Professional Standard Committee met twice to review audit finding and corresponding sections of the *Multijurisdictional Task Force Operating Procedures and Guidelines Manual*. The committee recommended changes to section 3-12 on Confidential Informant Management providing a handout with that section in black and proposed changes in red. Caligiuri noted that the existing information wasn’t very conducive to a clear audit outcome. She reminded members that the audits are agreed upon procedures and they are very literal, so their audit was based upon this document. Recommended changes are intended to clarify procedures and allow for a more straightforward audit review.

The first change is on the definition of informant: Confidential informant, Confidential Reliable Informant, Cooperating Defendant, Source of Information. The second allowed task force commanders a mechanism to document any special circumstances that precluded them from obtaining one of the mandatory signatures, such as when the informant is in jail or out of the country. She noted that they extended the requirement for recording expenses to a 10 day timeframe from the original 5 days because some of the task forces are spread out geographically and investigators meet with commanders every two weeks. The supervisor or Commander is required to review all documentation when a new informant is signed up, a new provision for semi-annual review of all active informant files was added to review activity, investigator updates, and deactivate if necessary. Lastly, a cooperating defendant who has been charged should be thoroughly debriefed regarding past criminal activity. John Marti agreed that federal and state systems should be coordinated.

David Voight asked about the term “informant registration.” Brian Marquart clarified that all of the requirements are listed as bullets under 3.14 for Informant File System, including identification information, signature page, photograph, criminal history, full debriefing and signed informant agreement. He noted that the task forces understand and follow these requirements. Ken Reed suggested changing “informant registration” to “informant requirements” and the first mention should reference section 3-14. Lail agreed to search and replace the terms throughout this section. Reed also asked about 12-hour time frame for signing up cooperating defendants in section 3-12.13 noting that they should be signed up as soon as possible. Marquart suggested changing “without” to “before” to stress the understanding that there will be documentation on all cooperating defendants.

Caligiuri noted that the committee would make the changes discussed today and that the VCCC could vote on the manual section as amended.

Action: There was a motion by Marti to approve the revised section 3-12 of the manual, amended as discussed. Bostrom seconded and the motion carried. Caligiuri recommended the amended section be incorporated into the full manual and documented with the revision date of 6/12/13. The revised manual will be distributed to Task Force Commanders and at the August VCCC meeting.

**Governance Committee:** Tricia Hummel reported that The Office of Justice Program Executive Director, Jeri Boisvert is retiring June 25th, and that Raeone Loscalzo would be starting in July. She also formally announced that Brian Marquart was Statewide Coordinator after acting in the position for several months. She thanked the VCCC the members that helped with the statewide commander recruitment process. Hummel next referenced the e-mail from Jared Jordahl on a new House Select Committee on Synthetic Drugs, which held its first hearing in Duluth earlier this month and will be holding another at the Capitol in a few weeks. It is likely that DPS and the VCCC will be engaged to share information on investigation and prosecution of synthetic drug crimes.

David Voigt explained that the Attorney General had scheduled the first hearing date at the request of some of the officials in Duluth. When Speaker Thissen created the Select Committee on Synthetics, they decided to use this meeting as an opportunity to get their first exposure to that issue. So it became a joint hearing between the Attorney General and the Select Committee. Brian Marquart testified on behalf of DPS and included a 1-page fact sheet with task force data, increasing from mentions in 2010 and 2011 to recorded seizures of 500 grams in 2012, more than 5,000 grams in the first quarter of 2013 with projections of more than 200,000 grams seized by the end of the year. He noted increase in lab times, analog identification difficulties, and controlled substance scheduling procedures. He explained that the Statewide Substance Abuse Strategy is addressing emerging drug trends such as heroin, prescription opiates and synthetics. There was synthetic drug legislation last year that this not move forward and they hope to have full support from all the key partners to move it through next session. They are looking at analog language from Indiana that is currently being challenged in the courts and they are also looking at the results of local ordinances like in Moorhead.

Action: Chair Jensen proposed the creation of an ad hoc committee to address enforcement and prosecution of synthetic drug cases and to include prevention and intervention strategies as well. Committee volunteers: Hilary Caligiuri, Hector Garcia, Melvin Carter, David Hermerding, David Voight and Drew Evans. Brian Marquart agreed to set up the first meeting at BCA and would reach out to representatives DHS to attend as well.

**Community Engagement Committee:** Hector Garcia has agreed to chair the Community Engagement Committee and he noted that educating the public about the dramatic effects of these substances is an important role of the VCCC. He also noted that there are tremendous resources in communities to help with drug prevention and intervention activities. The committee will test the roundtable model in two communities: one in St. Paul and one in an out state site. The have reached out to task force commanders to identify community leaders and will be asking for volunteers to host a pilot project.

A copy of the Guidelines for Roundtable Discussions was distributed for review and John Gross noted that they are a draft for the committee to approve. There were no additional changes recommended by the VCCC. As soon as we have the guidelines approved, there is a list of the task forces that will be contacted. It will be sent to both task force commanders and oversight boards so that they can review and discuss to determine if they would like to participate. Gross reiterated that the facilitator and oversight board members would lead the community conversations rather and active investigators or task force commanders.

Garcia clarified that they would not address specific cases in the roundtable. If that comes up in the discussion, they would be referred to the appropriate authority or agency. The specific focus of the roundtable is gang and drug violence--to clarify misunderstandings to convey information, contacts, and resources. The committee will next meet to approve these guidelines and forward to task forces that has previously provided contacts for community leaders.

**Data Committee:** Drew Evans requested a motion from the VCCC to begin a pilot test of gang data in the ACISS gang module at BCA. He explained that the Fusion Center (formerly referred to as MNJAC) could begin a pilot project to collate various gang criteria. They would be able to input the separate data elements and when 3 of the 9 criteria are noted in the system for one individual, they would be identified as a gang member in the Pointer File System. Evans again noted that these data elements forwarded to the Fusion Center would be considered public data.

At a recent meeting with the Fusion Center, Cari Gerlicher suggested that DOC could provide the pilot data for the test of gang criteria. They also discussed what type of information would be submitted and how it could be forwarded. Evans noted that there is not a statutory requirement for BCA to provide this function, so he requested direction from VCCC to the BCA to serve as the gang criteria collection and collating point for the State of Minnesota. Action: Ken Reed made a motion for the BCA to pilot a project with agencies they identify to use the State Fusion Center as a collating point for the gang criteria to identify individuals to be added to the gang pointer file. Hilary Caligiuri seconded and the motion carried.

After committee reports there was a break for lunch followed by OJP updates.

**Statewide Commander Update**. Brian Marquart reported on task force site visit process, including certification procedures, operations, audit issues, and testing previous weaknesses that were either observed in prior site visits or in the audit report. They have conducted visits at Paul Bunyan, Anoka/Hennepin, West Central, North Central, Lakes area in Brainerd, South Central, South East, Dakota (who were awarded Drug Task Force of the year at the MNSANI spring conference), BLR in New Ulm, and Buffalo Ridge in Worthington. The goal is to have all of the rest completed by the beginning of August so there will be a full report at the next VCCC meeting.

Marquart met with Banker’s systems on currency counters, that a few task forces use to use to prerecord their money and process cash seizures. They record the serial numbers for each bill and can compare to those seized to return buy funds. Ideally, the machines could be connected electronically so that they would know if a seizure in southern Minnesota contained the exact bills used as buy funds in Northern Minnesota.. The cost is about $5,000 per unit with additional monthly fees to connect with other task forces.

OJP staff met with the Auditor’s Office about the process and outcomes of audits of the 23 task forces in 2012 and early 2012. They provided some interesting insight in to the audit process and explained that the agreed upon procedures review went directly from the guidelines. So the first order of business for the professional standards committee was recommending the changes to the guidelines we approved earlier. He also discussed areas of interpretation and opportunities for commanders to clarify concerns before the report is finalized. Next they will start the second round of audits, using the same auditor and procedures, in late 2013 and early 2014. Marquart suggested that there should be fewer findings in the second round after follow-up training and on-site technical assistance.

The evidence for disposal protocol at 3M is complete and a sample letter was provided that will be sent to all law enforcement leaders across the state. BCA conducted pilot disposal of several barrels that went very smoothly. He noted that pollution control is now requiring all law enforcement to use only 3M as a disposal site for and that there may be sanctions for using other non-licensed disposal sites in the state. There are three classifications: 1) prescription drugs from the take back programs, 2) plant material such as mushrooms and marijuana, and 3. seized controlled substances, including pharmaceuticals’ resulting from a criminal investigation. The first two, types can be disposed at various sites across the state. However, the change is now all seized drugs must be taken to the Cottage Grove, 3M facility. There is a link in the letter that explains how to set up disposal appointment through BCA.

The FIDO (Field Identification Drug Officers program) is scheduled to begin July 18th for BCA narcotics investigators, and are scheduled every other month for the next 6 months. The 8 hour course, certifies narcotics officers on field drug testing for court purposes. The program will covers testing for heroin, Meth, Cocaine, marijuana, and pharmaceuticals identification. Investigators may still do a quick test on site at a search warrant to identify the drugs, but this will be a more formal process at the task force office or evidence room where they can follow all steps in the procedure and certify the field test for prosecution. Marquart will review and approve all participants registered for this training to ensure that all task force areas are represented.

Marquart noted that data practices limitations in Chapter 13 continue to restrict drug task forces in sharing important investigative information. He suggested that interconnecting task force records management systems would help them work smoother and better. If the BCA sets up a separate server for task force data using the backbone ACISS system, task forces could maintain their own informant and case files but would also be able to view the target names, addresses, vehicles, phone numbers and associates of other participating task forces. Task forces could choose whether to allow access to full specific reports by other investigators working the same target. This data would only be on active investigations so it would satisfy chapter 13. We are discussing this topic during site visit and hope to have 5 or 6 willing start on with this new system and see how the interconnection works. There will be continued conversations about the registration fees, server development and training.

Finally, Marquart provided updates on the spring MNSANI Conference, the TPT Heroin at Home program, State Substance Abuse Strategy work group meetings and a public meeting in St Paul on opiates.

**OJP Grants Update**: Kristin Lail confirmed the grant continuation plan based on current funding levels, but noted that based on site visit information, a few wouldn’t automatically receive the same amount of funding. She indicated more than two thirds of the task forces visited are in good shape and the continuation funding can proceed but that about 5-7 have various operational issues that should be addressed. She suggested inviting them to the Fall retreat to review site visit reports and discuss responses with VCCC members. She also noted that these task forces would be priorities for the next round of audits so they are compete before the next funding year begins.

Lail clarified that through site visits to date there were no egregious issues found that would warrant immediate termination of grants, which can be done by OJP with a 30-day written notice. It is more of a pattern of unresponsiveness to previous site visits and audit issues. There are also a few smaller task forces that that are barely operating under the multijurisdictional definition from the 2012 RFP.

At the August VCCC meeting there will be a brief summary of the site visit and general funding recommendations for 2014. We can tell you who we recommend to fund at the same level, and a list of task forces that may need to provide additional information. John Marti asked for the statewide coordinators thought about selective presentations to the VCCC. Brian Marquart agreed that if we ask the task force commander and advisory board chair and task force to come to present to the VCCC they will take another look at past recommendations and make sure they are being implemented.

Ken Reed suggested that the target task forces could meet with the professional standards committee to review recommendation and ask questions and then bring that summary to the full board with a funding recommendation. Marquart noted that the timing would be difficult to complete all the site visits and audits then for the committee to meet to hear presentations before the October retreat.

Commissioner Dohman asked if task forces were aware that they could potentially be brought before the Professional Standards Committee. She appreciated the frustration of grantees not following recommendations provided in training and site visits but wanted to notify commanders and boards of the potential for presentations before asking them to attend the next VCCC meeting. She stated that DPS will not fund any task force that this board agrees is out of compliance.

Marquart explained that at the end of each site visit he reviews any concerns and noted if they had also been raised in previous site visit or audit reports. There is an expectation that task forces will take action on site visit recommendations and many do follow up right away. Reed noted that the VCCC makes recommendations to the Commissioner on funding and it is most helpful to have a summary of site visit concerns and an update on their progress in implementing corrective actions. Dohman agreed that additional follow-up from the statewide commander for those task forces with concerns would be the best way to improve operations. Lail agreed to have a site visit summary for all task forces and an enhanced monitoring plan for the subset we have discussed.

In closing, Lail notified VCCC member that the annual fall retreat will be held on October 14-15 in Brainerd and asked if there are any potential conflicts with those dates. She said they would confirm funding amounts at that meeting revisit the tactical plan with the consultant who facilitated the strategic planning process. The retreat is also an opportunity to further discuss topics that are likely to come up at the legislature, such as Chapter 13, forfeiture, medical marijuana and synthetics.

**DHS State Substance Abuse Strategy:** Rich Moldenhauer highlighted a few key activities of the Alcohol and Drug Abuse Division. DHS is working with the University of MN medical school and the American Association for Addiction Psychiatry to provide training on prescribing pain medication for medical students and also continuing education for existing prescribers a couple of times a year. They are also l working on legislation to support opiate reversal medication, such as Narcan, to reduce overdose deaths. Moldenhauer suggested that Regional prevention centers would be a great connection for narcotics task forces. He also recommended contacting the Minnesota Prevention Resource Center (MPRC), [WWW.MPRC.Org](http://WWW.MPRC.Org) for education materials on various drugs of abuse, including posters, handouts, flyers and electronic resources.

Moldenhauer also gave a brief update on DEA Drug take back programs, which are held twice a year. He noted that DHS has grant funds available to increase the amount of prescription medication collected through similar events and law enforcement drop boxes, transportation and disposal. Kristin Lail will be surveying Task Force Commanders about their current activity in this area and how they could be expanded with additional funds. It is possible that DHS funds could be included in 2014 grant awards.

There was no new business discussed.

There was a motion to adjourn by Manuel Guerrero and second by Ken Reed. Meeting adjourned at 1:05 p.m. The next meeting will be held on Wednesday, August 14th from 10am-1pm at the Department of Corrections, Itasca Room on the lower level.

Respectfully submitted, Rita Joyce, Office of Justice Programs.