

MEMORANDUM

Agenda Item No. 8(I)(3)

TO: Honorable Vice Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: November 19, 2020

FROM: Geri Bonzon-Keenan
Successor County Attorney

SUBJECT: Resolution approving the Gatekeeper Security Agreement between the Florida Court Clerks and Comptrollers and Miami-Dade County, by and through the Miami-Dade Police Department, for access to the Comprehensive Case Information System; and authorizing the County Mayor to execute the agreement, which shall remain in effect until December 31, 2024 unless terminated, and to exercise any necessary amendments, as well as the termination provision contained therein

Resolution No. R-1195-20

The accompanying resolution was prepared by the Miami-Dade Police Department and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez.



Geri Bonzon-Keenan
Successor County Attorney

GBK/uw

Date: November 12, 2020

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Resolution Approving the Execution of Gatekeeper Security Agreements Between the Florida Court Clerks and Comptrollers and Miami-Dade County for Access to the Comprehensive Case Information System

Recommendation

It is recommended that the Miami-Dade Board of County Commissioners (Board) approve the attached resolution authorizing the execution by the County Mayor or County Mayor's designee of the Gatekeeper Security Agreement (Agreement) between the Florida Association of Court Clerks and Comptrollers and Miami-Dade County, by and through the Miami-Dade Police Department (MDPD), and to exercise any amendment and termination provisions contained therein. The Agreement attached to the resolution provides the MDPD with access to the Comprehensive Case Management System (CCIS), and acknowledges that the MDPD will ensure compliance with the Agreement. The Agreement shall be effective upon signature by all parties and remain in effect until December 23, 2024, unless terminated. Should the appointed MDPD gatekeeper change, a new agreement will be executed appointing a gatekeeper to perform the services set forth in the Agreement.

Scope

The Agreement provides authorized MDPD users with access to statewide court records maintained by all 67 Court Clerks of Florida.

Delegation of Authority

The County Mayor or County Mayor's designee is authorized to enter into and execute the Agreement, and to exercise any amendment and termination provisions contained therein, as may be necessary on behalf of Miami-Dade County. The Agreement will be effective through December 31, 2024.

Fiscal Impact/Funding Source

There is no fiscal impact to the County.

Track Record/Monitor

In order to ensure compliance with the Agreement, it will be monitored by Sergeant Joy Mellies, of MDPD's Communications & Technology Services Bureau.

Background

The CCIS, offered by Florida's Clerk of Courts, is a secured single point of search for state-wide court case information. The information held by the 67 Court Clerks of Florida may be accessed through CCIS and includes court case information, official records, and performance and accountability measures. Authorized users of the CCIS include the judicial community, state and local law enforcement, state agencies and the Florida Legislature. Information that may be accessed includes criminal history records, inmate data, and driver license information through links to the websites of the Florida Department of Law Enforcement, the Department of Corrections, and the Department of Highway Safety and Motor Vehicles. Agencies desiring access to CCIS must appoint a gatekeeper, and execute and notarize the Agreement attached to the resolution. The Agreement provides for the appointment of a gatekeeper with the responsibility of managing CCIS user accounts for the MDPD. Additionally, the MDPD's appointed gatekeeper will provide oversight and ensure compliance with the gatekeeper's responsibilities as set forth in the Agreement.



Maurice L. Kemp
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Vice Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: November 19, 2020

FROM: 
Geri Bonzon-Keenan
Successor County Attorney

SUBJECT: Agenda Item No. 8(I)(3)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(I)(3)
11-19-20

RESOLUTION NO. R-1195-20

RESOLUTION APPROVING THE GATEKEEPER SECURITY AGREEMENT BETWEEN THE FLORIDA COURT CLERKS AND COMPTROLLERS AND MIAMI-DADE COUNTY, BY AND THROUGH THE MIAMI-DADE POLICE DEPARTMENT, FOR ACCESS TO THE COMPREHENSIVE CASE INFORMATION SYSTEM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT, WHICH SHALL REMAIN IN EFFECT UNTIL DECEMBER 31, 2024 UNLESS TERMINATED, AND TO EXERCISE ANY NECESSARY AMENDMENTS, AS WELL AS THE TERMINATION PROVISION CONTAINED THEREIN

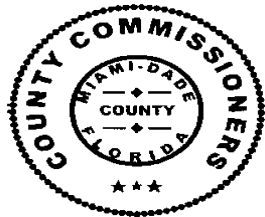
WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the Gatekeeper Security Agreement between the Florida Court Clerks and Comptrollers and Miami-Dade County, by and through the Miami-Dade Police Department, for access to the Comprehensive Case Information System; and authorizes the County Mayor or County Mayor's designee to execute the Agreement in substantially the form attached hereto and incorporated herein by reference, which shall become effective upon signature of all parties and remain in effect until December 31, 2024, unless terminated, and to exercise any amendments necessary for continued access to the Comprehensive Case Information System during the term of the Agreement, as well as the termination provision contained therein, as may be necessary on behalf of Miami-Dade County.

The foregoing resolution was offered by Commissioner **José "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

	Rebeca Sosa, Vice Chairwoman	aye	
Jose "Pepe" Diaz	aye	Sen. René García	aye
Oliver G. Gilbert, III	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Eileen Higgins	aye
Joe A. Martinez	aye	Kionne L. McGhee	aye
Jean Monestime	aye	Raquel A. Regalado	aye
Sen. Javier D. Souto	aye	District 8 - Vacant	vacant

The Chairperson thereupon declared this resolution duly passed and adopted this 19th day of November, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in dark ink, appearing to be "AV", written over a horizontal line.

Anita Viciano Zapata



**FLORIDA ASSOCIATION OF COURT CLERKS AND COMPTROLLERS
COMPREHENSIVE CASE INFORMATION SYSTEM (CCIS)
GATEKEEPER SECURITY AGREEMENT**

Authorized Federal, State or County Agencies or Law Firms (Agency) requesting Gatekeeper responsibilities must use this form to initiate access to CCIS, based the current version of the Florida Supreme Court Standards for Electronic Access to Court Records and the Access Security Matrix. By signature, the Agency Head affirms that the contact and other information on this Agreement is correct.

The Agency Head must sign this agreement and have it notarized. By signing, the Agency Head affirms they will provide Gatekeeper oversight and ensure compliance of the Gatekeeper's responsibilities set forth below. Further, if the Agency's designated Gatekeeper terminates employment with the Agency, the Agency Head will immediately notify CCIS to ensure the account is disabled.

The Agency acknowledges that its Gatekeeper and authorized users will have access to statewide court records, and that the appointed Gatekeeper will have responsibility for the management of CCIS User accounts for your Agency . You understand that under Florida law some records are considered sensitive, confidential, and/or exempt from public disclosure, and may be deemed so at any time by Florida or Federal law, court rule, or court order.

By signing this agreement, the Agency further acknowledges:

1. GOVERNANCE & PENALTIES

- a. Electronic access to Florida court records is governed by the Supreme Court of Florida Access Security Matrix in the most current [Administrative Order governing Electronic Access to Court Records](#). Your access to CCIS records is limited to the corresponding Matrix security group for your agency and role. Access to court records in CCIS may be more restrictive based on the local clerk's ability to provide the records online. Access to CCIS records is limited to the corresponding Matrix security group for your role or the [CCIS Court Records Access Policy](#).
- b. Use of CCIS is subject to the Florida Computer Crimes Act ([Florida Statute 815](#)) which provides penalties for unauthorized use of information resources for all systems protected by the Act.
- c. CCIS User accounts may be inactivated when there is no activity within any consecutive 60-day period.
- d. The Florida Court Clerks & Comptrollers Association (FCCC) reserves the right to audit usage of the CCIS system on a periodic basis to ensure compliance with this agreement. For security and analytic purposes, information about searches conducted on this site will be logged. Such logs will be used to maintain and improve this service.

2. GATEKEEPER ADMINISTRATION

- a. Gatekeeper will manage the eligible user accounts for the Agency, including adding and removing user access, and continual audits of user eligibility.
- b. Gatekeeper will immediately remove any Agency user who has ceased to be an eligible user.
- c. Gatekeeper will immediately notify CCIS upon discovery of a password or other security breach, including the discovery that an assigned password is known by an unauthorized person (whether used or not).
- d. Gatekeeper will maintain the confidentiality and prevent the unauthorized disclosure of any records or information available to the gatekeeper and accessed or obtained from CCIS that is confidential or exempt from public disclosure under Florida or Federal law, court rule, or court order.
- e. Gatekeepers will promptly report to FCCC known or suspected theft, loss or unauthorized disclosure of confidential or exempt information, to include user credentials. Refer to the user guide for contact information.

3. LIMITS OF LIABILITY

- a. Gatekeepers release FCCC and FCCC's employees and agents from any liability and any damages resulting from or related to (a) interrupted service of any kind; (b) Gatekeeper's equipment; (c) use or viewing of electronic court records.
- b. This Agreement, regardless of where actually accepted or delivered, is deemed to have been accepted and delivered by the parties in the State of Florida and any dispute arising from it will be governed by Florida law. Any suit for any claim, breach, or dispute arising out of this Agreement will be maintained in Leon County, Florida.

4. **DISCLAIMER:** This information is provided as a public service and is NOT an authoritative public record. There is no warranty or guaranty on the accuracy of data on this system; for the official record, please contact the applicable County Clerk's office.



5. TERMINATION AND OTHER REMEDIES

- a. If Gatekeeper breaches the provisions in this Agreement or otherwise uses data or information improperly, the FCCC has the right to terminate this Agreement immediately and pursue any other remedy available at law or in equity.
 - b. This Agreement will be terminated immediately if funding of CCIS is withdrawn for any reason. Gatekeeper acknowledges that FCCC has no control over appropriations that may be provided by any governmental entity for the continuation of the services under this Agreement.
6. If any part of this Agreement is found to be invalid, then it will have no effect, but the remaining provisions will continue in full force and effect.

AGENCY GATEKEEPER INFORMATION

Once you have completed the form, contact the FCCC Service Center at (850) 414-2210 or support@flclerks.com to complete the process.

(Please print/type all information. All fields are **required**.)

*Agency Name	Miami-Dade County/Miami-Dade Police Department			
*Agency Head Name	First	Carlos	Last	Gimenez
*Agency Head Title	Miami-Dade County Mayor			
*Agency Head Email Address	aramireziii@mdpd.com			
*Phone(s)	(w/h)	305-471-2100	(c)	
*Mailing Address	9105 NW 25th Street			
*City, State, ZIP	Miami, Florida 33172			
*Gatekeeper Name	First	Joy	Last	Mellies
*Gatekeeper Title	Police Sergeant			
*Gatekeeper Email Address	jmellies@mdpd.com			
*Gatekeeper Phone(s)	(w/h)	305-471-1854	(c)	
*Gatekeeper Mailing Address ¹	9105 NW 25th Street			
*Gatekeeper City, State, ZIP ¹	Miami	FL	33172	
*Matrix Role (see table)	8			
*Agency Head Signature:			*Date:	

NOTARY:

County: Dade State: Florida

☐ By Physical Presence ☐ By Online Notarization

☐ Personally Known ☐ Produced Identification

Sworn to by the user named above, and subscribed before me on: _____

Notary Public Signature _____ (Seal)

Notary Public Printed Name _____

Authorized CCIS Administrator		(CCIS use only)
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¹ If Gatekeeper's address is different than the Agency Head

Access Security Matrix Roles			
Role	Description	Role	Description
1	Judges, authorized courts & clerk's office personnel (Internal access by authorization)	8	Certified law enforcement officers of federal and FL state and local law enforcement agencies, FL Department of Corrections, and their authorized users <i>(notarization required)</i>
2	FL State Attorney <i>(notarization required)</i>	9	FL Attorney General's Office and the FL Depart. of Children and Families <i>(notarization required)</i>
3	Attorney of Record <i>(notarization required)</i>	10	Florida School Districts (Truancy) <i>(notarization required)</i>
6	General Gov't & Constitutional Officers <i>(notarization required)</i>	12	Florida Public Defender's Offices (Institutional access only) <i>(notarization required)</i>