

**WHO DECIDES? — AN OVERVIEW OF HOW
STATES ARE ADDRESSING DELEGATION OF
AUTHORITY AND DECISIONMAKING IN MANAGING
INTEGRATED JUSTICE INFORMATION SYSTEMS**

*A Report on the Findings of a Survey of the Governance Structures
of Statewide and State-Level Integrated Justice Information
Systems Initiatives*

Prepared by



NATIONAL CRIMINAL JUSTICE ASSOCIATION

In collaboration with

SEARCH

The National Consortium for Justice Information and Statistics

For



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I am pleased to share with you the publication, *Who Decides? An Overview of How States are Addressing Delegation of Authority and Decisionmaking in Managing Integrated Justice Information Systems*. This report presents the findings of a national survey of governance structures established by states to oversee statewide and state-level integrated justice information systems initiatives.

Over the past two years, the U.S. Department of Justice, Office of Justice Programs (OJP) and the OJP's Bureau of Justice Assistance (BJA) have been engaged in efforts to identify ways in which federal leadership and resources can be directed to assist states and local jurisdictions in developing integrated justice information systems implementation strategies. Those efforts have pointed up the critical importance of effective systems of governance to the long-term viability of integrated justice information systems.

The governance structures survey project, undertaken for the OJP and the BJA by the National Criminal Justice Association (NCJA), in collaboration with SEARCH, The National Consortium for Justice Information and Statistics, is a key component of the strategy of OJP's internal Integrated Information Sharing Working Group (IISWG). The purpose of the project was to develop a body of information that can be used by states in making decisions about creating governance structures for their respective integrated justice information systems initiatives. Information that has been developed through analysis of survey findings also will be used by the OJP to identify promising practices in shaping governance structures for statewide and state-level integrated justice information systems, and to inform OJP's efforts to develop technical assistance offerings that are responsive to the needs of states that are contemplating or are engaged in integrated justice information systems initiatives.

The integration of justice information holds the potential not only for ensuring the timeliness and accuracy of data, but also the quality of the administration of justice in this country as a whole. Information gathered through the governance structures survey, as well as the products of other complementary projects of OJP's overall justice systems information integration initiative, will help to inform the planning and implementation activities of the states in this important arena.

I would also like to thank all of those who contributed to this effort. The governance structures survey project benefited from the contributions and guidance of numerous individuals across the country. First and foremost, the NCJA and the OJP are indebted to the state officials who responded to the survey. The project staff made every effort to make completion of the survey as painless as possible. Nevertheless, responding to the survey took time, a commodity of which most state officials have too little on a day-to-day basis. And, to those state officials who also graciously allowed project staff to pick their brains further in telephone interviews, an extra ration of our gratitude is in order. A list of state survey respondents is provided in Appendix A of this report.

The NCJA and the OJP also owe a debt of gratitude to SEARCH, The National Consortium for Justice Information and Statistics. In particular, Kelly J. Harris, SEARCH director of Justice IT, was a trooper, and an invaluable asset to this project. Not only did she help to resolve issues relating to the specific scope and focus of the survey, and guide and shape the development of the survey instrument, but she authored significant sections of this report. Our appreciation as well to David J. Roberts, SEARCH deputy executive director, who also helped shape the governance structures survey, and to Twyla Cunningham, manager of SEARCH corporate communications, and Jane Bassett, SEARCH publishing assistant, who graciously undertook the thankless, but critically important, tasks of editing and formatting the survey instrument itself.

Many individuals within the OJP also made substantial contributions to the governance structures survey project. Paul F. Kendall, OJP general counsel, who properly can be credited with spearheading the development of OJP's integrated justice information systems initiative, saw the need for an examination of state governance structures, and fostered support for the governance structures survey project within the OJP. Anne Gardner, who recently left her position as attorney-adviser with the OJP's Office of General Counsel to join the United States Attorney's Office in Little Rock, Arkansas, devoted countless hours to helping NCJA project staff think through the numerous issues that had to be resolved in developing the governance structures survey instrument and protocol.

The governance structures survey project could not have come to fruition without the financial and moral support provided by the OJP Bureau of Justice Assistance (BJA). In particular, Richard H. Ward, III, presently acting director of BJA, and José McLoughlin, a former BJA program manager, who recently joined the staff of the OJP's Office of the Police Corps and Law Enforcement Education, provided unflagging support and encouragement to governance structure survey project staff.

Thanks also to Mark A. O'Hara, NCJA government affairs counsel, who managed the administration of the governance structures survey for the NCJA and the preparation of Appendix D on states' governance legal frameworks.

Finally, our special thanks to Gwen A. Holden, who developed the survey instrument, aggregated survey findings, and developed the final project report on the NCJA's behalf. As a result of her considerable efforts, we believe that we have contributed an invaluable tool for use by states in developing and implementing governance structures to oversee and manage their integrated justice information systems initiatives.

Cabell C. Cropper
NCJA Executive Director

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PREFACE

Building information systems to serve the operational needs of criminal justice agencies has been a priority in the states for nearly three decades. In most states, these initiatives have been centered in individual agencies of the criminal justice system, each of which has designed a system to meet its own specifications and needs. State criminal justice agencies have pursued aggressively enhancements in their respective information systems, over time, making the systems themselves more responsive, more manageable, and more accountable, and the information that they produce timelier, more accurate, and more accessible.

As the state of the art of information technology has evolved, states have begun to explore the development of strategies to improve the sharing of justice information across agencies of the criminal justice system, among levels of government, and, as appropriate, with non-criminal justice agencies. Over the past 10 years, the integration of justice information systems has become a primary focus of state criminal justice information systems planning and implementation initiatives, and states have pressed for technical solutions to obstacles and barriers to achieving integration.

The focus of states' justice integration initiatives is to identify those key decision points, at which agencies' information needs intersect, and to develop and implement a policy and operational integration infrastructure that will allow the exchange of information to take place among those agencies. Today, integration is technologically feasible. Advances in information technology have made it possible to link the information systems of agencies that are operating with different hardware and software.

The improvements in information sharing that are at the heart of integration initiatives will not occur unless agencies participating in integration initiatives can come together and agree upon a governance structure to manage decisionmaking in an integrated environment. States must address the considerable challenge of developing a formalized organizational framework within which participating agencies will share responsibility for making and executing overarching decisions on such issues as budgeting, resolving legal and political barriers to integration, hardware and software purchases, and the development of policies, procedures, and protocols that affect the operational integrity of the integrated system as a whole.

Today, the creation of governance structures for states' integrated justice information system initiatives is a work in progress across the country. For that reason, the governance structures project was undertaken to gain insight into how states currently are handling or plan to handle the delegation and exercise of authority for the management of integrated justice information systems. It is hoped that information contained in *Who Decides? An Overview of How States are Addressing Delegation of Authority and Decision-Making in Managing Integrated Justice Information Systems*, the report of the governance structures project, will provide states guidance in meeting the challenge of creating governance structures to oversee the planning and implementation of integrated justice information system initiatives within their respective jurisdictions.

EXECUTIVE SUMMARY

In the summer of 1999, the National Criminal Justice Association (NCJA), in collaboration with SEARCH, The National Consortium for Justice Information and Statistics, began a project to examine governance structures established by states to oversee statewide and state-level integrated justice information systems initiatives. The governance structures survey project, undertaken for the U.S. Department of Justice, Office of Justice Programs (OJP) and the OJP's Bureau of Justice Assistance (BJA), with funding provided by the BJA, is a key component of the OJP's national integrated justice information initiative. That initiative, begun nearly three years ago, is designed to encourage and facilitate the development of integrated justice information systems at the state and local levels of government.

This report presents the findings of the governance structures survey project. The survey was mailed to all 50 states and the District of Columbia on Oct. 8, 1999. In all, 35 states and the District of Columbia returned completed surveys, comprising a 71% survey return rate. The state governance structures survey focused specifically on integrated justice information systems initiatives that are statewide or state-level in scope. Statewide integration initiatives are those initiatives that include both state-level and local-level information systems. State-level integration initiatives, by contrast, focus upon integrating *only* information systems of state government agencies. To fall within the definition of an integrated justice information system initiative for purposes of the governance survey, the primary mission of the overall integrated justice information system initiative had to be improvement of justice information sharing *among two or more disciplines*. The term "governance structure" denotes the elements of the authority and decisionmaking structure that the state has put in place to oversee implementation of the integrated justice information system initiative.

Analysis of survey responses produced several poignant observations concerning the status of justice information system integration in this country:

- Most states reported that they currently are implementing initiatives to improve the sharing of justice information whether or not they have completed and formally begun implementing an integration plan.
- Most states reported that they believe that consensus has been reached within their respective jurisdictions on the importance of pursuing the integration of justice information systems. Moreover, states believe that this consensus will prove to be an asset to their respective integration initiatives.
- Most states reported that they believe that they have the support of their governors for justice information systems integration, and that the support of the state's chief executive will be an asset to their integration initiatives.
- Most states that have completed an integration plan, but that have not begun implementation of that plan, reported that they believe that competing justice information systems-related priorities and needs will not present a major obstacle to

integration implementation in their respective states. By contrast, states that have begun integration plan implementation reported that they believe that these competing priorities will prove to be an obstacle to integration implementation. Likewise, states that have not begun integration plan implementation believe that overcoming interagency and interdisciplinary “turf” issues will be less of a detractor in integration plan implementation than do states that have begun integration plan implementation.

- Most states reported that they initiated their respective integration initiatives with efforts to improve the sharing of justice information among state law enforcement agencies, and contemplate expanding the sharing of justice information across the state criminal justice system and with local criminal justice agencies as implementation of their integration plans proceed. Few states currently are engaged in expanding justice information sharing to non-criminal justice agencies.
- Few states have created independent governance bodies within state government to oversee integration planning and implementation.
- Most states’ integration governance structures operate under the umbrella of an executive branch agency, most often an executive branch justice agency.
- Most states’ governance structures include a central policy and planning committee that includes representation from agencies that are involved in the development and implementation of states’ integration plans. Some states have delegated governance responsibilities to an existing criminal justice advisory body, most often a criminal justice information systems advisory committee. Other states have created new committees as components of their integration governance structures. Several states’ governance structures involve an existing committee as well as one or more new committees created specifically to participate in integration planning and implementation.
- Few of the states’ governance structures, as described by survey respondents, are vested with the full range of governance responsibilities. In particular, few of these structures are authorized to approve integration plans or budgets to support implementation of these plans.
- Most states reported that they believe that securing funding for integration and locating adequate qualified staff will be the two most significant obstacles to implementation of their respective justice information systems integration plans. Several states reported that they believe that locating qualified staff may be even more difficult than securing adequate funding for integration.
- Federal criminal justice grant-in-aid programs to date have been a significant source of funding for state integration information systems initiatives.

The trend across the country is clear: states rely on governance structures to successfully move the integrated justice information systems (IJIS) project from concept to actuality. Every state that is planning for and implementing an IJIS must have one, because they all must have a formal mechanism for shared decisionmaking. States have taken different approaches in defining their governing bodies, and there are experiences and lessons to be

learned from these varied efforts that can help other states involved or beginning to plan for IJIS.

INTRODUCTION: THE GOVERNANCE STRUCTURES SURVEY PROJECT

Background

In the summer of 1999, the National Criminal Justice Association (NCJA), in collaboration with SEARCH, The National Consortium for Justice Information and Statistics, began work on a project to examine governance structures established by states to oversee statewide and state-level integrated justice information systems initiatives. The governance structures survey project, undertaken for the U.S. Department of Justice, Office of Justice Programs (OJP) and OJP's Bureau of Justice Assistance (BJA), with funding provided by the BJA, is a key component of OJP's national integrated justice information system initiative. That initiative, begun nearly three years ago, is designed to encourage and facilitate the development of integrated justice information systems at the state and local levels of government.

The OJP's integration initiative reflects agency officials' belief that, while it would not be appropriate for the OJP to attempt to dictate how states should accomplish integration, it is incumbent upon that agency to provide leadership and guidance to states on how federal grant funds might be used most effectively to achieve integration goals and objectives. Moreover, OJP officials believe that the agency is uniquely positioned to provide states assistance in identifying and overcoming statutory, administrative, and operational obstacles to improving justice information sharing.

As a first step in its integration initiative, the OJP reached out to the field to gain insight into current state and local justice integration initiatives and to learn in what manner the OJP can best assist these jurisdictions in attaining their respective technology goals. In a series of practitioner focus groups, the OJP learned that states pursuing integration goals and objectives were in need of assistance in a number of critical areas, among these: developing integration plans and strategies; formulating strategies to market integration; developing integration architecture; identifying the key points at which justice information is exchanged among agencies and across disciplines; and creating integration governance structures.

Based upon information learned through such initiatives as the governance structure survey project, the OJP is continuing to refine its federal role in support of integrated justice information systems as well as implementing a number of actions to facilitate and assist integration efforts at the state and local levels. This report, *Who Decides? An Overview of How States are Addressing Delegation of Authority and Decision-Making in Managing Integrated Justice Information Systems*, presents the findings of the governance structures survey project. Information presented in this report is intended for states' use in establishing governance structures to oversee the planning and implementation of integrated justice

information systems. Information contained in the report also will be used by the OJP in its internal efforts to identify promising practices in establishing governance structures and in shaping its technical assistance offerings on justice information systems integration.

The Governance Structures Survey

The centerpiece of the governance structures survey project was the survey itself. That survey was mailed to all 50 states and the District of Columbia on Oct. 8, 1999. In all, 35 states and the District of Columbia returned completed surveys, comprising a 71 percent survey return rate.

Defining the Survey Constituency and Focus

The improvement of information sharing ranks high among the current priorities of policymakers, legislators, and agency administrators across the country and at all levels of government. The federal government, virtually every state, and many counties and municipalities are engaged in one or more initiatives to integrate various government databases to improve planning and decisionmaking, and to enhance the quality and delivery of services to the public.

Within this broader context of integration initiatives in progress around the country, the state governance structures survey focused specifically on integrated justice information systems initiatives that are statewide or state-level in scope. *Statewide integration initiatives* are those initiatives that include both state-level *and* local-level information systems. *State-level integration initiatives*, by contrast, focus upon integrating *only* information systems of state government agencies.

Two other key terms – *integrated justice information systems* and *governance structures* – are used throughout the governance structures survey. These two terms, as defined below, help to describe further the survey constituency and focus.

Integrated Justice Information Systems

Contemporarily, the term “integrated justice information systems” is used to describe a broad range of intra-agency, interagency, interdisciplinary, and intergovernmental justice information sharing improvement initiatives. That term encompasses intra-agency integrated justice information systems initiatives “to eliminate the duplicative data entry, provide access to information that is not otherwise available, and ensure the timely sharing of critical data.”¹ Likewise, it is employed in describing *interagency*, *interdisciplinary*, and *intergovernmental* justice information sharing improvement initiatives that are aimed at upgrading “the ability to access and share critical information at key decision points through the justice process,”

¹ David J. Roberts, “Integrated Justice Information Systems Planning and Implementation: Organizing for Change.” *BJA/SEARCH 1999 Symposium: Integrated Justice Information Systems/Keynote Presentations*. SEARCH, The National Consortium for Justice Information and Statistics, Sacramento, Calif. (1999), at 8.

including building or enhancing capacities to “[a]utomatically query regional statewide and national databases . . .,” and to “[r]eport key transactions regarding people and cases to local, regional, statewide and national systems . . .”²

However, for purposes of this survey, the term “integrated justice information systems” describes information system improvement strategies for which the primary mission is to enhance existing or create new capacities to facilitate the sharing of justice information among *two or more disciplines*. The scope and specific tasks of these interdisciplinary integrated statewide or state-level justice information systems initiatives, as defined for purposes of this survey, may vary from state to state. These initiatives may be directed toward improving the capacities of two or more justice disciplines at the state level to develop and implement policy and technical solutions to information sharing across the criminal justice system, or may encompass efforts to improve justice information sharing among state, county, and local justice agencies. Moreover, one state may be targeting its integration initiatives among two or more disciplines within the criminal justice system; for example, law enforcement and corrections agencies. Another state may adopt a strategy to improve the sharing of justice information with one or more non-criminal justice system disciplines; for example, with highway safety officials or social services providers.

Finally, a state strategy to improve justice information sharing may incorporate phases or tasks that involve enhancing the intra-agency communications and data exchange capacities of participating agencies as well as phases or tasks specifically in support of achieving that strategy’s overall mission of improving information sharing among two or more disciplines. A state’s overall statewide or state-level integration strategy may call for concentration on intra-agency system improvement in the initial phases of strategy implementation, with interdisciplinary integration tasks scheduled for later phases of the overall initiative. Such strategies were considered integrated justice information system initiatives for purposes of the survey. By contrast, an initiative undertaken only to improve the sharing of justice information within a single discipline, for example, among prosecutors’ offices, would not have met the definition of an integrated justice information system initiative for purposes of the survey. Similarly, an initiative designed solely to enhance communications capacities among state and local law enforcement agencies would not fall within the definition of integrated justice information systems initiatives for purposes of the survey.

In sum, to fall within the definition of an integrated justice information system initiative for purposes of the state governance structures survey, the primary mission of the overall integrated justice information system initiative had to be improvement of justice information sharing *among two or more disciplines*.

² *Id.*

Governance Structure

The term “governance structure” denotes the elements of the authority and decisionmaking structure that the state has put in place to oversee implementation of the integrated justice information system initiative, as such an initiative was defined for purposes of the survey. Governance responsibilities may be exercised by an existing board, committee, council or commission that has been authorized to oversee implementation of the integrated justice information system initiative, or by a board, committee, council or commission that has been created specifically for purposes of carrying out this responsibility.

Alternatively, governance of integrated justice information systems initiatives may be the shared responsibility of two or more entities or individuals; for example, of a special advisory committee operating under the authority of the administrator of a state department of public safety.

Established state executive and legislative branch procedures and practices for reviewing and processing programmatic and spending proposals in the normal course of business were not considered part of the governance structure of integrated justice information systems initiatives for purposes of the survey. The survey assumed that governors, state legislators, and state executive branch administrative agency officials – such as budget, management, and procurement personnel – will play important roles within their respective jurisdictions in the final disposition of recommendations concerning integrated justice information systems strategies. The survey was interested in the roles and responsibilities of these agencies and officials only to the extent that they are directly involved in conceptualizing and producing the integrated justice information systems implementation strategies. For example, if the governor’s office and/or the state legislature in a given state have established working committees that participate in decisionmaking concerning the formulation of integrated justice information systems strategies, these entities would be considered elements of the governance structure for purposes of the survey.

Scope of Survey Inquiries

The purpose of the governance structure survey was to elicit information from respondents concerning the identity and various responsibilities of the advisory bodies, officials, and agencies that individually possess or collectively share the authority for making decisions that will shape and guide the development, implementation, and operation of states’ integrated justice information systems initiatives. Accordingly, the bulk of the survey questions focused on issues relating specifically to the organization of governance structures.

However, the survey also included several introductory questions that were intended first, to determine whether the respondent is engaged in integration-related activities; and then, to determine whether a state responding in the affirmative is undertaking a statewide or state-level integrated justice information system initiative as defined for purposes of the governance

structures survey project. States that responded that they are engaged in either a statewide or state-level integration initiative then were asked a series of questions directed toward eliciting information describing the scope, focus, and status of their respective integration initiatives.

A copy of the governance structures survey instrument is provided in Appendix B of this report.

Information gathered from the survey about state governance structures was complemented by and expanded upon by site visits to selected states, carried out by SEARCH, to explore further information collected through the surveys. Information gathered through the site visits will be incorporated in a separate report to OJP to help inform the efforts of that agency to develop technical assistance offerings to assist states in establishing governance structures.

Survey Administration

The governance structures survey was sent to one primary contact in each state. The list of primary contacts was developed by the NCJA, in consultation with SEARCH and the OJP. The primary state contact, in turn, was asked to forward the survey to the individual most qualified to respond to questions concerning the given state's state-wide or state-level integrated justice information systems initiative.

A list of state survey respondents is provided in Appendix A of this report.

Organization of the Report

The organization of this report reflects an attempt by the project staff to frame, and then address, a series of key questions concerning state integrated justice information system initiatives and the governance structures that these states have put in place to oversee the planning and implementation of these initiatives. In **Chapter I: *What are the driving forces behind integration of justice information in the United States?***, the report discusses the history of justice information systems integration in this country, and describes factors and conditions that have drawn national attention to this arena and provided impetus and momentum to states' integration initiatives.

Information presented in **Chapter II: *What is the status of integration of justice information in the states?***, is drawn from states' responses to governance structure survey inquiries concerning the scope, focus, and current status of their respective integration initiatives. This chapter is intended to provide snapshots of states' integration initiatives as context within which to consider information provided by these states concerning their governance structures.

Chapter III: *Why is the establishment of a governance structure a critical component of state integrated justice information system initiatives?*, addresses the role of

governance structures in integrated justice information systems, while, in **Chapter IV: *What are the central elements of a viable integrated justice information system governance structure?***, an overview of current thinking on the central elements of a viable governance structure is reviewed.

Finally, **Chapter V: *What types of governance structures have states put in place for integrated justice information systems initiatives to date?***, is the heart of the governance structures survey project report. This chapter provides an overview of information provided by state survey respondents concerning the organization and functions of their respective governance structures.

The governance structures survey project report also contains four appendices. **Appendix A** contains a list of the individuals who completed the governance structures survey on behalf of the 36 responding states. In **Appendix B**, a copy of the survey instrument is provided.

Appendix C, *Components and Responsibilities of State Integration Governance Structures*, presents information concerning integration governance structures in the 27 states which reported in response to survey inquiries that they currently have such structures in place. The state-by-state summaries contained in this appendix describe the structure, organizational status in state government, and responsibilities of governance structures in each of these 27 states as reported by their respective survey respondents.

Appendix D, *State IT Governance Legal Frameworks for Criminal Justice Information*, summarizes the laws and other authorities in each state that have a bearing upon the governance for criminal justice information systems.

Overview of Survey Findings

States' responses to the governance structures survey reaffirmed the profound interest in justice information systems integration across the country. Not only did the survey itself elicit a high rate of return from the states, at 71 percent, but the state respondents made every effort to answer survey questions as completely as possible. The responses themselves indicated that survey respondents carefully read and, for the most part, followed the instructions that accompanied the survey. And, as will be evident throughout this report, several respondents took the time to clarify and expand upon their answers.

Moreover, the lack of responses from 15 states can not be interpreted as indicating that these states are not engaged in integration-related activities. Several of the states that did not respond are known to be very much involved in integration planning and/or implementation, while others have been actively taking advantage of the various integration technical assistance resources that are being provided by SEARCH and other organizations that are among the leaders in justice information systems development.

Analysis of survey responses produced several poignant observations concerning the status of justice information system integration in this country. Among the most significant of these observations were the following:

- Most states reported that they currently are implementing initiatives to improve the sharing of justice information, whether or not they have completed and formally begun implementing an integration plan.
- Most states reported that they believe that consensus has been reached within their respective jurisdictions on the importance of pursuing the integration of justice information systems. Moreover, states believe that this consensus will prove to be an asset to their respective integration initiatives.
- Most states reported that they believe that they have the support of their governors for justice information systems integration, and that the support of the state's chief executive will be an asset to their respective integration initiatives.
- Most states that have completed an integration plan, but that have not begun implementation of that plan, reported that they believe that competing justice information systems-related priorities and needs will not present a major obstacle to integration implementation in their respective states. By contrast, states that have begun integration plan implementation reported that they believe that these competing priorities will prove to be an obstacle to integration implementation. Likewise, states that have not begun integration plan implementation believe that overcoming interagency and interdisciplinary "turf" issues will be less of a detractor in integration plan implementation than do states that have begun integration plan implementation.
- Most states reported that they initiated their respective integration initiatives with efforts to improve the sharing of justice information among state law enforcement agencies, and contemplate expanding the sharing of justice information across the state criminal justice system and with local criminal justice agencies as implementation of their integration plans proceed. Few states currently are engaged in expanding justice information sharing to non-criminal justice agencies.
- Few states have created independent governance bodies within state government to oversee integration planning and implementation.
- Most states' integration governance structures operate under the umbrella of an executive branch agency, most often an executive branch justice agency.

- Most states' governance structures include a central policy and planning committee that includes representation from agencies that are involved in the development and implementation of states' integration plans. Some states have delegated governance responsibilities to an existing criminal justice advisory body, most often a criminal justice information systems advisory committee. Other states have created new committees as components of their integration governance structures. Several states' governance structures involve an existing committee as well as one or more new committees created specifically to participate in integration planning and implementation.
- Few of the states' governance structures, as described by survey respondents, are vested with the full range of governance responsibilities. In particular, few of these structures are authorized to approve integration plans or budgets to support implementation of these plans.
- Most states reported that they believe that securing funding for integration and locating adequate qualified staff will be the two most significant obstacles to implementation of their respective justice information systems integration plans. Several states reported that they believe that locating qualified staff may be even more difficult than securing adequate funding for integration.
- Federal criminal justice grant-in-aid programs to date have been a significant source of funding for state integrated information systems initiatives.

Uses and Limitations

This report focuses on justice information systems integration in the states. It is based upon information provided by the states in response to a national survey that was undertaken specifically to examine state justice integration governance structures.

The governance structures survey project was undertaken in recognition of the critical importance of governance structures to the long-term viability of integrated justice information systems, and the belief that officials currently engaged in, or considering undertaking, justice information system integration initiatives would benefit from insight into how their colleagues in other states are approaching the challenge of developing decisionmaking structures for these initiatives.

Scope of Survey Inquiries

As is the case in developing any survey, project staff first were faced with the tasks of defining the scope of the survey, and then identifying the fine line between asking for so much information that states were discouraged from responding, and asking for too little information to produce a useful product. With respect to the scope of the survey project, although the specific purpose of the survey was to examine integration governance structures, project staff believed that information concerning these structures would be more meaningful, and consequently more informative, if it could be viewed in the broader context of an overview of integration activities in the states. The survey therefore sought to achieve two objectives: to gather general information concerning the scope and focus of state integration initiatives, and to describe the governance structures in those states that have established such structures to date.

Three considerations became the pivotal factors in deciding how much information to seek from states in the areas that the survey would address. As pointed out above, the project staff's first concern was to make every effort not to discourage states from responding to the survey by simply asking too much of them.

Second, information already available concerning justice integration in the states indicated that, not unexpectedly, the level, scope, and focus of these initiatives vary substantially from state to state. Therefore, it was clear from the outset that it would not be possible to describe in detail the integration activities and governance structures in each state that chose to respond to the survey. Moreover, it necessarily would be beyond the scope of this project to attempt to collect information on how integration plans are being implemented and how governance structure components carry out their assigned responsibilities.

Finally, the project staff would need to guard against formulating a survey that potentially might generate more information than the staff would be able to handle. In the end, it would fall to the project staff to manage the compilation and analysis of the survey responses, and produce a final project report that not only would be readable, but would be read.

To address these considerations, the project staff employed a "forced choices" approach to formulating the majority of survey questions. Inquiries framed in this manner included a list of choices from which respondents were asked to select those choices that were appropriate to integration initiatives in their respective states. Although this approach necessarily produced a more general level of information about integration activities and governance structures in the states than some readers might find desirable, it permitted project staff to produce an overview of integration activities and governance structures in the states that otherwise would have been impossible to achieve.

In the end, the reader of this report is provided with a national overview that will describe in general terms the scope, focus, and status of these initiatives, and answer questions for public policymakers and practitioners concerning the structure, the composition, the

authority, the responsibilities, and the funding of state integrated justice information systems governance structures. A reader of the overview will learn, for example, which states currently are planning, and which are engaged in phases of implementing statewide or state-level integrated systems, as these terms have been defined for purpose of the survey; whether a given state's integration initiative envisions including local justice information systems; what tasks are included in responding states' integration strategies; which integration tasks have been completed in a given state, and which are ongoing; and whether federal funds have played a role in financing states' integration efforts.

On the subject of governance structures, readers will gain insights into which states have governance structures in place; how these governance structures are organized; where these governance structures are located in state government; whether a given state's governance structure was created by the state legislature or by executive order or other official action, or operates informally; and which element or elements of responding states' governance structures have been vested with the authority for making policy and budget decisions.

On the other hand, readers will not find in this report answers to questions concerning the actual execution, operation, and performance of the elements of integrated justice information systems plans and strategies in responding states. For example, the reader will not learn which agencies in a given state maintain justice information systems; which of these existing systems are encompassed by that state's integration plan; and how existing systems will be networked together under the states' integration plans. Likewise, questions concerning how governance functions are carried out – e.g., how often a state governance committee meets; what organizational rules guide the actions of the governance committee; and what problems been encountered in securing the participation of member agencies at governance committee meetings – were not included among survey inquiries.

Qualifications and Caveats

A few additional qualifications and caveats are described below that readers of this report should bear in mind:

- In addition to the benefits that the project staff derived from using a “forced choice” approach to formulating survey questions, there necessarily are certain drawbacks to this approach as well. Most notably among these, the use of forced choices, as this term suggests, forced responding states to select from a list of choices that might not have contained a selection that accurately represented the situation in their respective states. For example, the project staff included the term “department of public safety” in asking states to indicate which agencies are participating in their respective integration initiatives. A few respondents selected this choice, but noted that functions that in many states are carried out by a department of public safety, in their states are performed by the state police. Likewise, the project staff listed probation and parole separately in these questions. A few states noted that

probation and parole functions are carried out by a single agency. Where appropriate, clarifications and explanations provided by state respondents are included in footnotes.

- In reporting the findings of the governance structures survey, project staff frequently ascribe to the word “state” a human quality, suggesting that a state is capable of “reporting,” or “responding,” or “stating.” Although this manner of reporting flies in the face of the rules of the English language, it has been employed, with respect, for the sake of convenience.
- Likewise, for the sake of convenience, the District of Columbia is referred to as a state in this report.
- Unless otherwise explained in a footnote, all information presented in this report, including information appearing in quotes, was drawn from the state survey responses.

CHAPTER I: WHAT ARE THE DRIVING FORCES BEHIND INTEGRATION OF JUSTICE INFORMATION IN THE UNITED STATES?

Introduction

Information systems integration is not a phenomenon isolated to the justice community. Indeed, interest in information systems integration is broad and growing across all components and levels of government in the United States. Government officials have recognized the value and myriad benefits associated with information sharing, including improved information quality; enhanced decisionmaking; elimination of error prone and redundant data entry; and timely access to information when it is needed most.

But for the justice community in particular, major initiatives at the federal, state and local levels, combined with growing user needs and public demand for justice information and exciting advances in information and security technologies, are driving efforts to exchange and integrate data among justice agencies, and with other agencies critical to their mission. The dawn of a new millennium marks an exciting time for the nation's justice community, as it embraces – more enthusiastically than ever before – advanced information technology (IT) and the integration of information systems.

Integration Defined for Justice Information Systems³

Justice information systems integration is not a new idea – agencies throughout the nation recognize the importance of integrating information systems to share critical data, documents, images and key transactions. State and local jurisdictions actively are developing integrated justice information system (IJIS) plans and programs.

Integrated systems improve the quality of information, and thereby the quality of decisions, by eliminating error prone redundant data entry. In addition, by sharing data between systems, integration typically improves the timely access to information, a critical factor at many justice decision points (e.g., setting bail). Moreover, integration enables the sharing of crucial information without regard to time or space; multiple users can access the same records simultaneously from remote locations around the clock.

The concept of “integrated justice information systems,” however, means different things to different people in different contexts. The extent to which justice agencies across the country are integrating depends on a number of variables, not the least of which is the definition and scope of the individual integration project. In many cases, integration takes the form of a single

³ This section adapted from “Organizing For Change”, David J. Roberts, SEARCH for the 1999 Bureau of Justice Assistance, U.S. Department of Justice and SEARCH National Conference on Integrated Justice Information Systems, February 1999.

agency integrating its many information systems, such as a state police agency integrating its criminal records system with mugshot and fingerprint identification databases. Significant improvements in efficiency and effectiveness can be achieved when internal information systems communicate critical data in a timely manner.

Other projects have taken a broader approach, integrating information systems between different agencies with different functions, but who need to share key pieces of data at critical points in the justice process. Integration encompasses a variety of functions designed to enable the timely and efficient sharing of information⁴ within and between agencies.

It is important to recognize that building IJIS does not mean that *all* information between agencies is shared, without regard to the event, the agencies involved or the sensitivity of the information available. Rather, it means sharing critical information at key decision points throughout the justice process under carefully prescribed policies and procedures to govern access to and use of that information.

At arrest, for example, the arresting agency typically transmits certain information regarding the arrestee to the state criminal history records repository (e.g., name, age, sex, race, driver's license number, electronic image of the arrestee's fingerprints, etc.) to record the arrest transaction in the instant case and to verify the arrested person's identity and determine whether he has a criminal history record in the resident state, or in other jurisdictions around the nation.

In addition, the agency also will query other state and national systems to determine whether there are any outstanding warrants, detainers, or other holds on the arrestee. For these transactions, the arresting agency does not need to share *all* information regarding the arrestee or the event which led to the arrest, but only that information necessary for the discrete transaction "check for outstanding warrants" or "verify identity and report arrest transaction to the criminal history repository."

Beyond improving the internal operations of justice agencies, integration is more expansively viewed as enabling the sharing of critical information between agencies. Integration efforts oftentimes are referred to as horizontal (e.g., among different divisions of the same court system, or between the state police, court, and correctional systems) or vertical (e.g., from limited to general jurisdiction courts, from trial to appellate and state supreme courts, and from local agencies to state and national/federal systems).⁵ Interagency integration, whether horizontal or vertical, generally refers to the ability to access and share critical information at key decision points throughout the justice process.

⁴ The term "information" is used here in its broadest sense to include data, images (photo, document and fingerprint), case records, calendar events, and electronic messages.

⁵ "Report of the National Task Force on Court Automation and Integration," prepared by SEARCH, The National Consortium for Justice Information and Statistics, 1998, page 3, published by the Bureau of Justice Assistance, U.S. Department of Justice, June 1999.

Justice agencies across the nation already share considerable information. It is important to recognize that regional, statewide and national systems currently exist to facilitate access to and sharing of key information among many of the actors in the justice enterprise. In addition, some of the information exchange currently is accomplished with existing technology or is being developed in new systems, but much is also still done by hand through the ceaseless efforts of justice practitioners. Integration efforts are designed to automate many of these operations; reengineer systems and processes; and build new capabilities to achieve greater efficiency and effectiveness.

State Responsibilities for Integrating Justice

It is important to differentiate responsibilities at the local, state, and federal levels regarding integrated systems planning, implementation, and support. Local justice agencies are responsible for acquiring, creating and maintaining information systems that meet their internal operational needs. In addition, they have an interest in and responsibility to share information with other agencies within and outside their immediate jurisdiction, and a continuing need to access and report information to regional, statewide, and national systems.

The state has responsibility for creating a statewide infrastructure that will enable agencies to share information with other local jurisdictions throughout the state in a common format, and to share information with statewide systems so local agencies throughout the state will have access to the information as well as to other states and localities. The state, therefore, is largely responsible for building the infrastructure necessary to support horizontal integration initiatives, and has primary responsibility for creating, adopting, and maintaining state information systems and serving as the gateway for national and federal systems.⁶ Generally, it is not the state's responsibility to ensure that local justice agencies electronically share person, event, case or process data within the local unit of government, but rather, to build and maintain the infrastructure necessary to enable that level of integration.

In a similar vein, the federal responsibility is primarily for building and maintaining the national information infrastructure necessary to enable sharing of key information between states and to serve as a gateway for state and local agencies to various national and federal information systems.

⁶ It should be noted, however, that in some jurisdictions, the state has opted to create and maintain information systems that meet the operational needs of local users as a method of enabling integration. This distributed approach means that the state has assumed a significant data processing support strategy.

Forces Driving Justice System Integration

Why is justice information system integration such a key issue at this particular time? For decades, the justice community has considered how to better share data and integrate information systems. However, during the 1990s, a number of major events conspired to place justice system integration at the top of many state IT priorities lists. In particular, recent technological advances, combined with national and state initiatives, and growing user and public demand for justice information are responsible for renewed capabilities and interest in IJIS.

Technology: The Enabler

Technology provided the jump-start to effective integration. Rapid advances in information system and identification technologies have steadily driven justice agencies toward the automation and integration of their information systems. With the advent of distributed processing systems, open architecture,⁷ and powerful database applications, information systems integration can be accomplished faster, cheaper and easier – with more robust applications – than ever before.

Although justice agencies collect much of the same data, albeit for different uses, they no longer must agree on identical hardware and software systems to achieve integration. Internet technology, middleware applications, and data warehousing solutions, to name a few, allow individual agencies to acquire and maintain hardware and software components that best meet their operational needs, but also allow participation in an open network. Today's technology easily can accommodate and incorporate crucial data stored in existing, older systems into the integrated system. The greater challenge is the condition and structure of the data.

The Colorado Integrated Criminal Justice Information System (CICJIS), which went live in May 1998, uses state-of-the-art technology, including advanced middleware products, to integrate existing statewide criminal justice information systems (Department of Public Safety, Colorado District Attorneys' Council, Department of Corrections, Judicial Branch, and Department of Human Services). By allowing the individual agencies to maintain information systems that meet their daily, operational business needs, and accomplishing integration through linkages and data transfer, CICJIS was able to overcome the concern that agencies must sacrifice functionality or autonomy to participate in an integrated system.

⁷ Distributed Processing System: a computer system designed for multiple users that provides each user with a fully functional computer. Open architecture: a system in which all the systems specifications are made public so that other companies will develop add-on products, such as adaptors for the system. Both definitions from *Webster's New World Dictionary of Computer Terms, Seventh Edition, 1999*.

Information system Year 2000 compliance issues also have affected the pace at which states have moved to integrated systems. Realizing the need to replace existing non-compliant systems, many states wisely took advantage of this opportunity to begin planning for IJIS.

Users Demand More

Justice practitioners have become comfortable with computers in their agencies, and recognize the functionality that effective information systems can provide. This has caused a paradigm shift in the industry from developing computer systems merely to house data, to designing robust, interactive information systems that work proactively to effectively target crime and improve decisionmaking.

Police agencies use incident data to map criminal activity and analyze trends for better resource allocation; judges access complete, accurate, and up-to-the-minute record information on defendants to make informed bail and sentencing decisions; and correctional agencies use offender information to make appropriate housing and release decisions. For users, data sharing and exchange is an essential tool for the effective administration of justice.

Public Expectations and Demands

As the public becomes savvier in its use of computers and the Internet, it expects that justice agencies likewise are taking full advantage of the latest technology. Oftentimes, it is only when a tragic crime occurs that may have been prevented by the sharing of key information that the public becomes aware of the lack of data sharing among justice agencies.

Melvin J. Carraway, superintendent, Indiana State Police, and Lester C. Miller, special counsel to the superintendent, wrote an article in 1997 aptly titled *Integrated Law Enforcement: "You Mean They Are Not Doing It Now?"* The authors note, "The public has certain expectations regarding how law enforcement fights crime. When they are informed of [Indiana's] project to integrate law enforcement, one of two responses is invariably given: 'You mean they are not doing it now?' or 'Well, it's about time.'"

In addition, public demand for crime control has given rise to a number of federal and state laws authorizing broader access and use of criminal justice information. In addition to authorizing access to criminal history background information for non-criminal justice decisionmaking (such as employment or handgun purchases), other laws have established registries and notification programs for certain types of offenders, such as sexual predators. These well-intentioned laws assume a level of automation and integration that is only just emerging in justice agencies throughout the nation.

Local Initiatives

States are aware that local jurisdictions are beginning to integrate their justice systems as well. States realize that setting standards and undertaking more comprehensive planning efforts are critical to ensuring that local IJIS can effectively and efficiently communicate and share information with each other and the state and are, therefore, assuming leadership roles in this area.

National Initiatives

U.S. Department of Justice has recognized the importance of integrated information systems strategic planning and coordination, and is sponsoring two important national projects. The Global Criminal Justice Information Network and OJP's Strategic Funding Initiative are both designed to look at justice information system integration and how the Justice Department can best assist states in their move toward integration.

In addition, near the end of 1998, the Congress passed, and President Clinton signed, historic legislation that will vastly improve the business of justice and ultimately enhance public safety. Beginning Fiscal Year 1999, Public Law 105-251, which includes the Crime Identification Technology Act (CITA) of 1998 (codified at 42 USC 14601), authorizes \$250 million per year for fiscal years (FYs) 1999-2003 for a total of \$1.25 billion for state grants to promote the integration of justice system information and identification technology. The CITA included the first sizable grant program to support justice information systems integration, overcoming one of integration's main obstacles.⁸

Together, these driving forces have placed pressure and renewed emphasis on states to integrate their justice information systems and pursue critical data exchange.

⁸ It is important to recognize, however, that this law *authorizes* funding of up to \$250 million each year, but the Congress must also pass legislation each year *appropriating* the funds. The Congress appropriated in FYs 2000 and 2001 \$130 million to fund CITA.

CHAPTER II: WHAT IS THE STATUS OF INTEGRATION PLANNING AND IMPLEMENTATION IN THE STATES?

Introduction

In an effort to provide an appropriate context in which to understand information concerning states' governance structures for integrated justice information systems initiatives, the survey opened with a series of questions designed to gather general information about states' integration activities. These questions sought first, to determine which of the responding states are engaged in integration activities, and, second, to explore the scope, focus, and current status of justice information systems integration initiatives in responding states.

The first question that respondents were asked was whether their respective states currently are engaged in activities related to the planning and implementation of statewide or state-level integration initiatives.

Overview of Justice Information Systems Integration in Responding States

Of the 36 states that responded to the governance structures survey, 32 indicated that they currently are engaged in activities related to the planning and implementation of a statewide or state-level integrated justice information system.⁹ One state, Michigan, did not respond to this question, but in responses to later survey inquiries indicated that it currently is engaged in integration-related activities as these activities have been defined for purposes of the survey. Michigan therefore is included among the 32 states that reported that they currently are engaged in integration planning and implementation. These states would go on to respond to survey questions concerning their integration activities and their respective governance structures.

Four of the 36 responding states – Idaho, North Dakota, South Dakota, and Tennessee – indicated that they are not currently engaged in activities related to the planning and implementation of statewide or state-level integrated justice information systems.

Outlook for Future Integration Activities in Non-Integration States

The four states (Idaho, N.D., S.D., and Tenn.) that responded that they currently are not engaged in integration planning and implementation were not asked to respond to survey questions concerning the status of integration activities and governance structures. However, these states were asked whether their respective jurisdictions at that juncture were considering undertaking an integration initiative or might do so at some future point in time.

Of the four states that said that they currently are not engaged in integration activities, one state – Tennessee – responded that consideration currently is being given to undertaking an

⁹ See TABLE II-1: Integration in Responding States.

integrated justice information system initiative. Three states – Idaho, North Dakota, and South Dakota – indicated that they are not currently considering integration, but that they have not specifically rejected the idea of developing and implementing a statewide or state-level integrated justice information system initiative.

Both the Idaho and South Dakota respondents indicated that they believe that their respective states might consider undertaking an integration initiative in the future. The South Dakota respondent noted that there has been “some basic sharing” of justice information among agencies in that state. With respect to undertaking an integration initiative, he continued, “[t]here have been some preliminary discussions about doing this but nothing beyond that.”¹⁰

According to the Tennessee survey respondent, that state currently is involved in discussions concerning the desirability and feasibility of pursuing integration. These discussions reportedly involve the participation of the state’s attorney general; the state’s chief information officer; the state departments of public safety, corrections, juvenile services, and motor vehicles; the state bureaus of criminal investigation and identification; the state criminal justice planning agency; the state judiciary; the court administrator’s office; adult and juvenile probation officials; parole officials; state prosecutors; state public defenders; and municipal law enforcement agencies.

Factors Affecting Future Integration Initiatives

When asked about factors that might influence future pursuit of justice information system integration, the Tennessee respondent indicated that the availability of funding, and adequate and qualified staff would be key considerations in deciding whether integration would be feasible in that state. In that state, securing the interest and support of the state’s chief information officer for integration, together with the availability of adequate funding and sufficient qualified staff, are the factors that are most likely to influence significantly any decisionmaking concerning whether or not to under taken a statewide or state-level integrated justice information systems initiative.

¹⁰ Unless otherwise indicated, all information provided in this report about states’ integrated justice information systems -related activities, including quoted comments attributed to survey respondents, was drawn from states’ written responses to the governance structures survey.

Status of Integration in States Currently Engaged in Integration Activities

Initiation of Integration Planning

Turning to states whose survey responses indicated that they are engaged in integration-related activities, these states were asked in what year they began work on the development and implementation of statewide or state-level integrated justice information system initiatives. Of the 32 states whose survey responses indicated that they are engaged in integration-related activities, survey respondents in 19 of these states (Ala., Ariz., D.C., Ill., Ind., Ky., Mich., Neb., Nev., N.H., N.M., Pa., Okla., R.I., Vt., Va., W.Va., Wis., and Wyo.) reported that these activities were initiated between 1995 and 1999.

Of the remaining 13 states, eight (Alaska, Conn., Hawaii, Kan., Minn., N.J., Ohio, and Ore.) indicated that they began the development and implementation of integrated justice information systems in their respective jurisdictions between 1990 and 1994.

Four (4) states – California, Missouri, New York, and Washington – responded that they began work on the development and implementation of statewide or state-level integrated justice information systems prior to 1990.

One (1) state, Georgia, did not respond to the survey question concerning the year in which it began work on justice information integration.

The Scope and Focus of State Integration Initiatives

The 32 states whose survey responses indicated that they are engaged in integration-related activities were asked to respond to a series of questions that were directed toward describing the general scope and focus of their respective integration initiatives. With respect to scope, these states' respondents were asked whether their respective states' integration initiatives were intended to encompass the sharing of information among criminal justice agencies alone, or with civil justice and/or non-justice agencies as well.

Of those 32 states, seven states (Alaska, Mich., Mo., N.H., N.Y., Okla., and Wis.) responded that their current integration plans contemplate the sharing of information with civil justice and non-criminal justice agencies as well as among criminal justice agencies.¹¹ Eighteen states responded that their integration initiatives at this juncture encompass the sharing of justice information among criminal justice agencies alone.

Among the remaining seven states engaged in integration-related activities, five reported that the scope of their integration initiative encompasses both criminal justice and non-justice agencies, while one state – New Mexico – responded that its current integration plans

¹¹ See TABLE II-2, Scope of Integration in Responding States.

contemplate the sharing of justice information among criminal justice agencies and with civil justice agencies as well.

Concerning the focus of states' integration initiatives, respondents were asked to indicate whether their justice information system integration initiatives are concentrating upon improving information sharing among state information systems, or with local and federal information systems as well. Fourteen of the 32 states engaged in integration-related activities responded that their integration plans encompass information sharing improvements involving state, local, and federal systems.¹²

Fourteen states responded that their integration plans are focused upon improving the sharing of information among state agencies and with local systems. Of the remaining four states, two states – New Mexico and Wyoming – are concentrating their integration initiatives on improving information sharing among state systems, and one state – New Jersey – at this juncture is focusing its integration initiatives upon improving justice information sharing among state agencies and with federal information systems. The District of Columbia responded that it is focusing its integration efforts on improving information sharing among city agencies and with federal justice information systems.

Current Status of Integration Planning and Implementation

Recognizing that states are at various stages in their overall integration initiatives, governance structures survey project staff sought to gain insight into the current status of integration-related activities in the 32 states that responded that they currently are engaged in such efforts. The 32 survey respondents were presented with a list of integration activities, ranging from preliminary planning to implementation of the various components of an approved integration plan, and asked to identify those activities that collectively reflect the current status of activities in their respective states' related to the development and of statewide or state-level integrated justice information systems.

This question, in conjunction with state responses to successive survey questions, was intended to distinguish among those states that at the time of the survey were engaged in the earliest stages of their respective integration initiatives, e.g., in conducting preliminary discussions with justice system officials about integration, or in creating a planning committee to begin work on an integration strategy, from those states that had completed an integration plan, but had not begun implementation of that plan, and those states that had both completed an integration plan and begun to implement various phases of that plan. States in the latter two categories – those that had developed, but not begun to implement an integration plan, and those that had completed the plan and begun its implementation, were then asked to respond to additional questions concerning their integration activities.

¹² See TABLE II-3, Focus of Integration in Responding States.

Collectively, states' responses to survey questions concerning the status of state integration initiatives indicate that of the 32 states that responded that they currently are engaged in integration-related activities:

- Twelve (12) states (Ala., Conn., D.C., Ind., Ky., Mich., Minn., Okla., Ore., Va., W.Va., and Wyo.) have completed preparation of a statewide or state-level integrated justice information system plan or strategy, but have not begun implementation of that plan;
- One (1) state, Arizona, responded that its integration plan "is not complete";
- One (1) state, Illinois, responded that it is beginning its planning process;
- Thirteen (13) states (Ark., Calif., Kans., Mo., Neb., Nev., N.H., N.J., N.M., Ohio, Pa., R.I., and Wash.) indicated that they have begun implementation of an integrated justice information system plan or strategy;
- One (1) state, Hawaii, responded that it currently is implementing its integration plan, but noted that information provided "applies only to the juvenile justice portion of the State of Hawaii";
- One (1) state, New York, reported that no integration plan has been developed to date;
- Three (3) states – Georgia, Vermont, and Wisconsin – responded that, although no integration plan is in place to date, they currently are engaged in integration plan development-related activities.

In sum, of the 32 states that reported that they currently are engaged in integration-related activities:

- Six (6) states (Ariz., Ga., Ill., N.Y., Vt., and Wis.) responded that they have not completed development of an integration plan, but currently are engaged in integration planning activities;
- Twelve (12) states (Ala., Conn., D.C., Ind., Ky., Mich., Minn., Okla., Ore., Va., W.Va., and Wyo.) responded that they have completed an integration plan, but have not begun implementation of that plan; and,
- Fourteen (14) states (Ark., Calif., Hawaii, Kans., Mo., Neb., Nev., N.H., N.J., N.M., Ohio, Pa., R.I., and Wash.) responded that they have completed and begun implementation of their respective integration plans.

The project staff's efforts to distinguish among responding states based upon whether they were in the preliminary stages of plan development; had completed a plan, but not begun implementing; or had both completed a plan and begun implementation proved to be somewhat arbitrary. Responses from the 32 states that indicated that they currently are involved in integration-related activities reveal that most of these states are engaged in implementing projects that they believe to be a components of integration whether or not they actually have completed a formal integration plan. For example, 20 states indicated that they currently are engaged in developing a systems integration plan; 12 of these same states indicated that they also currently are implementing phases of their respective integration strategies. The Georgia and New York respondents reported that their respective states have not completed formal integration plans. However, the Georgia respondent reported that his state simultaneously is engaged in both plan development and some integration implementation activities. The New York respondent, likewise reported that no formal integration plan is in place, but went on to respond to survey questions that were addressed to states that had both completed an integration plan and were engaged in some facet of plan implementation. According to the Oklahoma respondent, that state is "continuing to implement projects utilizing standards while [its] plan [is] completed." Only the Vermont and Wisconsin respondents indicated that their respective states have not completed an integration plan, and did not answer any further questions concerning the status of their respective integration initiatives.

California was the only state that checked integration plan implementation alone among the choices provided in the survey question concerning status, suggesting that it has completed integration planning activities. However, the California respondent noted that his state currently is "[r]eviewing other state systems which may provide model [sic] for our efforts," indicating that some systems integration planning still is underway in that state.

Similarly, survey responses from the 32 states that reported that they currently are engaged in integration-related activities indicate that integration planning is an ongoing activity, even in jurisdictions that reported that they have completed an integration plan and have begun implementation of components of that plan. For example, Nebraska indicated that it currently is engaged in activities related to financing and implementing its integration plan. However, the Nebraska respondent noted that although that state currently is engaged in activities related to financing and implementing its integration plan, "some of the preliminary tasks you list," and which that state had completed previously, "must be ongoing parts of integration and expansion."

The remaining sections of this chapter are devoted to analysis of information concerning the status of integration initiatives in the states and is confined to information provided by those 26 states that reported that they either have completed an integration plan, but have not begun implementation of that plan, or have completed a plan and currently are engaged in implementing components of that plan.

States That Have Completed An Integration Plan, But Not Begun Implementation

As reported above, 12 states responded that they have completed an integration plan, but have not begun implementation of that plan: Ala., Conn., D.C., Ind., Ky., Mich., Minn., Okla., Ore., Va., W.Va., and Wyo. Of those 12 states, nine (Ala., D.C., Ind., Mich., Okla., Va., W.Va., and Wyo.) reported that they began their integration-related activities between 1995 and 1999.

Three states (Conn., Minn., and Ore.) reported that they initiated their integration-related activities between 1990 and 1994. The Connecticut respondent explained that, although his state began its integration initiative “with the development of the Criminal History Records Improvement (CHRI) Plan in 1993,” integration had been proposed prior to that date, but “held until integration became more technologically feasible.” The Minnesota respondent reported that its integration initiative commenced in 1990, but that “some parts” of its overall integration activities “predate this time.”

Scope of Integration Initiatives

Concerning the scope of integration initiatives in states that reported that they have completed an integration plan, but have not begun implementation of that plan, six states (Ala., Conn., D.C., Va., W.Va., and Wyo.) reported that that their integration initiatives at this juncture encompass the sharing of justice information among criminal justice agencies alone. However, the Connecticut respondent specifically noted that the state’s integration initiative would be expanded to encompass non-justice agencies, including social services agencies, with the adoption of the Interstate Identification Index or Triple I Compact.¹³

Of the remaining five states that reported that they have completed an integration plan, but not begun implementation of that plan, four states (Ind., Ky., Minn., and Ore.) responded that the scope of their respective integration initiatives encompass both criminal justice and non-justice agencies, while two states, Michigan and Oklahoma, responded that their current integration plans contemplate the sharing of information with civil justice and non-criminal justice agencies as well as among criminal justice agencies.

¹³ The Interstate Identification Index (III) is an automated program that provides for the rapid exchange of criminal history records for federal, state, and local authorized criminal and non-criminal justice purposes. The III was developed to link law enforcement with federal and state criminal history databases to facilitate maintenance and decentralize record dissemination. Criminal fingerprint cards forwarded from primarily arresting and custodial agencies to the FBI establish the records indexed in the III. U.S. Department of Justice, Federal Bureau of Investigation, *The U.S. Department of Justice, Federal Bureau of Investigation Criminal Justice Information Services: A Policy and Reference Manual*, Washington, D.C. (April 1998), at SD-1.

Principal Integration Tasks

To further define the scope of integration initiatives in the 12 states that have completed integration plans, but have not begun implementation of those plans, these states were asked to identify the principal tasks to be accomplished under their respective integration plans and indicate the priority assigned to each task selected. State respondents were asked to select tasks that apply to their state from a list provided in the survey question. Choices provided in the survey question ranged from enhancing criminal justice information laws, policies, and procedures to establishing technical architecture, direction, and standards, to monitoring and evaluating systems implementation and performance. Each of these 12 states responded that all 11 of the tasks listed in the survey question are encompassed within the scope of its integration plan.

Respondents were asked to rank the tasks by priority on a scale of 1-10, with those tasks ranked as 1 having the lowest priority and those tasks ranked as 10 having the highest priority.¹⁴ Priorities assigned to the various integration tasks varied among the 11 states. However, in the aggregate, establishing technical architecture, direction, and standards; implementing automated data exchanges; and creating the capacity to track offender-based transactions through the justice system were most often ranked as a high priority.¹⁵

By contrast, in the aggregate, a lower priority ranking was most often assigned to developing training and technical support systems, and evaluating systems performance. However, rather than indicating that respondents consider technical support and evaluation of lesser importance than other integration tasks, this finding likely suggests that, because the responding states have not begun implementation of their respective integration plans, these activities are less critical at this stage of their overall integration-related activities.

Focus of Integration Initiatives

With respect to the focus of their integration initiatives, six states (Ind., Ky., Mich., Minn., Okla., and W.Va.) reported that their integration plans encompass information sharing improvements involving state, local, and federal systems. The Indiana respondent indicated that his state's plans for improving information sharing with federal systems include enhancing access to federal criminal justice databases, such as the National Criminal Information Center (NCIC).

Of the remaining six states that reported that they have completed integration plans, but have not begun implementation of those plans, four states (Ala., Conn., Ore., and Va.)

¹⁴ To facilitate analysis of survey respondents' priority ranking of tasks selected, priority assignments were weighted as follows: tasks ranked 1-3 were assigned a weight of 1; tasks ranked 4-7 were assigned a weight of 5; and tasks ranked 8-10 were assigned a weight of 10.

¹⁵ See TABLE II-4, Principal Integration Tasks. See also question 10.b of the survey instrument, provided in Appendix B of this report, for a complete list of the choices that are abbreviated on this table, and among which respondents were asked to select in responding to this question.

responded that their integration plans are focused upon improving the sharing of information among state agencies and with local systems, and one state, Wyoming, is concentrating its integration initiatives on improving information sharing among state systems. The District of Columbia responded that it is focusing its integration efforts on improving information sharing among city agencies and with federal justice information systems.

The 12 states that reported that they have completed integration plans, but have not begun implementation of those plans, also were asked to indicate which offices, departments, and levels of government will be involved in the implementation of their respective statewide or state-level integrated justice information systems initiative. Respondents were provided a list of entities that included state-level criminal justice and other state executive branch agencies; the judiciary; and municipal law enforcement agencies. Each of the 12 responding states indicated that implementation of their integration plans will involve a state law enforcement agency and the state corrections department.¹⁶ Eleven of the responding states reported that integration plan implementation in their respective jurisdictions will involve municipal law enforcement agencies and ten of the responding states reported that integration plan implementation will involve these states' chief information office. According to survey responses, the state court administrator's office will be involved in the integration plan implementation activities of nine states, while the judiciary will be involved in integration plan implementation in seven states.

Social services agencies were among the agencies represented least often among those entities that will be involved in integration plan implementation. Only three states reported that the state department of human services will be involved in integration plan implementation and only one state responded that the state child welfare/protection agency will be involved in implementation of that plan. Only one – Oklahoma – of the 12 responding states indicated that implementation of its integration plans will involve the state mental health agency.

Projected Integration Implementation Timetable

While acknowledging that integration implementation plans and timetables may be subject to change, the 12 states that indicated that they have completed integration plans, but have not begun implementation of those plans, were asked to project a completion date for all tasks contemplated under the statewide or state-level integration plans. Among those 12 states, two states – Connecticut and Wyoming – projected that their integration plans will be implemented by the end of 2001. Among the remaining nine states, three (Ala., D.C., and W.Va.) reported that integration implementation will be completed by 2002; one state, Virginia, by 2004; and one state, Kentucky, by 2005.

The Michigan respondent reported that implementation of its integrated justice information system plan will be completed within three to five years. Three states – Indiana,

¹⁶ See TABLE II-5, Agencies Involved in Integration. See also question 10.a of the survey instrument, provided in Appendix B of this report, for a complete list of the choices that are abbreviated on this table, and among which respondents were asked to select in responding to this question.

Minnesota, and Oregon – were unable to project a completion date for integration plan implementation. The Indiana respondent reported that “funding and contracts are still being negotiated and no final date is set for the project.” According to the Oregon respondent, completion of integration plan implementation will be dependent upon the availability of funding. The Oklahoma respondent observed that integration task completion dates will “[vary] by project.”

Factors Affecting Integration Implementation

By means of lists provided in survey questions, the 12 states that reported that they have completed development of an integration plan, but have not begun to implement that plan, were asked first, to identify conditions and factors that may present obstacles to implementing tasks to be accomplished under their integration plans, and, second, to identify conditions and factors that may prove to be assets to plan implementation.

Integration “Obstacles”

The subject survey respondents were provided a list of 16 conditions or factors that might prove to be obstacles to integration plan implementation. These conditions and factors included lack of consensus concerning the need for integration; “turf” issues; competing justice priorities that might affect the interest in or commitment to integration; lack of consensus concerning an appropriate integration governance structure; and the availability of staff and funding for integration. Respondents were asked to rank the conditions and factors selected by priority on a scale of 1-10, with those conditions and factors ranked as 1 having the lowest priority and those conditions and factors ranked as 10 having the highest priority.¹⁷

The responses to this inquiry from the 12 states that have completed an integration plan, but have not begun implementation of that plan, indicated that respondents as a group believe that the conditions and factors that are most likely to present obstacles to integration plan implementation by far are the availability of funding and adequate qualified staff.¹⁸ While funding concerns received high rankings as a potential obstacle in most states, a few states indicated that lack of qualified staff may prove to be more of a detractor from integration implementation than the availability of adequate funding. The Oklahoma respondent in fact noted that implementation of that work on that state’s integration initiative “currently [is] limited more by time and [lack of] qualified people, than money.” At the other end of the spectrum, respondents reported that the conditions and factors that are least likely to present obstacles to integration

¹⁷ To facilitate analysis of survey respondents’ priority ranking of conditions and factors in selected in response to survey questions #10.d and #10.e, priority assignments were weighted as follows: conditions and factors ranked 1-3 were assigned a weight of 1; conditions and factors ranked 4-7 were assigned a weight of 5; and conditions and factors ranked 8-10 were assigned a weight of 10.

¹⁸ See TABLE II-6, Integration Obstacles. See also question 10.d of the survey instrument, provided in Appendix B of this report, for a complete list of the choices that are abbreviated on this table, and among which respondents were asked to select in responding to this question.

implementation are lack of support from the governor's office and the state's chief information officer.

Respondents also indicated that lack of consensus concerning an appropriate governance structure and competing justice information system-related priorities or needs among the conditions or factors that they believe are less likely to present obstacles to integration.

Integration "Assets"

Consistent with their response to the question concerning integration plan implementation obstacles, the 12 respondents as a group reported that the support of the governor's office and the state chief information officer were the conditions and factors that were most likely to prove to be assets.¹⁹ Asked to priority rank a list of 16 conditions and factors provided in the survey question, these respondents also indicated their belief that consensus within the justice system concerning the need for an integrated justice information system also would prove to be an asset to integration plan implementation.

By contrast, these survey respondents reported that the availability of adequate funding and the lack of significant hardware-related problems were least likely to be assets to implementation of their respective integration plans.

According to these respondents, consensus concerning an appropriate integration governance structure and the absence of major interagency or interdisciplinary turf issues are more likely to be assets to implementation of integrated justice information systems in their respective jurisdictions.

Financing Integration Plan Implementation

The 12 states that reported that they have completed development of an integration plan, but have not begun implementation of that plan, then were asked two questions concerning the financing of their respective integration initiatives.

First, these respondents were asked, to indicate, by selecting among a list of choices provided, how activities related to their respective states' statewide or state-level integrated justice information system initiative have been funded to date.²⁰ These respondents also were asked to rank-order the funding sources that they selected from the list provided by the level of

¹⁹ See TABLE II-7, Integration Assets. See also question 10.e of the survey instrument, provided in Appendix B of this report, for a complete list of the choices that are abbreviated on this table, and among which respondents were asked to select in responding to this question.

²⁰ See TABLE II-8, Integration Financing. See also question 10.f of the survey instrument, provided in Appendix B of this report, for a complete list of the choices that are abbreviated on this table, and among which respondents were asked to select in responding to this question.

funding that each source currently is providing, with 1 being the largest source of funding, 2 being the second largest source of funding, and so on. The funding sources among which survey respondents were asked to select in responding to this question included legislative appropriations; funding derived from participating agencies' budgets; bond issues; and private funding.

Each of the 11 respondents reported that federal funds are a major source of funding for its integration initiative. Seven states (Ala., D.C., Mich., Okla., Ore., W.Va., and Wyo.) indicated that federal funds are the largest source of funding for their respective integration initiatives. Of the remaining five states, two (Conn. and Ind.) reported that federal funds are the second largest source of funding for their integration initiatives, and three (Ky., Minn., and Va.) responded that federal funding is the third largest source of financial support for their integration initiatives.

Funds derived from participating agencies' budgets also were a significant source of funding for integration among the responding states. Eleven states reported that agency funding is being used in conjunction with integration implementation, two of which (Ky. and Minn.) indicated that these funds are the largest source of financial support for integration implementation; six states (Ala., Mich., Ore., Va., W.Va., and Wyo.) reported that agency budgets are the second largest source of financial support for integration; and two states (Conn. and Ind.), the third largest source of funding.

Only two states reported that the private sector is a source of funding for their integration initiatives. The Kentucky respondent indicated that the private sector is the fifth largest source of financial support for its integration initiative, and the Oregon respondent indicated that the private sector is the tenth largest source of funding for integration.

Federal Funding for Integration

In a second survey question concerning the financing of integration initiatives, respondents that reported that federal funds were being used in conjunction with their state integration initiatives were asked to provide the name of the federal program and approximate percentage those sources are providing of current integration funding. As reported above, each of the 12 respondents indicated that federal funds are a major source of funding for its integration initiative. Federal programs identified by these respondents as sources of federal funding for their respective integration initiatives were as follows:

- the Edward Byrne Memorial State and Local Law Enforcement Block Grant Program:
 - ◆ funds derived from Byrne state block grant awards;

- ◆ funds derived from the special Byrne five percent set-aside for criminal justice information system improvements in the states;
- the National Criminal History Improvement Program (NCHIP);
- the Community Oriented Policing Services (COPS) program;
- the Juvenile Accountability Incentive Block Grant (JAIBG) program, administered by OJP's Office of Juvenile Justice and Delinquency Prevention;
- the High Intensity Drug Trafficking Area (HIDTA) program; and,
- the National Sex Offender Registry program.

Although several of the responding states did provide percentages in conjunction with identifying federal funding sources, it was difficult to interpret whether these responses were intended to indicate the percentage of funding provided by that source which is being directed to integration projects, or the percentage that federal funds comprise of total funding for integration in the responding states. However, information provided by respondents in answering this question indicates that the two most significant sources of federal funding for integration are the Byrne and NCHIP programs.

States That Have Completed An Integration Plan, and Have Begun Implementation

Fourteen states reported that they have completed an integration plan, and have begun implementation of that plan: Alaska, Calif., Hawaii, Kan., Mo., Neb., Nev., N.H., N.J., N.M., Ohio, Pa., R.I., and Wash.²¹ Of those 14 states, six (Neb., Nev., N.H., N.M., Pa., and R.I.) reported that they began work on their respective integrated justice information system initiatives between 1995 and 1999.

Five states (Alaska, Hawaii, Kans., N.J., and Ohio) reported that they initiated their integration-related activities between 1990 and 1994. The remaining three states – California, Missouri, and Washington, responded that they began work on the development and implementation of statewide or state-level integrated justice information systems prior to 1990. The California respondent reported that his state's integration initiative began in 1971, with implementation of an automated criminal history system.

Scope of Integration Initiatives

With respect to the scope of integration initiatives in states that reported that they have completed an integration plan, and have begun implementation of that plan, eight states (Hawaii,

²¹ The Hawaii respondent noted that information concerning that state's integration initiative "applies only to the juvenile justice portion of the State of Hawaii."

Neb., Nev., N.J., Ohio, Pa., R.I., and Wash.) reported that that their integration initiatives at this juncture encompass the sharing of justice information among criminal justice agencies alone.

Of the remaining five states that reported that they have completed an integration plan, and have begun implementation of that plan, two states (Calif. and Kan.) responded that the scope of their respective integration initiatives encompass both criminal justice and non-justice agencies, while three states, (Alaska, Mich., and N.H.) responded that their current integration plans contemplate the sharing of information with civil justice and non-criminal justice agencies, as well as among criminal justice agencies. One state, New Mexico, reported that its integration initiative encompasses both the criminal and civil justice systems.

Focus of Integration Initiatives

Concerning the focus of these states' integration initiatives, five states (Alaska, Calif., Mo., Nev., and Ohio) reported that their integration plans encompass information-sharing improvements involving state, local, and federal systems.²² Seven of the remaining eight states that reported that they have completed integration plans and have begun implementation of those plans (Hawaii, Kan., Neb., N.H., Pa., R.I., and Wash.) responded that their integration plans are focused upon improving the sharing of information among state agencies and with local systems.

One state, New Jersey, is concentrating its integration initiatives on improving information sharing among state and federal systems, and one state, New Mexico, currently is focusing on state sharing of information under its integration initiative.

The 14 states that reported that they have completed integration plans and have not begun implementation of those plans, also were asked to indicate which offices, departments, and levels of government are involved in the implementation of their respective statewide or state-level integrated justice information systems initiatives. Here, as in addressing this question to states that have completed integration plans, but have not begun to implement those plans, the survey asked respondents to select among a list of entities that included state-level criminal justice and other state executive branch agencies; the judiciary; and local criminal justice agencies.

Thirteen of the 14 responding states (Alaska, Calif., Kan., Mo., Neb., Nev., N.H., N.J., N.M., Ohio, Pa., R.I., and Wash.) indicated that implementation of their integration plans will involve a state law enforcement agency.²³ Only Hawaii, which state's integration initiative encompasses the juvenile justice system alone, did not indicate the involvement of a state law enforcement agency in implementing its integration plan. The majority of respondents reported

²² See TABLE II-3, Focus of Integration in Responding States.

²³ See TABLE II-9, Agencies Involved in Integration. See also question 11.a of the survey instrument, provided in Appendix B of this report, for a complete list of the choices that are abbreviated on this table, and among which respondents were asked to select in responding to this question.

that implementation of their respective integration plans also involves the participation of the attorney general's office; the department of corrections; the judiciary and/or court administrator's office; and municipal law enforcement agencies. By contrast, slightly more than half of the responding states indicated that their respective state juvenile services and probation agencies are involved in the implementation of their integration plans.

As also was reflected in the responses of the 12 states that have completed an integration plan, but have not begun implementation of that plan, social services agencies were among the agencies represented least often among those entities that will be involved in integration plan implementation. Among the 14 states that have completed and begun implementation of their integration plans, six reported that integration plan implementation involves the state department of human services; three, the child welfare/protection agency; and two, the state department of mental health.

Status of Principal Integration Tasks

Two survey questions were directed toward gathering information from the 14 responding states concerning the status of their integration plan implementation activities. In the first of these questions, respondents were asked to identify, by means of choices included in the survey question, which integration tasks have been completed to date. These respondents also were asked to indicate the order in which the tasks they selected were completed.

Integration tasks that responding states most often indicated have been completed were upgrading existing communications and information system capacities (12 states); developing user requirements (11 states); and establishing technical architecture, direction, and standards (11 states).²⁴ Of the 11 responding states that reported that they have completed upgrading existing communications and information systems capacities, four of these states indicated that this was the first integration task completed in their respective states. Two of the 11 states that responded that establishing technical architecture, direction, and standards has been completed in their respective states reported that this was the first task completed. Among the 11 states that reported that they have completed the development of user requirements, five indicated that this activity was the first of the integration tasks listed that was completed in their respective states.

The integration task that the least number of states reported as completed was the engineering/reengineering of business process. Only one state – Hawaii – of the six states that indicated that this task has been completed reported that it was the first task completed under their integration plan.

²⁴ See TABLE II-10, Integration Tasks Completed. See also question 11.b of the survey instrument, provided in Appendix B of this report, for a complete list of the choices that are abbreviated on this table, and among which respondents were asked to select in responding to this question.

In a second question concerning the status of integration implementation, the responding states were asked to indicate which tasks, among a list provided in that question, currently are in progress. The integration tasks that the responding states most often indicated currently are in progress were implementation of automated data exchanges (12 states); upgrading existing communications and information systems capacities (10 states); establishing technical architecture, direction, and standards (10 states); developing training and technical support systems (10 states); and monitoring strategy implementation (10 states).²⁵ Only four of the 14 respondents reported that they currently are involved in developing user requirements.

As is evident, with respect to upgrading existing communications and information system capacities, there was considerable overlap between those of the 14 responding states that said that task has been completed (12 of 14) and those of the responding states that also reported that task currently is in progress (10 of 14 states). Other aspects of states' responses to this question also reflected similar apparent contradictions. However, rather than being viewed as presenting contradictory or inconsistent information, these responses more likely suggest that some integration tasks, such as upgrading technology and revising laws and policies, will continue into the foreseeable future. In fact, the Alaska, California, and Rhode Island respondents specifically noted that many of the integration tasks listed would be "ongoing."

Projected Integration Timetable

The 14 responding states were asked to project a completion date for all tasks contemplated under the statewide or state-level integration plans. Rhode Island reported that integration implementation in that state is projected for completion in 2000. The Hawaii respondent likewise reported that implementation of that state's juvenile justice integration plan will be completed by the end of 2000.

Among the remaining 11 states, three states – California, New Jersey, and Ohio – projected that their integration plans will be implemented by the end of 2001. The Washington respondent reported that "this phase" of its integration implementation efforts should be completed in 2001. According to the Kansas respondent, integration activities involving the Kansas Criminal Justice Information System likewise should be completed in 2001. However, that respondent added that integration of that state's juvenile justice system should be completed in two to three years, with integration of the courts and the state's corrections system projected to take five years "or more."

The Alaska and Missouri respondents projected that all tasks currently contemplated under their respective integration plans will be completed by 2003, while the New Hampshire and Pennsylvania respondents reported 2005 projected completion dates for integration implementation. No projected completion dates were provided by the Nebraska, Nevada, and

²⁵ See TABLE II-11, Integration Tasks In Progress. See also question 11.c of the survey instrument, provided in Appendix B of this report, for a complete list of the choices that are abbreviated on this table, and among which respondents were asked to select in responding to this question.

New Mexico respondents. The Nebraska respondent specifically noted his belief that integration is an ongoing proposition “that should *never* stop.”

Factors Affecting Integration Implementation

Respondents in the 14 states that have completed integration plans, and have begun implementation of those plans, like their counterparts in states that have not begun integration plan implementation, were asked to identify conditions and factors that may present obstacles to implementing tasks to be accomplished under their integration plans, and, second, to identify conditions and factors that may prove to be assets to plan implementation. Respondents also were asked to rank the conditions and factors selected by priority on a scale of 1-10, with those conditions and factors ranked as 1 having the lowest priority and those conditions and factors ranked as 10 having the highest priority.²⁶

Integration “Obstacles”

Respondents in the subject 14 states reported that as a group they, as their colleagues in the 12 states that have not begun integration plan implementation, believe that the conditions and factors that are most likely to present obstacles to integration plan implementation are the availability of funding and adequate qualified staff.²⁷ However, in contrast to the responses of their colleagues in states that have not begun integration plan implementation, these 14 states reported that they believe that competing justice information systems-related priorities or needs may prove to be an obstacle to integration implementation. In addition, these states indicated that integration implementation initiatives may encounter difficulties in overcoming interagency or interdisciplinary turf issues.

With respect to conditions and factors that are least likely to present obstacles to integration, respondents in the 14 states that have begun integration plan implementation as a group do not appear to expect that lack of consensus concerning the need for justice information systems integration and lack of consensus concerning the appropriate governance structure for an integration initiative will inhibit significantly integration plan implementation.

Integration “Assets”

Consistent with their response to the question concerning integration plan implementation obstacles, the 14 respondents in states have begun integration plan

²⁶ To facilitate analysis of survey respondents’ priority ranking of conditions and factors in selected response to survey questions #10.d and #10.e, priority assignments were weighted as follows: conditions and factors ranked 1-3 were assigned a weight of 1; conditions and factors ranked 4-7 were assigned a weight of 5; and conditions and factors ranked 8-10 were assigned a weight of 10.

²⁷ See TABLE II-12, Integration Obstacles. See also question 11.e of the survey instrument, provided in Appendix B of this report, for a complete list of the choices that are abbreviated on this table, and among which respondents were asked to select in responding to this question.

implementation were nearly unanimous in their belief that consensus concerning the need for justice information systems integration will be the greatest asset to integration implementation. These states as a group also reported that they expect that consensus concerning the organization of their respective integration governance structures; agreement on the scope and focus of their integration initiatives; and the support of the governor's office, the state legislature, and the state chief information officer will prove to be assets to integration implementation.²⁸

By contrast, these survey respondents reported that the availability of adequate funding and qualified staff are least likely to be assets to implementation of their respective integration plans.

Financing Integration Plan Implementation

In response to survey questions concerning the financing of state integration initiatives, the 14 states that have begun integration plan implementation reported that funding from agencies participating in integration and federal funding are the most significant sources of funding for their integration initiatives.²⁹ Three states (Calif., Hawaii, and Nev.) indicated that funding from participating agencies budgets is the largest source of funding for their respective integration initiatives. Of the remaining 11 states, five (N.H., N.J., N.M., Ohio, and Wash.) reported that funds from participating agencies are the second largest source of funding for their integration initiatives, and six (Alaska, Kan., Mo., Neb., Pa., and R.I.) responded that funding from participating agencies' budgets is the third largest source of financial support for their integration initiatives.

Eight (8) states (Alaska, Kan., Neb., N.H., N.J., N.M., R.I., and Wash.) reported that federal funds are the most significant source of financing for integration planning and implementation. Of the remaining six states, two (Mo. and Pa.) reported that federal funds are the second largest source of funding for their respective integration initiatives, and four states (Calif., Hawaii, Nev., and Ohio) indicated that federal funds are the third most significant source of funding for integration planning and implementation.

Only two (2) states reported that the private sector is a source of funding for their integration initiatives. The Kansas respondent indicated that the private sector is the fifth largest source of financial support for its integration initiative, and the New Jersey respondent indicated that the private sector is the third largest source of funding for integration.

²⁸ See TABLE II-13, Integration Assets. See also question 11.f of the survey instrument, provided in Appendix B of this report, for a complete list of the choices that are abbreviated on this table, and among which respondents were asked to select in responding to this question.

²⁹ See TABLE II-14, Integration Financing. See also question 11.g of the survey instrument, provided in Appendix B of this report, for a complete list of the choices that are abbreviated on this table, and among which respondents were asked to select in responding to this question.

Federal Funding for Integration

In a second survey question concerning the financing of integration initiatives, respondents that reported that federal funds were being used in conjunction with their integration initiatives were asked to provide the name of the federal program and approximate the percentage those sources are providing of current integration funding. As reported above, each of the 14 respondents indicated that federal funds are a major source of funding for its integration initiative. Federal programs identified by these respondents as sources of federal funding for their respective integration initiatives were as follows:

- the Edward Byrne Memorial State and Local Law Enforcement Block Grant Program:
 - ◆ funds derived from Byrne state block grant awards;
 - ◆ funds derived from the special Byrne 5 percent set-aside for criminal justice information system improvements in the states;
- the National Criminal History Improvement Program (NCHIP);
- the Community Oriented Policing Services (COPS) program;
- the Juvenile Accountability Incentive Block Grant (JAIBG) program, administered by OJP's Office of Juvenile Justice and Delinquency Prevention;
- the High Intensity Drug Trafficking Area (HIDTA) program;
- the National Sex Offender Registry program; and,
- the Local Law Enforcement Block Grant (LLEBG) program.

Here, as in the case of the 12 states that have not begun integration plan implementation, several respondents did provide percentages in conjunction with identifying federal funding sources. However, it was difficult to interpret whether these responses were intended to indicate the percentage of funding provided by that source which is being directed to integration projects, or the percentage that federal funds comprise of total funding for integration in the responding states. Nevertheless, information provided by respondents in answering this question indicates that the two most significant sources of federal funding for integration are the Byrne and NCHIP programs.

CHAPTER III: WHY IS THE ESTABLISHMENT OF A GOVERNANCE STRUCTURE A CRITICAL COMPONENT OF STATE INTEGRATED JUSTICE INFORMATION SYSTEM INITIATIVES?

Introduction

Improving coordination and cooperation in the context of justice information systems planning and implementation arguably is a daunting enterprise. Officials engaged in justice information systems integration initiatives not only must resolve technical hurdles to realizing integration objectives, but also overcome practical, legal, and political obstacles to sharing information between agencies, among disciplines, and across levels of government that for nearly three decades have pursued strategies to satisfy their respective information needs on an agency-by-agency basis.

Sharing and exchanging justice information in an automated fashion is a complicated process. It requires the state to play a leadership role in building the infrastructure that enables statewide information sharing, and to create, adopt, and maintain state information systems and standards. Clearly, this is a significant challenge for state and local public policymakers and justice administrators.

The administration of justice includes numerous justice and non-justice agencies, many of which operate myriad systems for collecting, maintaining, analyzing, and sharing data and information critical to carrying out their respective missions. Creating the capacity to share information and data among and between agencies, levels of government, and a variety of disciplines means overcoming established barriers to data exchange.

Mission of the Governance Structure

Representatives of the various agencies, disciplines, and levels of government, therefore, must come together and formulate and agree to a unified strategy for achieving integration. These are not exclusively technical issues that can be addressed by programmers and data processing managers.

To the contrary, planning for and implementing integrated justice is a complicated business that involves a multifaceted array of political, organizational, legal, technical, cultural, and personnel issues that must be addressed. Because of the inherent complexity of these issues and the constitutional separation of powers that also is present, some formal organizational structure is a necessary first step to ensure that the principal participants, stakeholders, and users are intimately involved in the project.

Governance Structures Roles and Responsibilities

Defining a governing body, whether by executive order, statute, informal organization, or by a memorandum of understanding that establishes a mission, membership, and decisionmaking structure, is one of the key components to planning and implementing a successful state IJIS. The governance structure ensures a place at the table for all relevant agencies and users and formalizes and ensures equality in decision-making (e.g. all members have an equal vote in decisions at hand). It is the vehicle through which agencies, stakeholders and users participating in IJIS strategically plan for integrated systems implementation, and, as such:

- articulate a united vision and determine the scope and focus of integrated justice;
- identify legal, policy, administrative, funding and technical requirements and other obstacles to achieving integration;
- define and sanction project objectives, tasks, and timetables;
- garner support from other state decisionmakers;
- monitor planning, implementation, and management activities;
- define IJIS operational requirements;
- oversee systems acquisition;
- resolve obstacles to implementation; and
- review system performance and make recommendations concerning systems improvements, enhancements, and next phases.

CHAPTER IV: WHAT ARE THE CENTRAL ELEMENTS OF A VIABLE INTEGRATED JUSTICE INFORMATION SYSTEM GOVERNANCE STRUCTURE?

Introduction

The overarching goal of justice information system integration is to enhance existing or create new capacities to facilitate the sharing of justice information. The focus of states' integration initiatives is to identify those key decision points at which agencies' information needs intersect, and to develop and implement a policy and operational integration infrastructure that will allow the exchange of information to take place among those agencies.

Across the country, states' integration plans and strategies will be as varied and as unique as the individual states themselves. In developing its integration plan or strategy, each state will decide for itself what information will be shared; who will have access to that information; and what laws and policies will govern the sharing of information. Moreover, one state may choose to achieve integration through the creation of a centralized comprehensive information system, while another may pursue the creation of a central repository for data that will be shared among agencies. Access to shared data in one state may be achieved through web-based applications, while in other states so-called "middleware" may be employed to overcome obstacles to information sharing that are created by differences among agencies in hardware configurations and software applications.

However, regardless of a state's vision of integration; what specific data-sharing objectives it holds for integration; and which approach it chooses to pursue those objectives, each state must create a central governance structure for its integration initiative. All IJIS governance structures contain three key components that focus on the following tasks: providing project leadership, defining the business of justice, and analyzing technical environments, policies and solutions.

IJIS projects require significant buy-in at the executive level and thus an oversight or decision-making committee is the critical first component to the governance structure.

Governance Committees

The "executive committee"³⁰ arguably is the most critical of the components of a state's integration governance structure. That committee will occupy the pivotal leadership position within the organizational framework that will support the development and implementation of

³⁰ For purposes of this report, the oversight/decisionmaking committee is referred to as the "executive committee", though the term "executive" does not refer to branch of government, but rather that the heads of agencies or the "executives" generally participate in this group (e.g., the governor, chief justice, attorney general, chief of state police, commissioner of the department of corrections, etc.).

integration plans and strategies. It therefore must have the authority to make and execute key decisions affecting justice integration and the position and “clout” to ensure that those decisions produce the intended actions.

The executive committee membership should be comprised of representatives of each agency and organization that will be participating in the integration initiative. The executive committee may be created by the governor, the state legislature, or a memorandum of understanding entered into by agencies participating in a given jurisdiction’s integration initiative. Each member of the committee must have the confidence of his or her agency and the authority to act on that agency’s behalf in making decisions concerning integration planning and implementation.

Equally as important as the composition and authority of the executive committee is selection of that committee’s chair. The individual who chairs the committee must be prepared to articulate and advocate for integration goals and objectives. The chair must have access to, and credibility with, state and local officials who can leverage political support and financial and other resources for integration. Moreover, he or she must be as willing and able to field inquiries concerning initiative deficiencies or failures as to tout integration successes.

To complete the governance structure, two other components are essential: operational and technical committees. While the executive committee sets policy, makes key decisions, and commits agency resources, its members are not generally involved in the daily operational information flow within and between the agencies, nor do they (or should they) know the technical solutions to these issues. The operational committees are essential for understanding, analyzing and defining the business of justice within a state, while the technical committees assess current technical environments and the technical policies and solutions that enable IJIS.

Any number of operational and technical committees may be established, depending upon the vision and scope of the IJIS. Operational committees may include those that focus on specific policy issues, such as data access and availability issues; information flow; and funding strategies. Similarly, technical committees may be numerous, and include groups to focus on technical standards, infrastructure, and security to name a few.

This essential three-tiered committee structure incorporates expertise, leadership and specialized skills from different groups of individuals. Each group addressing the three key components to successful IJIS planning: leadership, defining the business of justice, and analyzing technical environments and solutions.

The IJIS governing structure then will form any additional number of necessary subcommittees, working groups, and ad hoc committees and rely on them to focus on particular issues; tasks and business processes that require in-depth analysis, documentation, development and/or reorganization; or to carry out the research on and development of a variety of project-specific plans, models, policies, and directions. In fact, these groups will provide most of the

research and recommendations on the major issues identified in this section, and then bring the results to the governing body for review and endorsement.

Formation of Governance Structures

Often the idea to integrate justice information systems is driven by operational users of the information systems. Other than in high profile cases, operational users – the street cop, the court clerk, the jailer – are the individuals who most often experience the frustrations with a system that fails to permit the exchange and sharing of data and information accurately and efficiently. These officials’ abilities to carry out their respective responsibilities are affected by their inability to access instant information on warrant or bail status or the inability to access criminal history information for appropriate decisionmaking. But as passionately as the users often campaign for an IJIS, without a proper governance structure, successful planning, acquisition, and implementation of an IJIS project cannot move forward. Those who have tried, have failed to move the idea of an IJIS past the concept stage to reality.

So important is the governance structure that many are formalized in state statute or executive order.³¹ Not only does this formalization help garner legislative/ gubernatorial support for the effort, but also makes the governing structure a formal and permanent mechanism for integration planning and implementation. Other states’ governing body representatives have signed memoranda of understanding or executive agreements to ensure agency commitment. Given the long-term nature of integration projects and the often constant turnover in the leadership of state-level and elected positions, a formal and binding agreement or a mandate can be an effective means for states to ensure the continued existence of the IJIS governing body.

Governance Structure Membership

Members of the governance structure include representatives of relevant state and local entities that contribute to, use, and have a vested interest in the criminal justice system, and generally include representatives from all three branches of government, thereby recognizing the critical issue of separation of powers. Key stakeholders are engaged in the early stages of integrated systems planning so that they help define the effort, invest in its development, and recognize their continuing responsibility for its success.

Members of the executive committee are the highest-level officials of the identified entities, such as the state court administrator; director of corrections; superintendent of state police; state senators and representatives, as well as mayors, police chiefs, and county prosecutors (and, in some cases, even the governor, attorney general, and chief justice of the supreme court). These are the people who have the power to dedicate agency resources and commit personnel to get the project done. They have the ability to drive the project forward, remove barriers, and provide powerful leadership.

³¹ See Appendix D, State IT Governance Legal Frameworks for Criminal Justice Information

In addition, the state chief information officer or information technology representative is an important member of the executive committee. This individual's participation is essential to ensure that IJIS planning contemplates statewide IT planning efforts and vice versa. Likewise, funding agency representatives should play a role in the governance structure. Involving funding representatives early gives them a stake in the project and educates them on IJIS, which, in turn, assists in selling IJIS, come budget time.

Beyond justice agency leadership representation, depending on the scope of the project, it may be necessary to include representatives of other important agencies and organizations on the committee. For example, if health, education, and/or social service agencies are expected to provide and receive information from the IJIS, representatives should be involved in the governance structure. In some cases, such as when health, education and social services are *not* agencies within the scope of the current IJIS effort, *ex officio* roles may be created on the committee to allow input from these and other interested constituencies. This will assist in developing IJIS consistent with other major statewide technology initiatives, and vice versa.

Membership on subcommittees, working groups, and ad hoc committees should consist of a cross section of representatives from the agencies participating in the integration initiative. Generally they are comprised of various levels of staff from upper and middle management, technical departments, and end users.

In short, IJIS project success depends on user involvement in the planning process and governance structure. Without it, even the most well intended and state-of-the-art technology is likely to fail, as it was designed without the support, input, and commitment of the end users.

Getting the right players involved is crucial for securing buy-in to the project and developing a comprehensive vision. Having all affected and participating parties represented on the governing body is essential when it comes to establishing credibility with other government officials, decisionmakers and funding agencies, and, of critical importance, will assist in achieving commitment to, as well as a sense of ownership for the project, by all of the agencies and groups involved.

Governance Structure Roles and Responsibilities

The IJIS governing body will have myriad issues to contend with during the planning, implementation, management, and future enhancement of integrated systems. Although the number and complexity of those issues will vary from state to state, key issues all governing bodies will have to contend with center around ongoing strategic planning, and incorporate such major issues as developing the IJIS vision, scope, and objectives; developing operating procedures for the governing body; defining IJIS operational requirements; dealing with

technology and standards; securing funding; and providing continuing leadership throughout the life of the project.

Vision, Scope and Objectives

The governing body provides critical leadership in IJIS strategic planning, and one of its initial responsibilities is articulating a vision, defining the scope, and establishing objectives for the integrated system. Completion of these tasks provides specific guidance to project staff in planning and designing a system that will meet the operational requirements defined by the executives at the outset. The vision brings a tangible reality to what it is the state will address by integrating justice information systems. The vision articulated for IJIS will play a major role in defining the scope and developing realistic project objectives and milestones.

The mission defined for the Kentucky Unified Criminal Justice Information System, for example, is: to provide for the collection and availability of accurate up-to-date information relating to individuals charged with or convicted of a criminal offense in a timely and easily accessible manner to the criminal justice community while maintaining appropriate security and privacy standards.

From these broader “visionary” statements, project personnel can derive and pursue the objectives that will define what agencies and processes are to be included within the integration initiative, and they can be sufficiently narrow from a practical standpoint to enable successful completion and demonstrative benefits, such as these objectives from the Kansas Criminal Justice Information System:

- Develop and maintain the systems necessary to ensure an accurate, timely and comprehensive collection of criminal history information that meets local, state and federal standards for data quality and timeliness;
- Develop and maintain the system in such a way to ensure that it is compatible with the emerging national criminal justice information environment;
- Increase utilization of the system by providing on-line access to the appropriate information for the system’s primary and secondary customers;
- Ensure the system’s ability to migrate over time with technology advancements;
- Increase cost effectiveness of the system by reducing the manpower associated with the inputs and outputs of the system at both the state and local level;
- Ensure the state’s ability to manage and continue to expand the functionality of the system; and,

- Increase public safety by developing and implementing a centralized criminal justice information repository.

Defining the scope of an IJIS allows the governance structure to accomplish two necessary tasks. First, it establishes realistic boundaries for the effort so that work can begin and milestones can be reached. Second, defining the scope assists in identifying which agencies are “in” the project and should be involved in the planning effort, while acknowledging the expanding breadth and scale of the justice enterprise (e.g., the growing non-criminal justice use of criminal justice data as well as the growing movement to community-based justice model). While ultimately the IJIS governing body must decide where the project boundaries lie, the exercise of defining the scope allows the governing body to take into consideration other agencies that, while not in scope during initial IJIS planning phases, in the future, may become part of the scope.

Operational Issues

As the governance structure is key to successful IJIS planning and implementation, it must become a dynamic organizational structure that can effectively commit to ongoing planning and systems management. Thus, members of the governing structure must develop shared decisionmaking processes that recognize the operational priorities of the constituent agencies, while coordinating funding and development activities.

The governance structure must contemplate carefully the varying agency responsibilities associated with different levels of government; constitutional separation of powers; privacy and security of data; and the emerging role of the state chief information officer. The governance structure also must be capable of evolving as systems mature. In short, IJIS governance requires leaders and decisionmakers to make a paradigm shift from equipment management to strategic information technology planning and, in doing so, must address the needs of a variety of agencies and disciplines.

Developing Operating Procedures

Given the diverse structure and membership of the governing committees, they must develop operating procedures that dictate how they will conduct business and make decisions. Those procedures range from establishing policies for electing chairs, to agreeing upon voting procedures and management strategies. How will the committees make decisions on difficult issues, such as prioritizing acquisition among agencies? What will be the criteria for making decisions? How will conflicts/difficulties be resolved? Early in its formation, the governing structure must decide how it will deal with a host of issues during planning and once the system is operational.

In addition, governing body members must acknowledge that inter-organizational turf issues, as well as personal differences between agency administrators, staff and/or technical

people, are common. A process for dealing with these challenges needs to be established. The IJIS also will have to address and respect the operational differences from agency to agency, such as the differences that occur between agencies that track cases, versus those that track individuals.

Change in Committee Memberships

Another major operational issue that committees wrestle with is how to deal with constant changes in committee membership. For the executive committee, many of the high-level representatives hold elected positions, which means membership is in constant flux. How these positions will be filled is an important consideration, as an IJIS project can come to a halt if important decisionmakers are absent.

Resource availability is of primary concern to effective governance. Ample resources, measured both in terms of funding and staff time, are critical for committee members to travel to meetings and for accomplishing specified tasks, conducting research, developing documents, and other project deliverables, as well as for providing guidance and consultation.

Analyzing and Improving Business Processes

Planning for IJIS presents the perfect opportunity to carefully analyze the current “business” of justice and enhance and improve interagency workflow to realize improved efficiency, quality, and timeliness of information.

Agency operational experts (managers and end users) and those who are intimately involved with the processing of justice information must develop the operational specifications for the IJIS. This involves a realistic assessment of the way business is currently conducted and contemplating ways to make processes more efficient, effective, and accurate. It also will result in the development of rules about the sharing and exchange of justice information. Many times it requires introspective analysis of why things have historically been done the way they are, and making decisions about changing those process (E.g.: Is this done because there is a law or mandate? Or is this done because this is the traditional way of doing things?). The governance structure will make important decisions about business processes and improving the business of justice in the state.

Technology and Standards

Although the governing body and its associated committees will not necessarily be responsible for designing technical solutions for the IJIS, they will have to address policy issues associated with current and future technical implementation. Of major concern to all members of the governance structure will be the existing investment each agency has in current automated systems and data. Many agencies have developed systems that effectively meet the individual agency’s operational needs, but that were not designed with integration specifically in mind.

The technical committee also will grapple with historical information systems development that failed to incorporate information-sharing standards and that rarely was completed according to a comprehensive plan. The result for many states is that individual agencies have developed information systems that often duplicate, many times conflict, and often do not readily communicate with other information systems.

Technical Staff Support

Another major concern for the governing body is the availability and expertise of existing technical staff support. Government agencies often find that qualified technical staff is not readily available and, when available, they are hard to keep in government service. Technical staffs generally are insufficient in number, inadequately trained, and splintered among the various agencies. They often also are committed to their own agency's information system projects, and cannot dedicate the additional time necessary to focus on integrated systems development. The governing body will have to address how it will dedicate a sufficient number and appropriately trained operational and technical staff to the integration project.

IJIS requires the adoption of standards so that agencies can share critical data at key decision points. There are a wide range of standards that have been developed at both the state and federal levels to help insure justice information sharing capabilities. In addition, private industry has developed standards for much the same purpose. States must understand and incorporate these existing federal and state standards as they develop automated systems and contemplate industry standards. Failure to do so risks the future information sharing benefits of integrating the nation's justice information systems. The lack of standards furthers the piecemeal approach to technology implementation and aggravates integration attempts when agencies later find their systems fail to communicate with others. This is particularly critical as IJIS will ultimately have to communicate with other statewide automated systems.

The state must also maintain a central place for state and local government level agencies to obtain, update, and review those standards as they develop their own automated systems to comply with the standards.

Funding Issues

Clearly, how to fund IJIS planning, acquisition, implementation, management, and future enhancement is a paramount issue. Historically, funding for such systems has taken place in a piecemeal fashion – in past years, rarely was funding made available for the full planning and implementation of IJIS. But that situation is changing at both the state and federal levels with the growing recognition of the importance of IJIS and major national initiatives discussed earlier, such as the funding component for the Crime Identification Technology Act, and the Attorney General's initiatives.

Federal funding is critical, as it provides necessary “seed money” for IJIS. But beyond that, state governing structures also must pursue different methods of planning and using state and local funding streams to provide ongoing support for the IJIS. Members of the IJIS governing structure must make a fundamental shift in historic approaches to funding technology. Given the explosive growth and accelerated evolution of technology (e.g., computer storage capacity and processing speed is more than doubling annually), agency directors, policymakers, legislators, and other funding decisionmakers must plan to fund technology on an ongoing and continuous basis, and develop annual budgets and strategies that do so. IJIS poses a unique challenge in that budgets do not necessarily exist to fund a state IJIS. Development of IJIS presumes a coordinated funding strategy across constituent agencies. Obviously, this requires comprehensive planning, financial commitments, and shared decisionmaking among the agencies.

Another key funding challenge is that agencies participating in IJIS generally have made major investments in existing technologies and legacy systems that may have limited long-term utility, yet still effectively meet the daily operational needs of the agency. The role and functionality of these systems in the IJIS will have to be considered by the executive committee.

Analyzing Operational Benefits

Effective fiscal planning for integrated systems development also should evaluate the operational benefits of the integration strategy. Although financial planning often suggests a “cost” benefit strategy, IJIS planning may be more functional when an operational benefit approach is taken. Realistically, IJIS will require significant financial investment, and simply attempting to assess “money saved” is not an effective strategy for assessing the benefits of integration. Moreover, failure to achieve promised cost savings may undermine integration proponents’ credibility with state legislators and other political leaders whose support is critical to securing adequate financing for integration over the long-term. Instead, it will be important to analyze the improvement in the administration of justice (e.g. quicker positive identification of suspects, improved and accurate data essential for critical decisions about offender sentencing, employment and gun purchases, enhanced public safety, etc.).

Finally, nationwide, a shift is occurring in the way states fund information technology. States are recognizing the need for a coordinated approach to systems development, and have incorporated life cycle planning for systems. There has been a move toward not only coordinated funding for systems development, but also attempts to look at alternative funding strategies. In addition, a concentrated effort is being made to reform traditional government procurement strategies, particularly when it comes to information technology. State IJIS governing structures must be aware of and incorporate statewide strategies for funding, procuring, and supporting major technology implementation.

Other key issues

There are numerous other policy and management issues that must be addressed. For instance, the governing body will be concerned with appropriate security of the IJIS. It will be essential for the governing structure to develop and adopt clearly articulated policies and effective technical solutions for securing the system, as well as determine access and availability of the system and data. Other major access and privacy issues will arise, such as will the public have access to IJIS, and to what data? Does information acquire new privacy rights as it is integrated with other data, and, if so, how will these issues be addressed in the state IJIS?

Continuing leadership

The responsibilities of the IJIS governance structure continue beyond strategic planning for the integrated system. Indeed, the governing responsibilities may change significantly throughout the life of the IJIS project, from planning, to pursuit of funding, to system implementation oversight, to new system management and testing, to planning for system enhancements.

The governing body's role is dynamic and will continue to change, but it does not end with the purchase of technology. Rather, the governance structure must remain, although its structure, membership, and primary focus may change with each phase of system implementation.

States that have IJIS governing bodies that have been in place for a significant period of time have reported a new challenge, "keeping the momentum." The problem, some say, is keeping members interested and attending committee meetings – a challenge when some members have dedicated time and effort to the committee for a number of years or since its inception. But just as systems development and implementation follows a continuing and cyclical life (planning, design, implementation, testing, and planning), so must that of the governance structure. The implications are manifesting themselves in many states as the realization of the need to do business differently. IJIS is no longer a "project" with a set life span, but an ongoing method of doing business in the justice community.

Conclusion

The trend across the country is clear: states rely on governance structures to successfully move the IJIS project from concept to actuality. Every state that is planning for and implementing an IJIS must have one, because they all must have a formal mechanism for shared decisionmaking.

States have taken different approaches in defining their governing bodies, and there are experiences and lessons to be learned from these varied efforts that can help other states involved or beginning to plan for IJIS.

CHAPTER V: WHAT TYPES OF GOVERNANCE STRUCTURES HAVE STATES PUT IN PLACE FOR INTEGRATED JUSTICE INFORMATION SYSTEMS INITIATIVES TO DATE?

Introduction

As explained in the introduction to this report, the term “governance structure” was defined for purposes of the governance structures survey project as the elements of the authority and decisionmaking structure that states have put in place to oversee implementation of their respective integrated justice information system initiatives. Accordingly, governance of state integration initiatives may be exercised by an existing board, committee, council, or commission that has been authorized to oversee implementation of the integrated justice information system initiative, or by a board, committee, council, or commission that has been created specifically for purposes of carrying out this responsibility.

Alternatively, governance of integrated justice information systems initiatives may be the shared responsibility of two or more entities or individuals; for example, a special advisory committee operating under the authority of the administrator of a state department of public safety.

The survey excluded from the definition of governance structures established state executive and legislative branch procedures and practices for reviewing and processing programmatic and spending proposals in the normal course of business. Exclusion of these routine executive and legislative branch functions from the survey definition of governance structures was based upon the assumption that governors, state legislators, and state executive branch administrative agency officials – such as budget, management, and procurement personnel – will play important roles within their respective jurisdictions in the final disposition of recommendations concerning integrated justice information systems strategies. The survey was interested in the roles and responsibilities of these agencies and officials only to the extent that they are directly involved in conceptualizing and producing the integrated justice information systems implementation strategies. For example, if the governor’s office and/or the state legislature in a given state have established working committees that participate in decisionmaking concerning the formulation of integrated justice information systems strategies, these entities would be considered elements of the governance structure for purposes of the survey.

Functions of State Governance Structures

Survey questions concerning the governance structures of states’ integrated justice information systems were directed to elicit information concerning the identity and various responsibilities of the advisory bodies, officials, and agencies that individually possess or

collectively share the authority for making decisions that have shaped and guided the development, implementation, and operation of these systems. As defined for purposes of the survey, these responsibilities included:

- defining a vision for integrated systems regarding the nature, scope, and objectives of those systems;
- developing a strategy for implementing integrated justice information systems;
- formulating and approving policy to guide implementation and operation of an integrated justice information system;
- overseeing implementation-related activities, including hardware and software acquisitions;
- identifying and addressing implementation issues, including resolving conflicts and overcoming obstacles affecting information access and exchange;
- identifying and quantifying fiscal and other resource requirements associated with implementation of the integration initiative; and,
- facilitating cooperation and collaboration among the principals within participating justice system agencies.³²

States Responding to Survey Inquiries Concerning Governance Structures

Of the 36 states that submitted responses to the governance structures survey, 32 states responded to inquiries concerning governance structures for states' integrated justice information systems initiatives³³:

- six (6) states (Ariz., Ga., Ill., N.Y., Vt., and Wis.) that had indicated, in response to previous survey questions, that they *have not completed development of an integration plan*, but currently are engaged in integration planning activities;
- twelve (12) states (Ala., Conn., D.C., Ind., Ky., Mich., Minn., Okla., Ore., Va., W.Va., and Wyo.) that had indicated that they *have completed an integration plan, but have not begun implementation of that plan*; and,

³² Roberts, *supra* note 1 at p. 2.

³³ Four states (Id., N.D., S.D., and Tenn.) responded that they currently are not engaged in integration planning and implementation, and therefore were not asked to respond to survey questions concerning the status of integration activities and governance structures.

- fourteen (14) states (Ark., Calif., Hawaii, Kan., Mo., Neb., Nev., N.H., N.J., N.M., Ohio, Pa., R.I., and Wash.) that had indicated that they *have completed and begun implementation of their respective integration plans*.

In commencing a series of inquiries concerning states' governance structures, the survey asked respondents to indicate whether or not their respective states currently have a governance structure in place. Of the 30 states that responded to this inquiry, 27 states reported that they currently have governance structures in place:

- fourteen (14) states (Ark., Calif., Hawaii, Kan., Mo., Neb., Nev., N.H., N.J., N.M., Ohio, Pa., R.I., and Wash.) that, in response to previous survey questions, had indicated that they *have completed and begun implementation of their respective integration plans*;
- ten (10) states (Conn., D.C., Ind., Ky., Mich., Minn., Okla., Ore., Va., and W.Va.) that had indicated that they *have completed an integration plan, but have not begun implementation of that plan*; and,
- three (3) states (Ariz., Ga., and N.Y.) that indicated they *have not completed development of an integration plan*, but currently are engaged in integration planning activities.

Five states reported that they currently do not have a governance structure in place for their respective integrated justice information system initiatives:

- two (2) states (Ala. and Wyo.) that had indicated that they *have completed an integration plan, but have not begun implementation of that plan*; and,
- three (3) states (Ill., Vt., and Wis.) that indicated they *have not completed development of an integration plan*, but currently are engaged in integration planning activities.

Of the five (5) states that reported that they have not established governance structures to date, four (Ala., Ill., Wis., and Wyo.) indicated that they anticipate establishing a governance structure for their respective integration initiatives. One state, Vermont, responded that it has not established a governance structure, but did not indicate whether it plans to do so in the future.

Governance Structure Enabling Authority

Survey respondents were asked to identify the authority by which their governance structures were created and under which they carry out their activities. Respondents first were asked to indicate whether their governance structures have been established formally, e.g., by statute or executive order, or operates informally, e.g., by verbal agreement or consent of

participating agency officials. Of the 27 states that responded that they currently have governance structures in place for their respective integration initiatives, 19 states (Alaska, Calif., Conn., D.C., Ga., Hawaii, Ind., Kan., Ky., Mich., Minn. Mo., Neb., N.M., Ohio, Ore., Pa., Va. and Wash.) reported that their governance structures were established formally, and eight (8) states (Ariz., Nev., N.H., N.J., N.Y., Okla., R.I., and W.Va.) responded that their governance structures were established informally.

Of the four (4) states (Ala., Ill., Wis., and Wyo.) that indicated that they have not established governance structures, but anticipate doing so, one state, Wisconsin, reported that it plans to establish its governance structure formally, and the remaining three states indicated that they anticipate that their governance structures will be established informally.

In a follow-up inquiry, respondents, who reported that their governance structures had been established formally, were asked to identify the enabling authorities by which those structures were created. Of the 19 states that reported that their governance structures were established formally:

- eight (8) states (Alaska, Conn., Ga., Hawaii, Ky., Minn., Mo., and Ore.) reported that their governance structures were established by state statute;
- one (1) state, Michigan, reported that its governance structure was established by executive order;
- two (2) states (Neb. and Va.) reported that their governance structures were established by administrative actions;
- two (2) states (N.M. and D.C.) reported that their governance structures were established by memoranda of understanding;
- one (1) state, Indiana, reported that its governance structure was established by state statute and executive order;
- two (2) states (Calif. and Kan.) reported that their governance structures were established by state statute and administrative actions;
- one (1) state, Washington, reported that its governance structure was established by state statute and a memorandum of understanding; and,
- two (2) states, (Pa. and Ohio) reported that their governance structures were established by executive order and administrative actions.

Creation of Governance Structures

Among the 27 states that reported that they have established governance structures for their respective integrated justice information system initiatives, three states (Calif., Ga., and Nev.) reported that their governance structures were established prior to 1990. Seven (7) states (Alaska, Conn., Hawaii, Kan., N.J., Ohio, and Ore.) reported that their governance structures were established between 1990 and 1994. The Connecticut respondent explained that the state's governance structure "actually existed since the early 1990's as an administrative entity of the [state's] Office of Policy and Management." The Kansas respondent noted that its governance structure was established in 1994, but added that nevertheless, formation of that structure is an "ongoing" activity.

Of the remaining 12 states that reported that they have established governance structures, 12 states (Ariz., D.C., Ind., Ky., Mich., Neb., N.M., N.Y., Pa., Va., Wash., and W.Va.) established their governance structures between 1995 and 1999. According to the Indiana respondent, that state's governance structure was established formally by an executive order that was executed in 1998, and a state statute that became effective in 1999. The West Virginia respondent reported that its governance structure was created in 1998, but explained that the structure established in 1998 was an "outgrowth of [a] similar 1996 structure."

Five (5) states (Minn., Mo., N.H., Okla., and R.I.) did not provide information concerning the year in which their governance structures were established in responses to questions concerning the formation and authority of state governance structures.

Organization of State Governance Structures

Survey respondents were asked a series of questions intended to elicit information concerning the organization of the governance structures that they have created for their respective integrated justice information system initiatives. Respondents first were asked to describe the components of their respective governance structures. Respondents then were asked specifically whether their governance structures include a committee, board, commission, or council.

In subsequent inquiries concerning the organization of state governance structures, respondents who reported that their governance structure includes a committee, board, commission, or council were asked to indicate which agencies and interests are represented on that committee; describe the organizational status of that committee within state government; and identify any special subcommittees, task forces, or work groups that have been created to assist the committee in its work.

Components of State Governance Structures

The survey inquiry concerning the components of state governance structures elicited responses from:

- twenty-seven (27) states that reported that they have established governance structures for their integration initiatives:
 - ◆ fourteen (14) states (Alaska, Calif., Hawaii, Kan., Mo., Neb., Nev., N.H., N.J., N.M., Ohio, Pa., R.I., and Wash.) that, in response to previous survey questions, had indicated that they *have completed and begun implementation of their respective integration plans*;
 - ◆ ten (10) states (Conn., D.C., Ind., Ky., Mich., Minn., Okla., Ore., Va., and W.Va.) that had indicated that they *have completed an integration plan, but have not begun implementation of that plan*; and,
 - ◆ three (3) states (Ariz., Ga., and N.Y.) that indicated they *have not completed development of an integration plan*, but currently are engaged in integration planning activities.
- three (3) states that reported that they have not established governance structures for their integration initiatives to date, but plan to do so at some point in the future:
 - ◆ two (2) states (Ala. and Wyo.) that had indicated that they *have completed an integration plan, but have not begun implementation of that plan*; and,
 - ◆ one (1) state, Wisconsin, that indicated that it *had not completed development of an integration plan, but currently is engaged in integration planning activities*.

Of the 27 states that have governance structures in place, 10 states (Conn., Ga., Hawaii, Ind., Ky., Minn., N.M., N.Y., Va., and W.Va.) reported that governance functions are carried out by a special committee, board, commission, or council that has been created especially for that purpose.³⁴ The state of Washington respondent reported that two special committees comprise that state's governance structure: the "Justice Information Committee" and the "Criminal Justice Information Act Executive Committee."

Five (5) states (Alaska, Mich., Nev., N.H., and Ohio) reported that an existing committee has been designated to serve as the governance structure for their respective integrated justice information system initiatives.³⁵ In California, the existing "Attorney General's Committee on Improvement of Criminal History Records" and "Law Enforcement Advisory Committees" make up that state's governance structure. Four states (D.C., Kan., Neb., and

³⁴ See Appendix C, Components and Responsibilities of State Integration Governance Structures.

³⁵ For purposes of convenience, the term "committee" is used generically hereinafter to include boards, commissions, or councils.

Okla.³⁶) responded that their integration governance structures are comprised of a special committee and an existing committee. The Rhode Island respondent reported that one special committee, the “Rhode Island Justice Commission Technical Advisory Committee,” and two existing committees – “the Rhode Island Justice Commission Steering Committee and Policy Board” – comprise that state’s governance structure.

The remaining five (5) states that reported that they have governance structures described the components of these structures as follows:

- Arizona reported that its integration governance structure is comprised of an existing committee; a special committee; and a specific delegation to an executive branch management/administration agency;
- Missouri reported that its integration governance structure is comprised of a special committee; a general delegation to an executive branch justice agency; and a general delegation to an executive branch management/administration agency;
- New Jersey reported that its integration governance structure is comprised of a special committee and a general delegation to an executive branch justice agency;
- Oregon reported that its integration governance structure is comprised of a general delegation to an existing committee of an executive branch justice agency and a specific delegation to an executive branch justice official;
- Pennsylvania reported that its integration governance structure is comprised of three special committees and a specific delegation to an executive branch management/administration agency.

Among the three (3) states that do not have governance structures in place, but which responded to the survey question concerning the components of states governance structures, Alabama reported that it anticipates creating a special committee to carry out integration governance functions; Wisconsin expects that governance responsibilities will be managed through a specific delegation to an executive branch justice official; and Wyoming indicated that that governance responsibilities are likely to be managed through a general delegation to an executive branch justice agency.

³⁶ The Oklahoma respondent noted that its governance structure also involves a general delegation to an executive branch justice agency, the “Governor’s Cabinet,” and a general delegation to an executive branch management/administration agency, the “State Purchasing Law.” Concerning the Governor’s Cabinet, the respondent explained that “most member agencies [of the Board and CJIS Task Force are] subject to [the] Governor’s Cabinet.” With respect to the State Purchasing Law, the respondent noted that “[a]ll state efforts [are] governed by state purchasing law.”

Role of the Governance Committees

As discussed in Chapter IV of this report, an oversight or decisionmaking committee generally is considered to be a central element of an integration governance structure. Responses to survey inquiries concerning the organization of states' integration governance structures indicate that, in fact, most of these structures do incorporate either an existing committee that has been charged with governance responsibilities and/or one or more special committees that have been created specifically for the purposes of managing integration governance functions.

As reported above, of the 27 states that have governance structures in place, 11 reported that a special committee, board, commission, or council, has been created to carry out governance functions, and six states reported that an existing committee, board, commission, or council has been designated to serve as the governance structure for their respective integrated justice information system initiatives. Among the remaining 10 states that have governance structures in place, all but one state, Oregon, indicated that its governance structure includes either an existing committee, a special committee, or both. In addition, one state, Alabama, of the three that currently do not have governance structures in place, but plan to establish such structures at some point in the future, reported that it plans to create a special committee to manage integration governance functions.

Of the 13 states that responded that their state's governance structure includes an existing committee, six of those states reported that governance structure functions have been delegated to an existing criminal justice information system advisory board, and seven states reported that these functions have been delegated to a state criminal justice planning committee, commission, or policy board.³⁷ Twenty states which, in response to previous survey questions, indicated that they have governance structures in place, reported that their respective governance structures include a special committee. However, it was unclear from these states' responses whether these special committees, in fact, were created specifically to oversee integration, and, if so, were created to manage the respective states' integration initiatives, or were created to manage a broader range of information systems or interagency and interdisciplinary criminal justice projects. For example, the Nebraska respondent identified its governance special committee as the "CJIS Advisory Committee – created by the Nebraska Crime Commission"; the West Virginia respondent identified its governance special committee as the "Criminal Justice Information Systems Committee;" and the Minnesota respondent identified its special committee as the "Minnesota Criminal Justice Collaboration Policy Group and Task Force."

Organizational Status of Governance Committees

³⁷ See Appendix C, Components and Responsibilities of State Integration Governance Structures.

Respondents that reported that their governance structures include existing or special committees were asked to describe the organizational status of those committees with state government. Specifically, respondents were asked to indicate whether their respective committees:

- operate as an independent body within the executive branch of state government;
- operate under the umbrella of an executive branch justice agency;
- operate under the umbrella of an executive branch administrative agency; or,
- operate under the umbrella of the state judiciary.

Thirty (30) states responded to this question: 27 states that reported that they have established governance structures and three states that responded that they have not established such structures to date, but plan to at some point in the future. Among the 27 states that currently have governance structures in place, six states (Hawaii, Ind., Kan., Ky., Minn., and Va.) reported that their existing or special committees operate as independent bodies with the executive branch of state government, and 15 states (Alaska, Ariz., Calif., Ga., Minn., Mo., Neb., Nev., N.H., N.J., Ohio, Okla., Ore., Wash., and W.Va.) responded that their committees operate under the umbrella of an executive branch justice agency.³⁸

Of the remaining six (6) states that have established governance structures, three states (Conn., N.Y., and Pa.) said that their governance structures operate under the umbrella of an executive branch administrative agency. The District of Columbia explained that its existing committee, the “Criminal Justice Coordinating Council,” and its special committee, the “Information Technology Advisory Committee,” operate under the umbrella of a control board created by the U. S. Congress. New Mexico reported that its special committee, the “Criminal Justice Information Management Team,” operates under the joint authority of the executive and judicial branches of state government. According to the Rhode Island respondent, that state’s existing committee and special technical advisory committee operate under the umbrella of the Rhode Island Justice Commission, an executive branch criminal justice planning agency.

Agency Representation on Governance Committees

Of the 27 states that reported that they have established governance structures, all but one state, Hawaii, which state’s integration initiative is confined to the juvenile justice system, reported that their existing or special governance committees include representation of a state law enforcement agency – the department of public safety, state police agency, bureau of

³⁸ See Appendix C, Components and Responsibilities of State Integration Governance Structures.

criminal investigation, and/or bureau of criminal identification.³⁹ Other agencies most often represented on existing or special governance committees were: the state department of corrections (24 states); the judiciary (22 states); the court administrator's office (21 states); the attorney general's office (19 states); the probation office (19 states); the state criminal justice planning agency (16 states); and municipal law enforcement agencies (17 states).

In addition, 17 states reported that the state department of juvenile services is represented on their respective existing or special committees; 17 states include representation from state prosecutors' offices; 13 states include the state chief information officer; and 13 states' existing or special committees include representation from local prosecutors' offices.

Among the agencies least often represented on existing and special committees in the 25 states with governance structures in place were: the state mental health agency (3 states); the state department of health and human services (6 states); the state department of administration (5 states); and local criminal justice planning agencies (5 states).

Four (4) states reported that their governance committees include representation from county government agencies and officials, a category of agencies and interests that inadvertently was left off of the list provided in the survey question. One state, Georgia, specifically took project staff to task for excluding county sheriffs, a category of local law enforcement that the Georgia respondent asserted "is glaring in its omission from your list." Three (3) other states (Ariz., Mich., and Mo.) also reported that their respective governance committees include representation from county sheriffs' departments. According to the Arizona respondent, the county boards of supervisors also are represented on that state's governance committee.

³⁹ See TABLE V-1, Agency Representation on Governance Committees. See also question 17 of the survey instrument, provided in Appendix B of this report, for a complete list of the choices that are abbreviated on this table, and among which respondents were asked to select in responding to this question.

Governance Committee Subcommittees, Task Forces, and Work Groups

Survey respondents were asked whether their states have created special subcommittees, task forces, or work groups to assist governance committees in their work. In responding to this question, states were asked to select, from a list of 12 choices, those areas in which they have established governance committee subcommittees:

- policies and standards;
- forms and process;
- information technology;
- data “dictionary” and index;
- applications implementation and testing;
- telecommunications;
- training and technical assistance;
- funding;
- monitoring and evaluation;
- juvenile data sharing;
- crime victims;
- privacy and security.

While the purpose of the survey question was to identify what subcommittees have been created, states’ responses to this question suggest that their answers instead indicate what integration planning and implementation activities have been assigned to subcommittees. For example, of the 27 states that have governance structures in place, 19 states (Alaska., Ariz. Calif., D.C., Ga., Hawaii., Kan., Ky., Mich., Minn., Mo., Nev., N.H., Ohio, Ore., Pa., R.I., Va., and Wash.) provided responses to this question that indicate that they have assigned some of the listed activities to subcommittees. What can be concluded from these responses is that among the integration planning and implementation activities listed in the question, those most often assigned to a subcommittee were policies and standards (13 states); information technology (11 states); and privacy and security (8 states).

A determination cannot be made from these 19 states' responses whether a specific subcommittee was created for each of the areas checked. Analysis of these states' responses suggest that while some states may have created a separate special subcommittee for each of the specific areas of integration planning and implementation that they checked in their respective responses, other states have assigned two or more of the responsibilities that they checked to a single subcommittee. Alaska, for example, reported that the policy and budget development functions both are handled by an administrative committee. The Kentucky respondent noted that in that state, policies and standards, juvenile data sharing, and privacy and security-related issues are assigned to a "legal" subcommittee. According to the Nebraska respondent, a policies and standards subcommittee also handles data "dictionary" and index issues.

Four (4) of the 19 states that responded that they have established governance committee subcommittees reported that they have created subcommittees in addition to those listed in the survey question. The Arizona respondent reported that "local county workgroups" have been created to assist that state's governance committee in its work. In Kentucky, a "warrants" subcommittee has been established. Nebraska has created "AFIS [automated fingerprint identification], applications, and Protection Orders" subcommittees, while Pennsylvania has created a "Communications" subcommittee, and Washington, a "Staff" subcommittee.

Among the remaining eight (8) states with established governance structures, five (5) states, (Conn., Ind., N.J., Okla., and N.Y.), reported that they have not created new subcommittees to handle the various integration planning and implementation activities listed in this survey question. The Connecticut respondent explained that the state's Office of Policy and Management (OPM) serves as the criminal justice information system planning agency, and that the OPM's "Implementation Group and Technical Committee Subgroup carries out most of the tasks listed in the survey question. According to the Indiana respondent, creation of subcommittees "is pending." The Oklahoma respondent likewise indicated that subcommittees may be created at some point in the future, responding that subcommittees do not exist "at this time." The New York respondent reported that "subcommittee support" for integration activities is provided by a "pre-existing group [at the state's] Division of Criminal Justice Services."

Three states (Nev., N.M., and W.Va.) did not respond to this question.

Staffing Governance Structure Committees

Survey respondents were asked to identify the source of staff support for the activities of governance structure committees. Of the 27 states that responded that they have established governance structures, 10 states (Alaska, Conn., Ga., Hawaii, Mo., Nev., Ohio, Ore., Va., and W.Va.) reported that staff support for governance structure committee activities is provided by an executive branch agency charged with providing administrative oversight and support for

integration activities. Among these 10 states, nine (9) states (Alaska, Ga., Hawaii, Mo., Nev., Ohio, Ore., Va., and W.Va.) reported that staff support for governance structure committee activities is provided by an executive branch justice agency. One state, Connecticut, reported that staff support for its governance structure committee is provided by the state “Office of Planning and Management.”

Four (4) states (Kan., Ky., Neb., and N.J.) responded that staff support for governance structure committee activities is provided jointly by personnel specifically assigned to that committee and by an executive branch agency. Three (3) states (Kan., Neb., and N.J.) reported that state agency support is provided by an executive branch justice agency. Two (2) states (Ariz. and D.C.) responded that their respective governance structure committees are staffed by personnel specifically assigned to the committees, and two (2) states (Pa. and R.I.) reported that their committees are staffed by personnel specifically assigned to the committee and by personnel on loan from agencies and departments that serve as governance committee members.

Of the remaining six (6) states that reported that they have established governance structures, one state, Michigan, responded that its governance committee is staffed by personnel specifically assigned to the committee; personnel on loan to the committee; and staff provided by an executive branch justice agency, specifically, the director of the state’s department of state police. The Oklahoma respondent reported that its committee is staffed by personnel on loan from agencies represented on that body. The New Mexico respondent reported that staff support for its governance committee is federally funded, while the Washington respondent indicated that staff support for its governance committee is provided by personnel specifically assigned to that committee, and by a consultant. Two (2) states, New Hampshire and New York, responded that no staff support is available for their governance committees. The California respondent did not answer this inquiry.

Funding of Governance Structure Committee Activities

Finally, respondents were asked to identify the source of funding provided for the staff and membership activities of governance structure committees. Of the 27 states that reported that they have established governance structures, 10 states (Alaska, Conn., Ind., Mich., N.H., N.Y., Okla., R.I., Va., and W.Va.) responded that no funding is provided for committee activities. The Connecticut respondent explained that the work of that state’s governance structures committee “currently” is supported with staff of the state’s Office of Policy and Management. Seven (7) states (Hawaii, Minn., Mo., Nev., Ohio, Ore., and Pa.) reported that funding for the staff and membership activities of their respective committees is provided by an executive branch agency.

Four (4) states (Ga., Kan., N.J., and N.M.) of the 27 states with established governance structures reported that financial support for their governance committees’ activities is provided by an executive branch agency and through federal funding. Two (2) states (Calif.

and D.C.) indicated that federal funding is the sole source of financial support for their respective governance committees.

Of the remaining four (4) states, Arizona reported that funding for its governance committee is derived from court fines; Kentucky responded that its committee is funded through a direct state legislative appropriation; and Nebraska said that its committee receives financial support from a direct state legislative appropriation and an executive branch agency. The Washington respondent reported that its governance structures committee is supported from interagency funds transfers from agencies and departments represented on that committee.

Assignment of Governance Responsibilities

In a final survey question, states were asked to identify, among a list of choices provided, those integration tasks that are responsibilities of their respective governance structures. The 15 integration governance responsibilities listed in the survey question fall into five general categories as follows: integration planning and strategy development; integration plan approval; integration budgeting; integration plan implementation; and integration performance evaluation.

State respondents also were asked to identify which component of their governance structure is charged with carrying out each governance responsibility that they selected in response to the survey question.

Responses to this survey inquiry were provided by all but one state, New York, of the 27 states that reported that they currently have governance structures in place. The Rhode Island respondent did not specifically check any of the governance-related functions listed in the question, but noted that “generally speaking,” all of the functions listed in the question have been assigned to its integration governance structure.

States’ responses to this question provided a wealth of information concerning each state’s management of integration governance responsibilities. However, because each responding state’s answer to the question was unique in some fashion, the information provided did not lend itself to aggregation. For this reason, a special appendix to this report, Appendix C: Components of State Integration Governance Structures, was developed in which information provided in response to this question, as well as information concerning the organization of state governance structures and the organizational status of these structures within state government, is summarized.

Observations on Assignment of Governance Responsibilities

A few general observations can be made about information provided by states concerning the responsibilities that their governance structures carry out and the components of their respective governance structures to which these responsibilities are assigned. First, several

of the responding states reported that governance responsibilities are being carried out by entities other than those that they specifically listed as components of their governance structures, most often the executive branch agency that oversees the activities of the governance structure. For example, Alaska reported that its governance structure consists of a committee, the “Criminal Justice Information Advisory Board,” but indicated that several of the governance responsibilities listed in the survey question are carried out by the Alaska Department of Public Safety, under which agency’s umbrella the Advisory Board operates. Similarly, Connecticut reported that its “CJIS Governing Board,” which operates under the authority of the state’s Office of Planning and Management (OPM), serves as that state’s governance structure. However, Connecticut reported that the OPM itself is charged with a number of governance responsibilities.

In most cases where governance responsibilities have been assigned to the umbrella agency under which the governance structure operates, these responsibilities include resolving conflicts among agencies participating in integration planning and implementation; final approval of integration plans and strategies; and seeking the endorsement and support of governors and state legislatures for integration plans and budgets. What can be concluded from this finding is that, in these instances, the governance structure is charged principally with developing integration plans and strategies, while a higher-level executive branch agency has retained the authority to act on these plans and strategies.

Moreover, among the responsibilities that states least often reported assigning to their respective governance structures were approving and defending integration budgets. This finding also appears to suggest that decisions relating to financing integration may be beyond the scope of the responsibilities of many states’ governance structures.

With respect to the organizational status of states’ integration governance structures, the survey found that most states’ structures operate under the umbrella of an executive branch justice agency, most often the state department of public safety, state police, or state criminal justice planning agency. In addition, the survey found that where states have turned to existing committees to carry out some or all of their integration governance responsibilities, those committees most often are existing criminal justice information systems advisory policy boards. In several other cases, the states have turned to the boards or commissions that oversee the activities of the states’ criminal justice planning agencies to carry out various integration governance responsibilities.

Finally, the survey also found that each of the responding states has assigned, in various combinations, some responsibilities related to integration planning and strategy development; integration plan approval, integration budgeting, and integration implementation to its governance structure. Only in the area of integration plan performance evaluation are there states that have not assigned this task to their respective governance structures to date. Rather than indicating that some states have assigned a lesser priority to performance evaluation, this latter finding more likely indicates that an entity other than a component of the governance structure will be

assigned responsibility for performance evaluation or that these states are not at the point in their integration planning and implementation activities where they are addressing the issue of performance evaluation

APPENDIX A
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APPENDIX B
THE GOVERNANCE STRUCTURES SURVEY INSTRUMENT

APPENDIX C

COMPONENTS AND RESPONSIBILITIES OF STATE INTEGRATION GOVERNANCE STRUCTURES

COMPONENTS AND RESPONSIBILITIES OF STATE INTEGRATION GOVERNANCE STRUCTURES

Of the 32 states which reported that they currently are engaged in integration planning and implementation activities, 27 states responded that they currently have integration governance structures in place. In the following, the responses of these 27 states concerning the components and responsibilities of their respective governance structures are summarized. Information that appears in quotation marks is presented as reported by respondents, and is drawn from these respondents answers to survey questions concerning the components of their respective governance structures; the organizational status of governance committees within state government; responsibilities assigned to integration governance structures; and the entities specifically charged with carrying out governance responsibilities.

*In responding to the survey inquiry concerning the responsibilities of governance structures, several states reported these responsibilities have been assigned to entities other than those specifically listed as components of their respective governance functions. This information is presented under the heading **Other Assignments of Governance Structures**, where appropriate. In addition, a number of states reported that their governance structures are charged with responsibilities other than those that were specifically included in the list provided in the survey inquiry. Where appropriate, this information is provided under the heading, **Additional Governance Responsibilities**.*

Finally, to facilitate analysis of survey responses concerning responsibilities carried out by responding states' governance structures, the 15 responsibilities listed in the survey inquiry were divided into five categories: Integration planning and strategy development; integration plan approval; integration budgeting; integration plan implementation; and integration performance evaluation. The numbers provided after each category listed correspond to the list of specific governance responsibilities that were provided in the survey inquiry. A list of the responsibilities that comprise each category is provided on the last page of this summary.

ALASKA

Governance Structure

Existing committee:

Identity: "Criminal Justice Information Advisory Board"

Organizational status: Under a state executive branch justice agency, specifically, the state Department of Public Safety

Governance responsibilities: None reported

Other Assignments of Governance Responsibilities

Alaska Department of Public Safety: Integration planning and strategy development (2, 3); integration plan approval (2, 4); integration budgeting (1); integration plan implementation.

ARIZONA

Governance Structure

Existing committee:

Identity: "Arizona Criminal Justice Commission"

Organizational status: Under a state executive branch justice agency
Governance responsibilities: See **Note**, below

Special committee:

Identity: “Arizona Criminal Justice Commission Integration Ad Hoc Committee of participating agencies”

Organizational status: Under a state executive branch justice agency
Governance responsibilities: See **Note**, below

Specific delegation to an executive branch management/administration agency:

Identity: “Government Information Technology Agency (for Technical Standards development)”

Governance responsibilities: See **Note**, below

Note: *The Arizona respondent indicated that the following functions are the responsibilities of its governance structure, but did not identify the component of that governance structure to which those responsibilities are assigned: Integration planning and strategy development (4); integration plan approval (1, 2, 3, 4); integration budgeting (4); integration plan implementation (2).*

Additional Governance Responsibilities

The Arizona respondent reported that, under state law, the state’s integration governance structure also is charged with the following responsibility: “Facilitate information and data exchange among criminal justice agencies.”

CALIFORNIA

Governance Structure

Existing committees:

Identity: “Attorney General’s Committee on Improvement of Criminal History Records”

Organizational status: Under state executive branch justice agency, specifically, the office of the state attorney general

Governance responsibilities: See **Note**, below

Identity: “Law Enforcement Advisory Committees”

Organizational status: Under state executive branch justice agency, specifically, the office of the state attorney general

Governance responsibilities: See **Note**, below

Note: *The California respondent indicated that the following functions are the responsibilities of its governance structure, but did not identify the component of that governance structure to which those responsibilities are assigned: Integration planning and strategy development (2, 3); integration plan approval (1, 2, 3); integration budgeting (3).*

CONNECTICUT

Governance Structure

Special committee:

Identity: “CJIS Governing Board – composed of representatives of CJIS and administrative agencies in the Executive and Judicial Branches”

Organizational status: Under state executive branch administrative agency, specifically, the state “Office of Policy and Management, [although] chaired by the Chief Court Administrator”

Governance responsibilities: Integration plan approval (1); integration budgeting (4); integration plan implementation (1); integration performance evaluation (1)

Other Assignments of Governance Responsibilities

Connecticut Office of Planning and Management: Integration planning and strategy development (1, 2, 3, 4); integration plan approval (1, 2, 3, 4); integration budgeting (1, 2, 3, 4); integration plan implementation (1, 2); integration performance evaluation (1)⁴³.
Chief Court Administrator: Integration budgeting (3).

DISTRICT OF COLUMBIA

Governance Structure

Existing committee:

Identity: “Criminal Justice Coordinating Council”

Organizational status: “Under the umbrella of the Control Board established by Congress”

Governance responsibilities: Integration planning and strategy development (4); integration plan approval (1, 3, 4); integration budgeting (3); integration plan implementation (1)

Special committee:

Identity: “Information Technology Advisory Committee”

Organizational status: “Under the umbrella of the Control Board established by Congress”

Governance responsibilities: Implementation planning and strategy development (2); integration plan approval (2); integration budgeting (1, 2); integration plan implementation (1, 2)⁴⁴

Other Assignments of Governance Responsibilities

“OGMD [Office of Grants Management Development]”: Integration budgeting (2).

GEORGIA

Governance Structure

Special committee:

Identity: “Criminal Justice Records Improvement Subcommittee”

Organizational status: Under state executive branch justice agency, specifically, the “Criminal Justice Coordinating Council”

Governance responsibilities: Integration planning and strategy development (1, 2, 3, 4); integration plan approval (1, 2); integration budgeting (1, 3)

Other Assignments of Governance Responsibilities

“*Criminal Justice Coordinating Council*”: Integration planning and strategy development (1, 2, 3, 4); integration plan approval (1, 2, 3, 4); integration plan budgeting (1, 2, 3, 4).

“*Affected agencies*” participating in integration: Integration budgeting (4).

HAWAII

Governance Structure

Special committee:

⁴³ The Connecticut respondent reported that the Connecticut Office of Planning and Management “serves as the Criminal Justice Information System (CJIS) planning agency” for that state. The respondent also noted that Connecticut has completed the integration planning and strategy development tasks of conducting a needs assessment and determining the scope and focus of an integration initiative.

⁴⁴ The District of Columbia respondent reported that integration budget approval current is a responsibility of the “ITAC/OGMD, but will eventually be [transferred to the] CJCC as [a] transition is made from Federal to City funding.”

Identity: “Juvenile Justice Information Committee”

Organizational status: Under state executive branch justice agency, specifically, the office of the state attorney general

Governance responsibilities: None reported

Other Assignments of Governance Responsibilities

“Attorney General”: Integration planning and strategy development (3, 4); integration plan approval (4); integration plan budgeting (1, 2, 3); integration plan implementation (1, 2); integration performance evaluation (1).

“All”: Integration planning and strategy development; integration plan approval (1, 2, 3); integration budgeting (4)⁴⁵.

INDIANA

Governance Structure

Special committee:

Identity: “Integrated Public Safety Commission”

Organizational status: Independent body within the state executive branch

Governance responsibilities: Integration planning and strategy development (2, 3); integration plan approval (1, 2, 3); integration budgeting (3, 4); integration plan implementation (1, 2); integration performance evaluation (1)

Other Assignments of Governance Responsibilities

“Private Contract”: Integration planning and strategy development (1); integration budgeting (1)⁴⁶

KANSAS

Governance Structure

Existing committee:

Identity: “Kansas Criminal Justice Coordinating Council”

Organizational status: Independent body within the state executive branch

Governance responsibilities: Integration planning and strategy development (2, 3, 4); integration plan approval (1, 2, 3, 4); integration budgeting (1, 2, 3, 4); integration plan implementation (1, 2)

Special committee:

Identity: “KCJIS Advisory Board (and its subcommittees)”

Organizational status: Independent body within the state executive branch

Governance responsibilities: Integration planning and strategy development (1); integration plan approval (2, 3); integration budgeting (1); integration plan implementation (2)

KENTUCKY

Governance Structure:

Special committee:

Identity: “UCJIS Subcommittee of the Criminal Justice Council,” and its subcommittees: technical committee; “pr” committee; and funding committee

⁴⁵ In a number of instances, Hawaii responded “all” in indicating which component of its governance structure is charged with a particular responsibility. Presumably, “all” means all of the agencies that sit on the state’s Juvenile Justice Information Committee, specifically, the attorney general; the judiciary; the department of juvenile services; juvenile probation; municipal law enforcement agencies; local prosecutors’ offices; and juvenile corrections.

⁴⁶ The Indiana respondent reported that the “Integrated Law Enforcement Council” has entered into a “private contract with the Warner Group” to carry out the indicated governance responsibilities. It is not clear from information provided by the respondent whether the Council is an independent body within state government or a sub-unit of the Integrated Public Safety Commission.

Organizational status: Independent body within the state executive branch “representing all branches of state government”

Governance responsibilities: Integration planning and strategy development: technical committee (1), UCJIS (2, 3, 4); integration plan approval: “pr” committee (2), UCJIS (1, 3); integration budgeting: technical committee (1), funding committee (1, 3), UCJIS (2, 4); integration implementation: technical committee (1, 2); integration performance evaluation: technical committee (1)

Other Assignments of Governance Responsibilities

State chief information officer: Integration plan approval (4).

MICHIGAN

Governance Structure:

Existing committee:

Identity: “Criminal Justice Information Systems Policy Council”

Organizational status: Under state executive branch justice agency, specifically, the “Department of State Police”

Governance responsibilities: See **Note**, below

Note: *The Michigan respondent indicated that the following functions are the responsibilities of its governance structure, but did not identify the component of that governance structure to which those responsibilities are assigned: Integration planning and strategy development (1, 2, 3, 4); integration plan approval (1, 2, 3, 4); integration budgeting (1, 2, 3, 4); integration plan implementation (1, 2); integration performance evaluation (1).*

MINNESOTA

Governance Structure

Special committee:

Identity: “MN Criminal Justice Collaboration Policy Group and Task Force”

Organizational status: Independent body within the state executive branch

Governance responsibilities: See **Other Assignments of Governance Responsibilities**, below

Other Assignments of Governance Responsibilities

“Public Safety, Corrections, Courts”: Integration planning and strategy development (2, 3); integration budgeting (1); integration plan implementation (1); integration performance evaluation (1).

MISSOURI

Governance Structure:

Special committee:

Identity: “Criminal Records Advisory Committee”

Organizational status: Under state executive branch justice agency, specifically, the Department of Public Safety

Governance responsibilities: None reported

General delegation to an executive branch justice agency

Identity: Missouri Department of Public Safety (DPS)

Governance responsibilities: Integration planning and strategy development: Missouri State Highway Patrol (MSHP) (3), Department of Public Safety (DPS) (4); integration plan

approval: MSHP (1, 2, 3), DPS (3), Grants Funding Subcommittee (GFC) (1); integration budgeting (1); integration plan implementation: MSHP (1), GFC (1)⁴⁷

General delegation to an executive branch management/administration agency:

Identity: “Director, Department of Public Safety”

Governance responsibilities: See *General delegation to an executive branch justice agency*, above

NEBRASKA

Governance Structure:

Existing committee:

Identity: “Nebraska Crime Commission”⁴⁸

Organizational status: Under state executive branch justice agency, specifically, the Nebraska Crime Commission

Governance responsibilities: Integration plan approval (4); integration budgeting (1, 3, 4); integration plan implementation (1, 2)⁴⁹

Special committee:

Identity: “CJIS Advisory Committee – Created by NE Crime Commission,” and “project subcommittee”⁵⁰

Organizational status: Under state executive branch justice agency, specifically, the Nebraska Crime Commission

Governance responsibilities: Integration planning and strategy development: CJISAC (1, 3), PS (2); integration plan approval: CJISAC (1, 2, 3); integration budgeting: CJISAC (1, 2, 3, 4); integration plan implementation: CJISAC (1, 2), PS (1); integration performance evaluation: PS (1)⁵¹

NEVADA

Governance Structure

Existing committee:

Identity: “Nevada Criminal Justice Information System Advisory Committee”

Organizational status: Under state executive branch justice agency, specifically, the Department of Motor Vehicles and Public Safety

Governance responsibilities: Integration plan approval (1, 2); integration plan implementation (1, 2)

Other Assignments of Governance Responsibilities

⁴⁷ The Missouri State Highway Patrol and the “Grants Funding Committee” operate under the umbrella of the Missouri Department of Public Safety.

⁴⁸ Presumably, “Commission,” as used in this instance, refers to the Nebraska Crime Commission’s appointed criminal justice policy board.

⁴⁹ The Nebraska respondent observed that governance responsibilities “do not break out, in reality and function” as listed in the survey inquiry.

⁵⁰ The Nebraska respondent appears to have used “Project Subcommittee”; “Project Review Subcommittee”; and “Project Committee” synonymously to denote a “project committee” of the Crime Commissions Criminal Justice Information System Advisory Committee (CJISAC). Therefore, in this summary “PS” is used to represent all three terms.

⁵¹ The Nebraska respondent reported that determining the scope and focus of an integration initiative is an integration planning and strategy development task that is handled on a “project specific” basis by “a project review subcommittee.” It is not clear from this response whether a single project review subcommittee oversees all program activities on a project-by-project basis, or whether a project review subcommittee is created for each individual project.

Nevada Department of Motor Vehicles and Public Safety: Integration planning and strategy development (1, 2, 3, 4); integration plan approval (3, 4); integration budgeting (1, 2, 3, 4); integration performance evaluation (1).

NEW HAMPSHIRE

Governance Structure

Existing committee:

Identity: “Interbranch Criminal and Juvenile Justice Council”⁵²

Organizational status: Under an executive branch administrative agency, specifically, the Department of Justice

Governance responsibilities: Integration planning and strategy development (2, 3, 4); integration plan approval (1)

Other Assignments of Governance Responsibilities

“Technology Task Force” of the Interbranch Criminal and Juvenile Justice Council: Integration planning and strategy development (1).

NEW JERSEY

Governance Structure

Special committee:

Identity: “CJIS Advisory Committee”

Organizational status: Under a state executive branch justice agency, specifically, the office of the state attorney general

Governance responsibilities: Integration plan approval (1); integration budgeting (1, 2, 3)

General delegation to an executive branch justice agency;

Identity: “Office of the Attorney General oversees the CJIS Committee,” and the activities of the CJIS Project Manager

Governance responsibilities: Integration planning and strategy development: “CJIS Project Manager” (PM); integration plan approval: Office of the Attorney General (OAG) (1); integration budgeting: OAG (3); integration plan implementation: OAG (2), PM (1); integration performance evaluation: OAG (1)

NEW MEXICO

Governance Structure

Special committee:

Identity: “Criminal Justice Information Management Team”

Organizational status: “Combination of Executive and State Judiciary”

Governance responsibilities: Integration planning and strategy development (3, 4); integration plan approval (1, 2, 3, 4); integration budgeting (1, 1, 3, 4); integration plan implementation (1, 2); integration performance evaluation (1)

Other Assignments of Governance Responsibilities

“Project Team”: Integration planning and strategy development: (1, 2)⁵³.

⁵² According to the New Hampshire respondent, that state is in the process of implementing a new organizational framework for integration planning and implementation. That framework includes the New Hampshire Criminal Justice Information Systems (CJIS) Committee, which operates under the authority of the Interbranch Criminal and Juvenile Justice Council, and a number of CJIS Committee subcommittees to carry out various integration-related functions. This new organization framework will operate under the supervision of the Interbranch Council, which was created by a memorandum of understanding signed by the governor.

NEW YORK

Governance Structure

Special committee:

Identity: “Criminal Justice Technology Group”

Organizational status: Under a state executive branch administrative agency, specifically, the “Office of the Director of Criminal Justice”

Governance responsibilities: See **Note**, below

Note: *New York did not respond to survey inquiries concerning responsibilities of its integration governance structure and the assignment of those responsibilities to specific components of that structure.*

OHIO

Governance Structure

Existing committee:

Identity: “CJIS Policy Board, aided by Regional Working Groups (RWG)”

Organizational status: Under a state executive branch justice agency, specifically, the “Ohio Office of Criminal Justice Services”

Governance responsibilities: Integration plan implementation (2)

Other Assignments of Governance Responsibilities

“Ohio Justice Information Network Steering Committee”: Integration planning and strategy development (1, 2, 3); integration plan approval (1, 2); integration budgeting (1); integration plan implementation (1).

OKLAHOMA

Governance Structure⁵⁴

Existing committee:

Identity: “Oklahoma Drug and Violent Crime Grants Board”

Organizational status: Under a state executive branch justice agency, specifically the “District Attorneys Council”

Governance responsibilities: Integration plan approval (1); integration budgeting (2)

Special committee:

Identity: “Oklahoma CJIS [Criminal Justice Information Systems] Task Force”

Organizational status: Subcommittee of the Oklahoma Drug and Violent Crime Grants Board

⁵³ Although it is not clear from information provided by the New Mexico respondent, it appears that the “project team” and the “Criminal Justice Information Management Team” are two separate entities, and are charged with different integration planning and strategy development responsibilities.

⁵⁴ The Oklahoma respondent noted that its governance structure also involves a general delegation to an executive branch justice agency, the “Governor’s Cabinet,” and a general delegation to an executive branch management/administration agency, the “State Purchasing Law.” Concerning the Governor’s Cabinet, the respondent explained that “most member agencies [of the Board and CJIS Task Force are] subject to [the] Governor’s Cabinet.” With respect to the State Purchasing Law, the respondent noted that “[a]ll state efforts [are] governed by state purchasing law.”

Governance responsibilities: Integration planning and strategy development (1, 3); integration plan approval (2, 3, 4); integration budgeting (1, 3, 4); integration plan implementation (1, 2); integration performance evaluation (1)

OREGON

Governance Structure

*Existing committee*⁵⁵:

Identity: Criminal Justice Information System Advisory Board

Organizational status: Under a state executive branch justice agency, specifically, the Oregon State Police

Governance responsibilities: Integration planning and strategy development (1, 2, 3, 4); integration plan approval (1, 2, 3, 4); integration budgeting (1, 2, 3, 4); integration plan implementation (1, 2); integration performance evaluation (1)⁵⁶

General delegation to an executive branch justice agency:

Identity: “Oregon State Police”

Governance responsibilities: Integration planning and strategy development (1, 2, 3, 4); integration plan approval (1, 2, 3, 4); integration budgeting (1, 2, 3, 4); integration plan implementation (1, 2); integration performance evaluation (1)

Specific delegation to an executive branch justice official:

Identity: “Superintendent of State Police”

Governance responsibilities: See *General delegation to an executive branch justice agency*, above

PENNSYLVANIA

Governance Structure

Special committees:

Identity: “JNET Executive Council”

Organizational status: Under a state executive branch administrative agency, specifically, the JNET Office

Governance responsibilities: Integration planning and strategy development (2); integration plan approval (2, 4); integration budgeting (2)

Identity: “JNET Senior Policy Team”

Organizational status: Under a state executive branch administrative agency, specifically, the JNET Office

Governance responsibilities: Integration plan approval (1)

Identity: “JNET Steering Committee”

Organizational status: Under a state executive branch administrative agency, specifically, the JNET Office

Governance responsibilities: Integration planning and strategy development (1, 3, 4); integration plan implementation (1)

Specific delegation to an executive branch management/administration agency:

⁵⁵ The Oregon respondent reported that governance functions related to that state’s integrated justice information system were managed through a general delegation to the Oregon State Police (OSP), an executive branch justice agency, and a specific delegation to the superintendent of that agency. However, in responding to inquiries concerning the assignment of specific governance functions, that respondent indicated that the state’s governance structure also includes an existing committee, the Criminal Justice Information System Advisory Board, which operates under the umbrella of the OSP.

⁵⁶ The Oregon respondent explained that all responsibilities of that state’s integration governance structure are carried out by the “Oregon State Police considering recommendations of the CJIS Advisory Board.”

Identity: “JNET Office”

Governance responsibilities: Integration budgeting (1, 4); integration plan implementation (2); integration performance evaluation (1)

RHODE ISLAND

Governance Structure

Existing committees:

Identities: “Rhode Island Justice Commission Steering Committee and Policy Board”

Organizational status: Under an executive branch administrative agency, specifically, the Rhode Island Justice Commission

Governance responsibilities: See **Note**, below

Special committee:

Identity: “Rhode Island Justice Commission Technical Advisory Committee”

Organizational status: Under a state executive branch administrative agency, specifically, the Rhode Island Justice Commission

Governance responsibilities: See **Note**, below

Note: *Rhode Island did not respond to survey inquiries concerning responsibilities of its integration governance structure and the assignment of those responsibilities to specific components of that structure. However, the Rhode Island respondent noted that, “generally speaking,” all of the responsibilities listed in the survey inquiry are “being handled by the RIJS [Rhode Island Justice Commission] Technical Committee, Steering Committee and Policy Board and/or its members.”*

VIRGINIA

Governance Structure

Special committee:

Identity: “ICJIS Policy Oversight Committee,” (POC) and its “Management Subcommittee” (MS)

Organizational status: Independent body within the state executive branch

Governance responsibilities: Integration planning and strategy development: MS (4); integration plan approval: POC (1, 2, 3, 4); integration plan implementation: POC (2); integration performance evaluation⁵⁷

Other Assignments of Governance Responsibilities

State “Department of Criminal Justice Services”: Integration planning and strategy development (2, 3); integration budgeting (1, 4); integration performance evaluation (1).

WASHINGTON

Governance Structure:

Special committees:

Identity: “Justice Information Committee”

Organizational status: Under a state executive branch justice administrative agency, specifically, the “Department of Information Services”

Governance responsibilities: Integration planning and strategy development (1, 2, 4); integration plan approval (1, 2, 4); integration plan implementation (1, 2)

⁵⁷ The Virginia respondent also reported that monitoring implementation of the integration strategy is an integration plan implementation responsibility of its governance structure, but did not indicate which component of that structure is charged with that responsibility.

Identity: “Criminal Justice Information Act Executive Committee”

Organizational status: Under a state executive branch justice administrative agency, specifically, the “Department of Information Services”

Governance responsibilities: None reported

Other Assignments of Governance Responsibilities

“*Consultant*”: Integration planning and strategy development (3).

“*Funding Subcommittee*”: Integration budgeting (1, 2, 3)⁵⁸.

WEST VIRGINIA

Governance Structure

Special committee:

Identity: “Criminal Justice Information Systems Committee (CJIS)”

Organizational status: Under a state executive branch justice agency, specifically, the Department of Military Affairs and Public Safety (MAPS)

Governance responsibilities: None reported

Other Assignments of Governance Responsibilities

“*Secretary of Military Affairs and Public Safety*”: Integration planning and strategy development (3, 4); integration plan approval (2, 3, 4); integration budgeting (4).

MAPS, “*Division of Criminal Justice Services*”: Integration planning and strategy development (1, 2); integration budgeting (1, 3); integration plan implementation (1).

Chief Justice of the West Virginia Supreme Court: Integration plan approval (2, 3).

State Chief Information Officer: Integration plan approval (4); integration budgeting (1).

Integrated Justice Information System Governance Responsibilities

Integration Planning and Strategy Development

1. Conducting an integration needs assessment and feasibility study
2. Determining the scope and focus of an integration initiative, including identifying system objectives and developing systems “vision” and “mission” statement
3. Developing an integration strategy, to include strategies for accomplishing policy-, legislative-, administrative-, operational-, and technology-related components of that plan
4. Arbitrating disagreements among agencies concerning elements of the integration strategy

Integration Plan Approval

1. Approving the proposed integration strategy for implementation
2. Securing participating agencies’ endorsement of an integration strategy
3. Securing legislative support for and endorsement of an integration strategy
4. Securing the governor’s support for and endorsement of an integration strategy

Integration Budgeting

1. Identifying costs and developing a budget for the integration initiative
2. Approving a budget for the integration initiative
3. Identifying potential funding sources for the integration initiative
4. Defending funding requests before the state legislature

⁵⁸ The Washington respondent did not indicate whether the “Funding Subcommittee” is a sub-unit of the Justice Information Committee or the “Criminal Justice Information Act Executive Committee.”

Integration Plan Implementation

1. Monitoring implementation of the integration strategy
2. Overseeing implementing phases of the systems integration strategy

Integration Performance Evaluation

1. Evaluating systems performance

**APPENDIX D
STATE IT GOVERNANCE LEGAL FRAMEWORKS FOR
CRIMINAL JUSTICE INFORMATION**

Appendix D

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State law is available online via the <http://www.prairienet.org/~scruffy/f.htm> website.

State: ALABAMA

Synopsis: The Office of Information Technology is a department of the executive branch. The Information Technology Council participates in the development and implementation of the statewide information technology plan. Within the Department of Finance is a Division of Data Systems Management. The Alabama Criminal Justice Information Center Commission was created to operate the Alabama Criminal Justice Information Center (ACJIC) that handles vital information relating to crimes, criminals, and criminal activity.

STATUTES⁵⁹ ¾ ALA. CODE §§

16-61D-1 to 16-61D-6, Office of Information Technology (eff. May 23, 2000)

41-4-220 to 41-4-224, Division of Data Systems Management, Department of Finance

41-8A-1 to 41-8A-13, Alabama Law Enforcement Planning Agency

41-9-570 to 41-9-574, Criminal Justice Advisory Commission

41-9-590 to 41-9-648, Criminal Justice Information Center Commission

 **Organization/Structure:**

The Office of Information Technology is a department of the executive branch of state government. ALA. CODE §16-61D-1.

The Information Technology Council consists of individuals possessing knowledge and skills in educational technology selected as follows:

- 7 representatives of four-year public universities appointed by the Council of College and University Presidents,
- Executive Director of the Alabama Commission on Higher Education,
- Chancellor of the two-year college system,
- Speaker of the House of Representatives appoints 2 members,
- President of the Senate appoints a member,
- President Pro Tempore of the Senate appoints a member,
- State Superintendent of Education appoints –
 - 3 public classroom teachers,
 - 2 two-year college presidents, and
 - 3 representatives from the State Department of Education.

ALA. CODE §16-61D-5.

Within the Department of Finance is a Division of Data Systems Management. ALA. CODE §41-4-220. There is an advisory committee, composed of the head of each data processing unit in state service, to advise the Director of the Data Systems Management Division. ALA. CODE §41-4-224.

The Alabama Criminal Justice Information Center Commission was established as an independent organization to start and manage the Alabama Criminal Justice Information Center (ACJIC). ALA. CODE §41-9-591. The Commission is composed of two sections. The voting or governing section includes:

- Attorney General,
- Chairman of the Board of Pardons and Paroles,
- Commissioner of the Board of Corrections,
- President of the Alabama Sheriffs' Association,
- Director of the Department of Public Safety,
- President of the District Attorney's Association,
- President of the Circuit Clerks' Association,
- Chief Justice of the Alabama Supreme Court,

⁵⁹ Current through the 2000 Regular Session, including 2000 Ala. Acts 715 & 801.

- President of the Alabama Association of Intermediate Court Judges,
- President of the Circuit Judges' Association,
- Governor's Coordinator of Alabama Highway and Traffic Safety, and
- Director of the Data Systems Management Division, Department of Finance.

The advisory section includes:

- Presiding Officer of the Alabama Senate,
- Speaker of the Alabama House of Representative,
- President of the Association of County Commissions of Alabama,
- President of the Alabama League of Municipalities,
- Administrative Director of the Courts, and
- a state citizen appointed by the Governor.

ALA. CODE §41-9-592.



Authority:

The Office of Information Technology:

- develops a plan for a comprehensive and compatible information technology infrastructure in state government, including the public schools and public institutions of higher education;
- collaborates and coordinates with the Division of Data Systems Management of the Department of Finance, and establishes standards and coordinates services and infrastructure to ensure that information technology is used to support designated needs areas, including providing the children of Alabama citizens access to technology in the public schools and the public institutions of higher education;
- issues annual reports to the Governor, the Legislature, and the general public concerning the coordination and operation of the office;
- promulgates rules and regulations, and establishes procedures and standards for the management and operation of state agencies and any of its political subdivisions to carry out ALA. CODE §§16-61D-1 to 16-61D-6, including – coordination of state information management; providing technical assistance to agency administrators on design and management of state information systems; evaluating the costs, system design, and suitability of information equipment and related services; and developing a unified and integrated structure for information systems for all executive agencies.

ALA. CODE § 16-61D-4.

The Information Technology Council participates in the development and implementation of the statewide information technology plan.

The Division of Data Systems Management is responsible for:

- planning, controlling, coordinating state data processing activities to insure the most economical use of state resources;
- developing and maintaining a master plan for the state's data processing activities;
- providing for the centralization, consolidation, and shared use of equipment and services in order to maximize utilization and efficiency in data processing operations;
- providing systems design and programming services to all state agencies;
- selecting and procuring all data processing systems and associated software deemed necessary to best serve the data processing needs of the state;
- preparing contract specifications for equipment and services; and
- adopting such rules and regulations necessary to carry out its duties and responsibilities.

ALA. CODE §41-4-221.

The Alabama Criminal Justice Information Center Commission establishes its own rules, regulations, and policies necessary for the performance of its responsibilities. ALA. CODE §41-9-594(a). Annually, the commission presents to the Governor a request for funds based on projected needs for criminal justice information systems in the state, which the Governor may include in his appropriation bill

request. ALA. CODE §41-9-599. The commission is to cooperate with all state criminal justice agencies⁶⁰ in providing forms, procedures, standards, and related training assistance necessary for the uniform operation of the statewide ACJIC crime reporting and criminal justice information system. The commission offers assistance and instruction to all criminal justice agencies on establishing efficient systems for information management. ALA. CODE §41-9-621.

 **Scope of Records Included:**

All state, county, and municipal criminal justice agencies are required to provide:

- fingerprints, descriptions, photographs, and any other identifying and historical criminal data on felons and certain serious juvenile delinquents (§41-9-622),
- outstanding arrest warrants (§41-9-627),
- uniform crime reports (§41-9-631),
- persons wanted and property stolen (§41-9-633),
- persons apprehended and property recovered (§41-9-634),
- delinquent parolees (§41-9-635), and
- unidentified human corpses (§41-9-638).

All chiefs of police, sheriffs, prosecuting attorneys, parole and probation officers, wardens, or other persons in charge of correctional or detention institutions in the state are to furnish the ACJIC with any other data deemed necessary by the Alabama Criminal Justice Information Center Commission to carry out its responsibilities. ALA. CODE §41-9-623. The Administrator of the Department of Court Management or the chief administrative officer of any other entity that is charged with the compilation of information and statistics pertaining to the disposition of criminal cases is required to report those dispositions to the ACJIC within a reasonable time after formal rendition of judgment as prescribed by the commission. ALA. CODE §41-9-648.

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The statute specifically provides that “[t]he commission shall ensure that: the information obtained ... is restricted to the items germane to the implementation of [the statute]; the Alabama Criminal Justice Information Center is administered so as not to accumulate or distribute any information not required by [the statute]; and adequate safeguards are incorporated so that data available through this system is used only by properly authorized persons and agencies. ... [Furthermore, the] commission shall appoint a Privacy and Security Committee from the membership of the commission who are elected officials, consisting of a chair and three members, to study the privacy and security implications of criminal justice information and to formulate policy recommendations for consideration by the commission concerning the collection, storage, dissemination, or usage of criminal justice information.” ALA. CODE §41-9-594.

⁶⁰ Criminal justice agencies include “those public agencies at all levels of government which perform as their principal function activities or planning for such activities relating to the identification, apprehension, prosecution, adjudication or rehabilitation of civil, traffic and criminal offenders.” ALA. CODE §41-9-590(1).

State: ALASKA

Synopsis: The Telecommunications Information Council within the Office of Governor is vested with the authority to set policy on state government's voice, video, and data systems. The Department of Administration is responsible for the operation and management of automatic data processing resources and activities of the executive and legislative branches of state government and the judicial branch to the extent requested by that branch in cooperation with the Telecommunications Information Council. The Criminal Justice Information Advisory Board advises the Department of Public Safety which is responsible for operating a criminal justice information system to serve as the state's central repository of criminal history record information.

STATUTES⁶¹ ¾ ALASKA STAT. §§

12.62.005 – 12.62.900, Criminal Justice Information Systems Security and Privacy

44.19.110 – 44.19.120, Governor's Commission on the Administration of Justice

44.19.502 – 44.19.519, Telecommunications Information Council, Office of the Governor

44.21.150 – 44.21.170, Automatic data processing, Department of Administration

44.21.305 – 44.21.330, Telecommunications, Department of Administration

44.41.010 – 44.41.050, Department of Public Safety



Organization/Structure:

The Telecommunications Information Council (TIC) is within the Office of Governor and is composed of:

- Governor,
- the commissioner from each principal department of the executive branch,
- President of the University of Alaska,
- Executive Director of the Legislative Affairs Agency,
- a member of the public appointed by the Governor, and
- a legislator from each house as nonvoting members appointed by the respective presiding officer.

The Chief Justice of the Supreme Court may appoint a member to serve on the council. ALASKA STAT. §44.19.502.

Within the executive branch, there is a Department of Administration. ALASKA STAT. §§44.17.005 & 44.21.010 et seq. Within the department is an Information Technology Group.

The Criminal Justice Information Advisory Board is an advisory board within the Department of Public Safety and consists of:

- a member of the general public appointed by the Governor,
- a municipal police chief appointed by the Governor in consultation with the Alaska Association of Chiefs of Police,
- Attorney General or designee,
- Chief Justice of the Supreme Court or designee,
- Commissioner of Administration or designee,
- Commissioner of Corrections or designee,
- Commissioner of Health and Social Services or designee,
- Commissioner of Public Safety or designee, who also serves as chair, and
- Executive Director of the Alaska Judicial Council or designee.

The Department of Public Safety is responsible for operating a criminal justice information system to serve as the state's central repository of criminal history record information. ALASKA STAT. §§12.62.100 & 12.62.110.

⁶¹ Current through the 2000 Legislative Session.



Authority:

The Telecommunications Information Council (TIC):

- establishes guidelines, and prepares a state short-range and long-range information systems plan;
- in accordance with the state information systems plan, establishes guidelines and directs state agencies⁶² to prepare agency information systems plans; and
- may establish information-related policies and engage in information-related activities it considers necessary or appropriate.

State agencies may develop information systems that are inconsistent with the TIC's guidelines if the TIC gives written authorization for the user agency to do so, but the TIC may authorize such independent development only upon a showing of necessity. A state agency, including an agency authorized to develop an independent system, must coordinate the design, development, management, and operation of its information systems with the TIC. ALASKA STAT. §44.19.504(a)(3). The Administrative Director of Courts is required to establish information systems guidelines and prepare a short-range and long-range information systems plan for the court system. The guidelines and plan must be consistent with the telecommunications information guidelines and plan adopted by the council and must be adapted to the special needs of the judicial branch. ALASKA STAT. §44.19.506.

The provisions of ALASKA STAT. §§44.21.150 - 44.21.170 are intended to designate the Department of Administration as the department (i) responsible for the operation and management of automatic data processing⁶³ resources and activities of the executive and legislative branches of state government and the judicial branch to the extent requested by that branch, (ii) to provide for cooperation between the department and the Telecommunications Information Council, and (iii) to provide for periodic review of state automatic data processing procedures and mechanisms. ALASKA STAT. §44.21.150. Consistent with the state information systems plan adopted by the Telecommunications Information Council and with the departmental information systems plan, the department:

- maintains a central staff of systems analysts, computer programmers, and other staff members sufficient to provide systems analysis and computer programming support required by the executive and legislative branches of state government;
- develops and maintains both short-range and long-range data processing plans for state government and provide managerial leadership in the use of automatic data processing;
- reviews budget requests for automatic data processing services and recommends to the Telecommunications Information Council and the Governor approval, modification, or disapproval;
- recommends implementation priorities of requested data processing systems;
- determines and satisfies the data processing equipment and supply requirements of the executive and legislative branches, departments, and agencies of state government;
- develops and publishes systems analysis, computer programming, and computer operations standards;
- reviews state automatic data processing systems to encourage effectiveness, measure performance, and assure adherence to standards; and
- provides for the effective transfer of information by telecommunications through the establishment of compatible systems and common standards.

⁶² "State agencies" means all departments, divisions, and offices in the executive and legislative branches of state government and the University of Alaska; it does not mean the Alaska Railroad Corporation or an agency of the judicial branch of government. ALASKA STAT. §44.19.519(2).

⁶³ "Automatic data processing" means: (1) those methods of processing data by using electrical accounting machinery (EAM) or electronic data processing equipment (EDP), including the activities and devices required to prepare data for automatic data processing; (2) data communications devices and those systems used with automatic data processing equipment in the transmission and reception of data; and (3) activities related to the design and development of automatic data processing systems. ALASKA STAT. §44.21.170(1).

ALASKA STAT. §44.21.160.

The Criminal Justice Information Advisory Board advises the Department of Public Safety and other criminal justice agencies on matters pertaining to the development and operation of the central repository of criminal history record information and other criminal justice information systems, including providing advice about regulations and procedures and estimating the resources and costs of those resources needed to carry out the provisions of the statute. ALASKA STAT. §12.62.100(d). The Commissioner of Public Safety, in consultation with the board and affected law enforcement agencies, may adopt necessary regulations; regulations may not be adopted that affect procedures of the court system. ALASKA STAT. §§12.62.110(2) & (5) and 12.62.120.

 **Scope of Records Included:**

Criminal justice agencies⁶⁴ submit to the Department of Public Safety, at the time, in the manner, and in the form specified by the department:

- Criminal justice information regarding events (e.g., warrant issued or an arrest through actions on appeal and any subsequent pardon or clemency action) in connection with an arrestable offense (ALASKA STAT. §12.62.120);
- Uniform crime information – data regarding crimes committed within an agency’s jurisdiction (ALASKA STAT. §12.62.130); and
- Information regarding wanted persons and stolen property (ALASKA STAT. §12.62.140).

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Telecommunications Information Council (TIC) establishes guidelines for the accessing of information by the public in accordance with statutes governing the availability and confidentiality of information. ALASKA STAT. §44.19.504(a)(3).

Handling of information in the criminal justice information systems is governed by ALASKA STAT. §§12.62.150 (completeness, accuracy, and security of criminal justice information), 12.62.160 (release and use of criminal justice information; fees), 12.62.170 (correction of criminal justice information), 12.62.180 (sealing of criminal justice information), and 12.62.190 (purging of criminal justice information).

⁶⁴ “Criminal justice agencies” include the courts with criminal jurisdiction and government entities and their subdivisions that allocates a substantial portion of their budgets to a criminal justice activity under a law, regulation, or ordinance. “Criminal justice activity” means (1) investigation, identification, apprehension, detention, pretrial or post-trial release, prosecution, adjudication, or correctional supervision or rehabilitation of a person accused or convicted of a crime; or (2) collection, storage, transmission, and release of criminal justice information. ALASKA STAT. §§12.62.900(11) & (10).

State: ARIZONA

Synopsis: There is an Information Technology Authorization Committee (ITAC), and in the executive branch, there is a Government Information Technology Agency (GITA), headed by a Director who also is the state's Chief Information Officer. The ITAC and GITA have authority over information technology plans and projects. The Arizona Criminal Justice Information System central repository is in the Department of Public Safety with oversight by the Arizona Criminal Justice Commission.

STATUTES⁶⁵ ¾ ARIZ. REV. STAT. §§

41-1750, Central repository for criminal history record information, Department of Public Safety

41-1751, Reporting court dispositions to the Department of Public Safety

41-1756, Unauthorized access to criminal history

41-2201 to 41-2206, Arizona Criminal Justice Information System

41-2401 to 41-2421, Arizona Criminal Justice Commission

41-3501 to 41-3505, Government Information Technology Agency (GITA)

41-3521, Information Technology Authorization Committee (ITAC)



Organization/Structure:

The Information Technology Authorization Committee (ITAC) members are:

- a member of the House of Representatives appointed by the Speaker as an advisory member,
- a member of the Senate appointed by the President of the Senate as an advisory member,
- 4 members from private industry who are knowledgeable in information technology appointed by the Governor,
- a local and a federal government member appointed by the Governor as advisory members,
- 2 members who are directors of state agencies appointed by the Governor,
- 2 members from either private industry or state government appointed by the Governor,
- Administrative Director of the Courts, and
- Director of the Government Information Technology Agency who is the chairperson of the committee but for all other purposes serves as an advisory member.

ARIZ. REV. STAT. §41-3521.

There is a Government Information Technology Agency (GITA), headed by a Director who also is the state's Chief Information Officer and is appointed by the Governor. ARIZ. REV. STAT. §§41-3503 & 41-3504.

The Arizona Criminal Justice Commission is an independent organization with criminal justice planning and oversight responsibilities. The commission members are:

- Attorney General or designee,
 - Director of the Department of Public Safety or designee,
 - Director of the Department of Corrections or designee,
 - Administrative Director of the Courts or designee,
 - Chairman of the Board of Executive Clemency or designee, and
- 14 members appointed by the Governor, including –
- a police chief, one county attorney and one county sheriff from a county with a population of 1.2 million or more persons,
 - a police chief, a county attorney, and a county sheriff from a county with a population equal to or greater than 400,000 persons but fewer than 1.2 million persons,
 - a police chief, a county attorney, and a county sheriff from counties with a population of fewer than 400,000 persons,

⁶⁵ Current through the 2000 6th Special Session, including 2000 Ariz. Sess. Laws 59 (HB 2209).

- a law enforcement leader,
- a former judge,
- a mayor,
- a member of a county board of supervisors, and
- a chief probation officer.

ARIZ. REV. STAT. §41-2404.

The Department of Public Safety operates the Criminal Justice Information System central repository for the collection, storage, and dissemination of criminal history record information pursuant to the rules and regulations adopted by the Arizona Criminal Justice Commission. ARIZ. REV. STAT. §41-2205(A).



Authority:

For all budget units⁶⁶ and the legislative and judicial branches, the Information Technology Authorization Committee:

- reviews established statewide information technology⁶⁷ standards and the statewide information technology plan;
- approves or disapproves all proposed information technology projects that exceed a total cost of \$1 million;
- develops a report format that incorporates the life cycle analysis prescribed by ARIZ. REV. STAT. §41-2553 for use in submitting project requests to the committee;
- requires expenditure and activity reports from a budget unit or the legislative or judicial branches of state government on implementing information technology projects approved by the committee;
- conducts periodic reviews on the progress of implementing information technology projects approved by the committee;
- monitors information technology projects that the committee considers being major or critical;
- may temporarily suspend expenditures if the committee determines that the information technology project is at risk of failing to achieve its intended results or does not comply with the statutory requirements;
- reports to the Governor, the Speaker of the House of Representatives, the President of the Senate, the Secretary of State, and the Director of the Arizona State Library at least annually concerning its objectives, including (i) its review of the statewide information technology plan developed by the Government Information Technology Agency, (ii) the findings and conclusions of its periodic reviews, and (iii) its recommendations on desirable legislation relating to information technology; and
- may adopt rules to further the objectives and programs of the committee.

ARIZ. REV. STAT. §41-3521.

For budget units, the Government Information Technology Agency:

- develops, implements, and maintains a coordinated statewide plan for information technology;
- evaluates and either approves or disapproves budget unit information technology plans (the legislative and judicial departments submit information technology plans for information purposes);

⁶⁶ “Budget unit” means a department, commission, board, institution or other agency of the state organization receiving, expending or disbursing state funds or incurring obligations of the state including the board of regents and the state board of directors for community colleges, but excluding the universities under the jurisdiction of the board of regents and the community colleges under their respective jurisdictions and the legislative or judicial branches. ARIZ. REV. STAT. §41-3501(2).

⁶⁷ “Information technology” means all computerized and auxiliary automated information processing, telecommunications and related technology, including hardware, software, vendor support and related services, equipment and projects. ARIZ. REV. STAT. §41-3501(6).

- evaluates specific information technology projects relating to the approved budget unit and statewide information technology plans, and approves or rejects projects with total costs of at least \$250,000 but not more than \$1 million;
- requires budget units to incorporate life cycle analysis prescribed by ARIZ. REV. STAT. §41-2553 into the information technology planning, budgeting, and procurement processes;
- requires budget units to demonstrate expertise to carry out information technology plans, either by employing staff or contracting for outside services;
- monitors information technology projects that the agency considers to be major or critical, including expenditure and activity reports and periodic review;
- may temporarily suspend the expenditure of monies if the agency determines that the information technology project is at risk of failing to achieve its intended results or does not comply with requirements; and
- adopts rules to further the objectives and programs of the agency.

ARIZ. REV. STAT. §41-3504.

The Arizona Criminal Justice Commission facilitates information and data exchange among criminal justice agencies, and in relation to the Arizona Criminal Justice Information System under ARIZ. REV. STAT. §41-2201 et seq.:

- establishes the technical criteria to be followed for connecting a component information system to the system;
- adopts rules for the administration and management of the system;
- formulates policies, plans and programs for expansion of the system as needed;
- sets developmental priorities for the system;
- develops and submits to the legislature the cost sharing formula for participants in the system;
- provides information to the public on the purposes of the system; and
- oversees the research, analysis, studies, reports and publication of crime and criminal justice statistics prepared by the Arizona Statistical Analysis Center, an operating section of the commission.

ARIZ. REV. STAT. §41-2405(2) & (11).

Each criminal justice agency is required to report criminal history record information, whether collected manually or by means of an automated system, to the Arizona Criminal Justice Information System central repository pursuant to the provisions of ARIZ. REV. STAT. §§41-1750 and 41-1751. ARIZ. REV. STAT. §41-2205(B).



Scope of Records Included:

“Criminal history record information” means data collected on individuals by criminal justice agencies which consists of identifiable descriptions and notations of arrests, detentions, indictments, criminal informations or other formal criminal charges and any disposition arising therefrom, including sentencing, correctional supervision and release. It does not mean identification information, such as fingerprint records, to the extent such information does not indicate involvement of the individual in the criminal justice system, information associated with the administrative functions or correctional treatment process of a criminal justice agency or juvenile justice information. ARIZ. REV. STAT. §41-2201(3). “Criminal justice agency” is defined as any court or government agency or division of such agency which performs the administration of criminal justice pursuant to statutory authority or executive order and which allocates a substantial part of its budget to the administration of criminal justice or which performs child support enforcement services. ARIZ. REV. STAT. §41-2201(4).



Accessibility/Accuracy/Privacy/Security of the Information:

The Arizona Criminal Justice Commission is required to adopt plans and rules for the privacy, confidentiality, and security of the system and the dissemination of criminal history record information. ARIZ. REV. STAT. §41-2405.

The Department of Public Safety conducts annual audits to insure criminal justice agencies are complying with rules and regulations governing the maintenance and dissemination of criminal history record information. ARIZ. REV. STAT. §41-2205(A).

State: ARKANSAS

Synopsis/Remarks: The Department of Information Systems is within the executive department of state government; the Office of Information Technology is part of the department. The Office of Information Technology develops the state information technology plan establishing a state-level mission, goals, and objectives for the use of information technology. The Integrated Justice Information Coordinating Council was created to oversee a complete integrated justice information system. The Arkansas Crime Information Center (ACIC) is in the executive branch and operates under a director and a supervisory board. The ACIC is responsible for the computerized record system used by criminal justice agencies.

STATUTES⁶⁸ ¾ ARK. CODE §§

12- 12-201 to 12-12-216, Arkansas Crime Information Center (ACIC)

12-12-1001 to 12-12-1015, Criminal History Reporting Standards

25-4-101 to 25-4-124, Arkansas Information Systems Act of 1997, creating the Department of Information Systems and the Office of Information Technology

29-30-127, Integrated Justice Information Coordinating Council (1999)

☐☐☐ Organization/Structure:

The Department of Information Systems is within the executive department of state government. The Office of Information Technology is part of the department. ARK. CODE §25-4-104. The Governor appoints a Department of Information Systems Advisory Board to advise the director on information technology; members of the board are required to have knowledge and experience in information technology. The Governor also appoints the Department of Information Systems Steering Committee to provide advice to the director concerning services provided by the department. The members of the committee are agency directors or their designees and:

- 2 members from a list of nominees submitted by the presidents and chancellors of the state's public institutions, one of whom shall be employed by a two-year institution and one of whom shall be employed by a four-year institution,
- a member who is employed by a state agency with less than 50 employees,
- a member who is employed by a state agency with between 50 and 500 employees,
- a member who is employed by a state agency with over 500 employees and having a statewide presence; and
- a member who has knowledge and experience regarding information technology in the state's public schools.

ARK. CODE §25-4-106(b) & (c).

The Integrated Justice Information Coordinating Council is an independent organization with staff support provided by the Arkansas Sentencing Commission. The Council consists of the directors of the:

- Administrative Office of the Courts,
- Department of Correction,
- Department of Community Punishment,
- Division of Youth Services,
- Arkansas Crime Information Center,
- Arkansas State Police,

⁶⁸ Current through the 2000 2nd Extraordinary Session.

- State Crime Laboratory, and
- Department of Information Systems.

The council also appoints a standing local government advisory group to consult and advise the council concerning local government integrated justice information system issues and the impact of state integrated justice information system policies and decisions on local units of government. The advisory group consists of a sheriff, a chief of police, a prosecuting attorney, a public defender, a circuit clerk, a member of a city governing body, a county judge, and such other local government representatives as determined by the council to be necessary to fully represent local government interests. ARK. CODE §29-30-127(b) & (g).

The Supervisory Board for the Arkansas Crime Information Center consists of:

- Attorney General or designee,
- Chief Justice of the Supreme Court or designee,
- a member designated by the Arkansas Association of Prosecuting Attorneys,
- a member designated by the Arkansas Sheriffs Association,
- a member designated by the Arkansas Association of Municipal Judges,
- a member designated by the President of the Arkansas Bar Association who is regularly engaged in criminal defense work,
- a state citizen appointed by the Governor,
- a member of the General Assembly appointed by the Governor,
- a member designated by the Arkansas Municipal Police Association,
- a member designated by the Arkansas Association of Chiefs of Police,
- a member designated by the Association of Arkansas Counties,
- Director of the Department of Corrections or designee,
- Director of the Arkansas State Police or designee, and
- Governor or designee.

ARK. CODE §12-12-202.



Authority:

The Department of Information Systems provides oversight of the Office of Information Technology and provides information technology⁶⁹ services to state agencies⁷⁰ and other governmental entities. ARK. CODE §25-4-105. The Office of Information Technology develops the state information technology plan establishing a state-level mission, goals, and objectives for the use of information technology. Each agency must develop a biennial information technology plan that establishes agency goals and objectives regarding the development and use of information technology; the plans are submitted to the Office of Information for review and approval. ARK. CODE §25-4-110. Unless a state agency first receives approval for its plan or update, it may not acquire by purchase or lease any new or additional information technology or enter into any contract for information technology. ARK. CODE §25-4-111. The Office of Information Technology also:

- assists the department in performing its duties;
- provides leadership in coordinating information technology;
- advises agencies in acquiring information technology service;
- advises agencies regarding information technology contracts and agreements;

⁶⁹ “Information technology” means any component related to information processing and telecommunications, including data processing and telecommunications hardware, software, services, planning, personnel, facilities, and training. ARK. CODE §25-4-103(7). “Information processing” means the electronic capture, collection, storage, manipulation, transmission, retrieval, and presentation of information in the form of data, text, voice, or image and includes telecommunications and office automation functions. ARK. CODE §25-4-103(6).

⁷⁰ “State agencies” means all state departments, boards, commissions, and institutions of higher learning but does not include the elected constitutional officers and their staffs, the General Assembly and its committees and staffs, or the Supreme Court and the Administrative Office of the Courts. ARK. CODE §25-4-103(14).

- develops and publishes policies, procedures, and standards relating to information technology and ensure agencies' compliance with those policies, procedures, and standards;
- develops standards to promote and facilitate electronic access to government information and interoperability of information systems; and
- fosters interagency use of information technologies that is consistent with the established strategic direction of information technology and avoids unnecessary duplication.

ARK. CODE §25-4-107.

The Integrated Justice Information Coordinating Council:

- defines and analyzes issues and processes in the existing justice information systems, identifies alternative solutions, and makes recommendations for improvements;
- performs justice information studies or tasks as requested by the legislature or the Governor, or the Chief Justice, as deemed appropriate or feasible by the council;
- oversees planning and development of specific goals and timetables for a complete integrated justice information system; and
- addresses standards relating to, but not limited to, technology, management, privacy, confidentiality, public access, and security.

The council is required to submit a preliminary report with the council's recommendations to the Governor, Chief Justice of the Supreme Court, and the Joint Committee on Advanced Communication and Information Technology of the General Assembly no later than March 31, 2000, with a final report with the council's findings and recommendations to be submitted no later than September 30, 2000.

The final report shall include a recommendation as to whether a coordinating council should continue to exist (since it statutorily ceases on June 30, 2001). ARK. CODE §29-30-127(a), (f) & (i).

The Supervisory Board for the Arkansas Crime Information Center:

- maintains and operates the Arkansas Crime Information Center;
- administers the center so as not to accumulate any information or distribute any information that is not specifically approved under the law;
- provides for uniform reporting and tracking systems to report data, and prescribes standard forms and procedures for reporting authorized data;
- establishes such regulations and policies as may be necessary for the efficient and effective use and operation of the information center; and
- provides for research and development activities that will encourage the application of advanced technology.

ARK. CODE §12-12-203(3). All sheriffs, chiefs of police, city marshals, correction officials, prosecuting attorneys, court clerks, and other state, county, and local officials and agencies must furnish the Arkansas Crime Information Center all data required by the statute. ARK. CODE §12-12-209. The Arkansas Crime Information Center has the general authority to issue regulations and implement reporting requirements for a complete and uniform system of criminal records. ARK. CODE §12-12-1007.

 **Scope of Records Included:**

The Integrated Justice Information Coordinating Council is charged with overseeing the planning and development of a "complete integrated justice system." ARK. CODE §29-30-127(f)(3).

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Integrated Justice Information Coordinating Council is required to address standards relating to privacy, confidentiality, public access, and security. ARK. CODE §29-30-127(f)(4).

The Supervisory Board for the Arkansas Crime Information Center provides for adequate security safeguards to ensure that the data available through the system are used only by properly authorized persons and agencies. ARK. CODE §12-12-203(3); see also §§12-12-210 (special information services agents for monitoring and auditing) and 12-12-211 (access to records).

State: CALIFORNIA

Synopsis: The Department of Information Technology (DOIT) coordinates the state government's information technology and telecommunications systems. The Department of Justice under the direction of the Attorney General handles statewide criminal records.

STATUTES⁷¹ ¾ CAL. PENAL CODE §§

11075 – 11081, Criminal Records Dissemination

11100 – 11112, Criminal Identification and Statistics

11112.1 – 11112.7, Fingerprints and Photographs

11115 – 11117, Criminal Records

11120 – 11127, Examination of Records

11140 – 11144, Unlawful Furnishing of State Criminal History Information

13000 – 13023, Criminal data

13100 – 13326, Criminal Offender Record Information

13800 – 13825, California Council on Criminal Justice & Office of Criminal Justice Planning⁷²

13830 – 13833, Judicial Criminal Justice Planning Committee

13900 – 13980, Local Criminal Justice Planning

14200 – 14213, Violent Crime Information Center

CAL. GOV'T CODE §§11700 – 11785, Department of Information Technology (DOIT)

Organization/Structure:

The Department of Information Technology (DOIT) is in the executive branch, managed by the Director of Information Technology, who is appointed by the Governor, with the consent of the Senate. The DOIT provides leadership, guidance, and oversight of information technology⁷³ in state government. CAL. GOV'T CODE §11710. The DOIT Director is required to form an information technology advisory committee or committees consisting of representatives of user state agencies. These committees advise the director on the management of information technology, including critical success factors for use and management of information technology, and recommend changes in policy, both legislative and administrative, necessary to achieve successful information technology management. CAL. GOV'T CODE §11735. The director is also required to form an information

⁷¹ Current through the 1999 Legislative Session; a word search of the bills in the 2000 Legislative Session did not reveal legislative changes affecting the discussion here. On Sept. 10, 2000, the Governor vetoed Assembly Bill No. 2124. The bill would have created the Integrated Justice Information System Task Force which would be required to establish a California integrated justice information system plan to be used for the purpose of maximizing standardization of data elements and communications technology, reducing unnecessary duplication of data collection, storage, or entry, and to formulate recommendations regarding the establishment of a permanent planning or development process. The Governor stated that: "While this bill's intent is to assist in the creation of efficiencies in the transmission of information between various law enforcement agencies, I have concerns that this bill would create a significant pressure on the General Fund, likely in the tens of millions of dollars to implement recommendations made by the bill's task force. The 2000 Budget Act includes \$34.4 million to assist in implementation of the Judicial Technology Initiative and \$75 million one-time funding to local law enforcement agencies for the purchase of high-technology equipment. Thus, it is not clear to me that the proposed task force and plan are necessary at this time."

⁷² Under the oversight of the California Council on Criminal Justice and in consultation with Judicial Criminal Justice Planning Committee and local criminal justice planning boards, the Governor's Office of Criminal Justice Planning (OCJP) formulates and implements statewide criminal justice policy through comprehensive planning and program funding.

⁷³ "Information technology" includes, but is not limited to, all electronic technology systems and services, automated information handling, system design and analysis, conversion of data, computer programming, information storage and retrieval, telecommunications which include voice, video, and data communications, requisite system controls, simulation, electronic commerce, and all related interactions between people and machines. CAL. GOV'T CODE §11702(e).

technology advisory commission to provide her or him advice on information technology issues. Commission advice should include, but is not limited to, long-term information technology trends and strategies, key information technology policy issues, strategic technologies that should be pursued, and practices in both public and private organizations. The director makes the appointments to the advisory commission. Members are selected from the private sector, academic sector, nonprofit organizations, and other governmental sectors. CAL. GOV'T CODE §§11738 & 11739.

The State Bureau of Criminal Identification and Investigation or successor organization is in the Department of Justice under the Attorney General. See CAL. GOV'T CODE §15002.5. The department is required to maintain state summary criminal history information. CAL. PENAL CODE §11105(a)(1). The Attorney General appoints an advisory committee to the California-Criminal Index and Identification (Cal-CII) system to assist in the ongoing management of the system with respect to operating policies, criminal records content, and records retention. The committee consists of:

- a representative from the California Police Chiefs' Association,
- a representative from the California Peace Officers' Association,
- 3 representatives from the California State Sheriffs' Association,
- a trial judge appointed by the Judicial Council,
- a representative from the California District Attorneys' Association,
- a representative from the California Court Clerks' Association,
- a representative from the Office of Criminal Justice Planning,
- a representative from the Chief Probation Officers, Association,
- a representative from the Department of Corrections,
- a representative from the Department of the California Highway Patrol,
- a member of the public who is knowledgeable and experienced in the process of utilizing background clearances appointed by the Senate Committee on Rules, and
- a member of the public who is knowledgeable and experienced in the process of utilizing background clearances appointed by the Speaker of the Assembly.

CAL. PENAL CODE §13100.1.



Authority:

The Director of the Department of Information Technology has the authority to:

- develop statewide vision, strategies, plans, policies, requirements, standards, and infrastructure;
- review proposed agency information technology projects for compliance with statewide strategies, policies, and standards, including project management methods and standards;
- grant or withhold approval to initiate agency information technology projects based upon the above review (the director consults with the affected agencies and the involved control and service agencies, as appropriate, when granting or withholding approval on information technology projects);
- monitor agency information technology projects to ensure continued compliance with statewide strategies, policies, and standards, and project management methods and standards;
- make recommendations for remedial measures to be applied to agency information technology projects in order to achieve compliance with statewide strategies, policies, and standards, and proper project management methods and standards. Remedial measures include, but are not limited to, use of independent validation and verification methodologies based on engineering principles, conducted on an independent basis, by practitioners with recognized expertise and experience;
- suspend, reinstate, or terminate projects after consultation with the affected agencies, and the involved control and service agencies; and
- develop policies and requirements for carrying out the responsibilities of this article for publication in the State Administrative Manual, or distribution by management memo.

CAL. GOV'T CODE §§11710 – 11712.

Agencies are required to report criminal justice information to the Department of Justice. CAL. PENAL CODE §§11115 – 11117 & 13150 – 13154

 **Scope of Records Included:**

CAL. GOV'T CODE §11751 established the Hawkins Data Center in the Department of Justice under the supervision of a data center director who is appointed by the Attorney General, in consultation with the Director of Information Technology. The data center is subject to consolidation with other information technology centers in accordance with the statute, if the Director of Information Technology deems it in the best interest of the state.

“Criminal offender record information” means records and data compiled by criminal justice agencies for purposes of identifying criminal offenders and of maintaining as to each such offender a summary of arrests, pretrial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation, and release. It does not include intelligence, analytical, and investigative reports and files, nor statistical records and reports in which individuals are not identified and from which their identities are not ascertainable. CAL. PENAL CODE §13102; see also §11075. “Criminal justice agencies” are those agencies at all levels of government which perform as their principal functions, activities which either relate to the apprehension, prosecution, adjudication, incarceration, or correction of criminal offenders or relate to the collection, storage, dissemination or usage of criminal offender record information. CAL. PENAL CODE §13101.

“State summary criminal history information” means the master record of information compiled by the Attorney General pertaining to the identification and criminal history of any person, such as name, date of birth, physical description, fingerprints, photographs, date of arrests, arresting agencies and booking numbers, charges, dispositions, and similar data about the person. It does not refer to records and data compiled by criminal justice agencies other than the Attorney General, nor does it refer to records of complaints to or investigations conducted by, or records of intelligence information or security procedures of, the office of the Attorney General and the Department of Justice. CAL. PENAL CODE §11105(a)(2).

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Department of Information Technology (DOIT):

- develops policies and standards for the confidentiality of information;
- develops policies necessary for the security of the state’s informational and physical assets;
- reviews and approves personal services contracts for information security consulting services;
- develops policies and monitors state agencies to ensure that agency business operations will continue to function in the event of a disaster;
- reviews and advises on security plans concerning the location and construction of information processing facilities for state agencies; and
- prepares policies and procedures for inclusion in the State Administrative Manual for use by state agencies regarding the applicable law relating to confidentiality and privacy of, and public access to, information.

State agencies notify the DOIT of incidents involving the unauthorized intentional damage to, or modification or destruction of, electronic information, and the damage to, or destruction or theft of, data processing equipment, or the intentional damage to, or destruction of, information processing facilities. The DOIT investigates incidents it deems necessary. CAL. GOV'T CODE §11770.

Each state agency with information technology services is required to designate an information security officer who is responsible for implementing state policies and standards regarding the confidentiality and security of agency information. CAL. GOV'T CODE §11771. Any contract entered

into by a state agency that includes provisions for information technology services is required to contain a provision requiring contractor personnel to maintain all confidential information obtained as a result of the contract as confidential and to not divulge that information to any other person or entity. CAL. GOV'T CODE §11772.

The Attorney General is responsible for the security of criminal offender record information. CAL. PENAL CODE §11077.

State: COLORADO

Synopsis: The Office of Innovation and Technology, headed by the Chief Technology Officer, is in the Office of the Governor. The Commission on Information Management is located in the Office of Innovation and Technology. The Criminal Justice Information Program Task Force is implementing the Colorado Integrated Criminal Justice Information System (CICJIS) – an integrated computer information system that standardizes data and communications technology throughout the primary criminal justice community. The Colorado Crime Information Center (CICC) is located in the Colorado Bureau of Investigation in the Department of Public Safety.

STATUTES⁷⁴ ¾ COLO. REV. STAT. §§
16-20.5-101 to 16-20.5-107, Criminal Justice Information System Act
16-21-101 to 16-21-105, Offender-Based Tracking System
24-30-1601 to 24-30-1606, General Government Computer Center
24-33.5-101 et seq., Department of Public Safety
24-37.5-101 to 24-37.5-106, Office of Innovation and Technology
24-37.5-201 to 24-37.5-205, Commission on Information Management
24-37.5-301 to 24-37.5-304, Task Force on Information Technology
24-72-301 to 24-72-309, Criminal Justice Records



Organization/Structure:

The Office of Innovation and Technology, headed by the Chief Technology Officer appointed by the Governor, is located in the Office of the Governor. COLO. REV. STAT. §24-37.5-103. Within the Office of Innovation and Technology is the Commission on Information Management consisting of 17 members:

- 6 members from the private sector with a background in information management and technology appointed by the Governor,
- 3 members of the Senate, two appointed by its President and one appointed by the Minority Leader,
- 3 members of the House of Representatives appointed its Speaker, one of whom shall be a minority party member,
- Chief Technology Officer who is also the chair,
- 3 executive directors of principal departments designated by the Governor, and
- State Court Administrator.

COLO. REV. STAT. §24-37.5-201.

The Criminal Justice Information System Act established the Colorado Integrated Criminal Justice Information System Program. The program is a joint effort of the criminal justice agencies⁷⁵ and is being implemented by the Criminal Justice Information Program Task Force. Membership of the task force is comprised of the executive directors or their designee of the:

- Department of Public Safety,
- Department of Corrections,
- Department of Human Services,
- Colorado District Attorneys Council, and
- State Court Administrator.

The Governor and the Chief Justice of the Colorado Supreme Court jointly designate a member of the task force to serve as the chief officer. COLO. REV. STAT. §16-20.5-103.

⁷⁴ Current through the 2000 Legislative Session, including 2000 Colo. Sess. Laws 174.

⁷⁵ The criminal justice agencies are the Department of Public Safety, Department of Corrections, Department of Human Services, Judicial Department, and Colorado District Attorneys Council. COLO. REV. STAT. §16-20.5-102(2.5).

The Colorado Bureau of Investigation is in the Department of Public Safety. COLO. REV. STAT. §24-33.5-103(2). Within the bureau is the Colorado Crime Information Center (CICC).

 **Authority:**

The Commission on Information Management oversees strategic planning and sets policy for the state's communications and information systems and assures continuity in communications and planning and controlling the state's investment in information systems. COLO. REV. STAT. §§24-37.5-202 & 24-37.5-203. State agencies⁷⁶ have general supervision of their communications and automated data processing systems but must comply with the plans, policies, and directives issued by the commission. COLO. REV. STAT. §24-37.5-204.

The Chief Technology Officer:

- directs and approves a comprehensive, statewide, four-year planning process, and plans for the acquisition, management, and use of communication and information resources⁷⁷ and data processing⁷⁸ (in developing and updating such plans, the Chief Technology Officer must consider the advice and recommendations of the Commission on Information Management);
- requires state agencies to prepare and submit communications and data processing plans to the office;
- directs the formulation and promulgation of policies, standards, specifications, and guidelines for communication and information resources, communication and information resources technologies⁷⁹, and data processing in state agencies, including, but not limited to, those required to support state and local government exchange, acquisition, storage, use, sharing and distribution of geographic or base map data and related technologies and concerning the development of electronic transactions including the use of electronic signatures as specified in law;
- directs the development of policies and procedures, in consultation with the Office of State Planning and Budgeting, that are integrated into the state's strategic planning and budgeting processes and that state agencies are required to follow in developing communications and data processing plans and technology-related budget requests;
- directs the development of policies and procedures for the effective management of technology investments throughout their entire life cycle, including, but not limited to, project definition,

⁷⁶ "State agency" means every state office, whether legislative, executive, or judicial, and all of its respective officers, departments, divisions, commissions, boards, bureaus, and institutions. It does not include state-supported institutions of higher education, the Department of Higher Education, the Colorado Commission on Higher Education, or other instrumentality thereof. COLO. REV. STAT. §24-37.5-102(5).

⁷⁷ "Communication and information resources" means the procedures, equipment, and software that are designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit information. The term also includes associated personnel including consultants and contractors. COLO. REV. STAT. §24-37.5-102(1).

⁷⁸ "Data processing" means information technology equipment and related services designed for the automated storage, manipulation, and retrieval of data by electronic or mechanical means, or both. The term includes, but is not limited to: (1) central processing units, file servers, routers, front-end processing units, miniprocessors, microprocessors, and related peripheral equipment, such as data storage devices, document scanners, data entry equipment, terminal equipment, computer-based word processing systems other than memory or other typewriters, and equipment and systems for automated networks; (2) all related services, including feasibility studies, systems design, software development, and time-sharing services, whether provided by state employees or by others; and (3) the programs and routines used to employ and control the capabilities of data processing hardware, including operating systems, compilers, assemblers, utilities, library routines, maintenance routines, applications, and computer networking programs. COLO. REV. STAT. §24-37.5-102(3).

⁷⁹ "Communication and information resources technologies" means data processing and telecommunications hardware, software, services, supplies, personnel, facility resources, maintenance, and training. COLO. REV. STAT. §24-37.5-102(2).

procurement, development, implementation, operation, performance evaluation, and enhancement or retirement;

- reviews budget requests for communication and information resources, communication and information resources technologies, and data processing from state agencies;
- directs the development of policies and procedures for review by the Commission on Information Management of communication and information resources, communication and information resources technologies, and data processing procurements, agreements, or contracts for amounts exceeding \$25,000;
- subject to the review and approval of the Commission on Information Management, aggregates communication and information resources, communication and information resources technologies, and data processing procurements for one or more state agencies;
- directs the establishment of statewide standards for the efficient exchange of electronic information and technology, including infrastructure, between the public and private sectors in the state; and
- evaluates the feasibility of outsourcing communication and information resources and data processing resources and services and outsource those resources and services that would be beneficial to the state.

COLO. REV. STAT. §24-37.5-106.

The Criminal Justice Information System Act mandates that state-funded expenditures by criminal justice agencies for computer platforms in support of criminal justice applications be reviewed by the Criminal Justice Information Program Task Force. COLO. REV. STAT. §16.20.5-107. The task force, along with its chief, is “responsible and accountable for the implementation of a uniform policy for an integrated criminal justice information system. The uniform policy shall include a system or systems to enable the criminal justice agencies to share data stored in each other's information system. Initially, the uniform policy shall maximize the use of existing databases and platforms through the use of a virtual database created by a network linking existing databases and platforms among the various departments. The uniform policy shall also develop plans for new open system platforms when the existing platforms become obsolete.” COLO. REV. STAT. §16-20.5.103.

The Colorado Bureau of Investigation has the authority to:

- establish and maintain fingerprint, crime, criminal, fugitive, stolen property, and other identification files and records;
- operate the statewide uniform crime reporting program;
- maintain a computerized data file of motor vehicle information received from the Department of Revenue accessible to law enforcement agencies through the telecommunications network operated by the bureau;
- develop and maintain a computerized data base for tracking gangs and gang members both within the state and among the various states;
- conduct criminal history records checks; and
- operate a uniform crime reporting program.

Agencies are required to provide the bureau with criminal justice information. COLO. REV. STAT. §24-33.5-412



Scope of Records Included:

The Criminal Justice Information System Act defines the Integrated Criminal Justice Information System as “an automated information system capable of tracking the complete life cycle of a criminal case throughout its various stages involving different criminal justice agencies through potentially separate and individual systems and without unnecessary duplication of data collection, data storage, or data entry.” COLO. REV. STAT. §16.20.5-102(3).

“Criminal justice records” means all books, papers, cards, photographs, tapes, recordings, or other documentary materials, regardless of form or characteristics, that are made, maintained, or kept by any

criminal justice agency⁸⁰ in the state for use in the exercise of functions required or authorized by law or administrative rule, including but not limited to the results of chemical blood testing to determine genetic markers. COLO. REV. STAT. §24-72-302(4).

 **Accessibility/Accuracy/Privacy/Security of the Information:**

It is the public policy of Colorado that criminal justice agencies maintain records of official actions⁸¹ and that such records shall be open to inspection by any person and to challenge by any person in interest and that all other records of criminal justice agencies may be open for inspection as provided by law. COLO. REV. STAT. §24-72-301. Each official action is required to be recorded by the particular criminal justice agency taking the official action. Such records are to be maintained by the particular criminal justice agency which took the action and must be open for inspection by any person at reasonable times, except as provided by law. The official custodian of any records may make such rules and regulations with reference to the inspection of such records as are reasonably necessary for the protection of such records and the prevention of unnecessary interference with the regular discharge of the duties of the custodian. COLO. REV. STAT. §24-72-303.

The Task Force on Information Policy in the Department of State was created to recommend legislation for the 2002 legislative session, as well as administrative policies to be adopted by state agencies, governing the appropriate collection, storage, and transfer of data by and among information systems, both public and private. COLO. REV. STAT. §§24-37.5-302 & 24-37.5-303.

⁸⁰ “Criminal justice agency” means any court with criminal jurisdiction and any agency of the state or of any county, city and county, home rule city and county, home rule city or county, city, town, territorial charter city, governing boards of institutions of higher education, school district, special district, judicial district, or law enforcement authority which performs any activity directly relating to the detection or investigation of crime; the apprehension, pretrial release, posttrial release, prosecution, correctional supervision, rehabilitation, evaluation, or treatment of accused persons or criminal offenders; or criminal identification activities or the collection, storage, or dissemination of arrest and criminal records information. COLO. REV. STAT. §24-72-302(3). “Arrest and criminal records information” means information reporting the arrest, indictment, or other formal filing of criminal charges against a person; the identity of the criminal justice agency taking such official action relative to an accused person; the date and place that such official action was taken relative to an accused person; the name, birth date, last-known address, and sex of an accused person; the nature of the charges brought or the offenses alleged against an accused person; and one or more dispositions relating to the charges brought against an accused person. COLO. REV. STAT. §24-72-302(1). “Disposition” means a decision not to file criminal charges after arrest; the conclusion of criminal proceedings, including conviction, acquittal, or acquittal by reason of insanity; the dismissal, abandonment, or indefinite postponement of criminal proceedings; formal diversion from prosecution; sentencing, correctional supervision, and release from correctional supervision, including terms and conditions thereof; outcome of appellate review of criminal proceedings; or executive clemency. COLO. REV. STAT. §24-72-302(6).

⁸¹ “Official action” means an arrest; indictment; charging by information; disposition; pretrial or posttrial release from custody; judicial determination of mental or physical condition; decision to grant, order, or terminate probation, parole, or participation in correctional or rehabilitative programs; and any decision to formally discipline, reclassify, or relocate any person under criminal sentence. COLO. REV. STAT. §24-72-302(7).

State: CONNECTICUT

Synopsis: The Department of Information Technology is headed by a Chief Information Officer. The Criminal Justice Information System Governing Board was created to oversee an information system that enables criminal justice agencies and the Division of Public Defender Services to share criminal history record information.

STATUTES⁸² ¾ CONN. GEN. STAT. §§
4d-1 to 4d-17, Department of Information Technology
29-1c, Uniform crime reporting system within the Department of Public Safety
54-142a to 54-142p, Criminal Records
1999 Conn. Acts 14 (Reg. Sess.), Criminal Justice Information System Governing Board, amended by 2000 Conn. Acts 20 (Reg. Sess.)

☐☐☐ Organization/Structure:

The Department of Information Technology succeeded the Office of Information and Technology and is headed by a Chief Information Officer. CONN. GEN. STAT. §4d-2(a) & (b).

The Criminal Justice Information System Governing Board is an independent organization composed of:

- Chief Court Administrator who serves as the chair,
- Commissioner of Public Safety,
- Secretary of the Office of Policy and Management,
- Commissioner of Correction,
- Chairperson of the Board of Parole,
- Chairperson of the Board of Pardons,
- Chief State’s Attorney,
- Chief Public Defender,
- Chief Information Officer of the Department of Information Technology,
- Victim Advocate,
- Commissioner of Motor Vehicles, and
- President of the Connecticut Police Chiefs Association.

§1(b) of 1999 Conn. Acts 14.

☐☐☐ Authority:

The Chief Information Officer:

- develops and implements an integrated set of policies and architecture⁸³ pertaining to information and telecommunication systems for state agencies⁸⁴;

⁸² Current through the 2000 Regular Session, including by 2000 Conn. Acts 20 (Reg. Sess.).

⁸³ “Architecture” means the defined structure or orderly arrangement of information systems and telecommunication systems, based on accepted industry standards and guidelines, for the purpose of maximizing the interconnection and efficiency of such systems and the ability of users to share information resources. CONN. GEN. STAT. §4d-1(1).

“Information systems” means the combination of data processing hardware and software in the collection, processing and distribution of data to and from interactive computer-based systems to meet informational needs. CONN. GEN. STAT. §4d-1(2).

⁸⁴ “State agency” means each department, board, council, commission, institution or other agency of the Executive Department of the state government, provided each board, council, commission, institution or other agency included by law within any given department shall be deemed a division of that department. It includes the Offices of the Governor, Lieutenant Governor, Treasurer, Attorney General, Secretary of the State and Comptroller, and all operations of an Executive Department agency which are funded by either the General Fund or a special fund. CONN. GEN. STAT. §4d-1(3).

- develops a series of comprehensive standards and planning guidelines pertaining to the development, acquisition, implementation, and oversight and management of information and telecommunication systems for state agencies;
- identifies and implements optimal information and telecommunication systems to efficiently service the needs of state agencies;
- approves or disapproves, in accordance with guidelines established by the Chief Information Officer, each proposed state agency acquisition of hardware or software for an information or telecommunication system, except for hardware or software having a cost of less than \$20,000 or hardware or software having a cost of \$20,000 or more, but less than \$100,000, which is for a project that complies with the agency's business systems plan as approved by the Chief Information Officer;
- approves or disapproves, in accordance with established guidelines, state agency requests or proposed contracts for consultants for information and telecommunication systems;
- is responsible for purchasing, leasing and contracting for all information system and telecommunication system facilities, equipment and services for state agencies, except for the Offices of the Governor, Lieutenant Governor, Treasurer, Attorney General, Secretary of the State and Comptroller;
- reviews existing and new information and telecommunication system technologies to ensure consistency with the strategic plan established under CONN. GEN. STAT. §4d-7 and approved state agency architecture, and makes recommendations to the Standardization Committee established under CONN. GEN. STAT. §4a-58 for review and appropriate action; and
- cooperates with the General Assembly, the Judicial Department, and the constituent units of the state system of higher education in assessing opportunities for cost savings and greater sharing of information resources which could result if such entities acquire information and telecommunication systems similar to those of state agencies.

CONN. GEN. STAT. §4d-2(c).

The Criminal Justice Information System Governing Board:

- oversees the operations and administration of the offender-based tracking system;
- establishes permanent and ad hoc committees as deemed necessary (appointments are not restricted to criminal justice agencies);
- recommends legislation necessary to implement, operate, and maintain the system;
- establishes and implements policies and procedures to meet the system's objectives; and
- facilitates system coordination and integration.

§1(d) of 1999 Conn. Acts 14.



Scope of Records Included:

“[A]n information system that enables, as determined by the governing board and subject to chapter 961a of the general statutes, criminal justice agencies, as defined in subsection (b) of section 54-142g of the general statutes [⁸⁵], and the Division of Public Defender Services to share criminal history

⁸⁵ “Criminal justice agency” is defined as any court with criminal jurisdiction, the Department of Motor Vehicles, or any other governmental agency created by statute which is authorized by law and engages as its principal function in activities constituting the administration of criminal justice; including but not limited to, organized municipal police

record information, as defined in subsection (a) of section 54-142g of the general statutes [⁸⁶], and to access electronically maintained offender and case data involving felonies, misdemeanors, violations, motor vehicle violations, motor vehicle offenses for which a sentence to a term of imprisonment may be imposed, and infractions. For purposes of this section, ‘offender-based tracking system’ shall mean such information system.” §1(a) of 1999 Conn. Acts 14 as amended.

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Criminal Justice Information System Governing Board is required to “establish and implement policies and procedures to meet the system-wide objectives, including the provision of appropriate controls for data access and security.” §1(d) of 1999 Conn. Acts 14. See also CONN. GEN. STAT. §§54-142g to 54-142p.

departments, the Division of State Police, Department of Correction, Office of Adult Probation, Office of Policy and Management, state’s attorneys, assistant state’s attorneys, deputy assistant state’s attorneys, Board of Parole, Board of Pardons, bail commissioners, Chief Medical Examiner, and Office of the Victim Advocate. It also includes any component of a public, noncriminal justice agency if the component is created by statute and is authorized by law and engages in activities constituting the administration of criminal justice as its principal function. CONN. GEN. STAT. §54-142g(b).

⁸⁶ “Criminal history record information” means court records and information compiled by criminal justice agencies for the purposes of identifying criminal offenders and of maintaining as to offenders notations of arrests, releases, detentions, indictments, informations, or other formal criminal charges or any events and outcomes arising from arrests, releases, detentions, trials, sentences, appeals, incarcerations, correctional supervision, paroles, and releases. It does not include intelligence, presentence investigation, or investigative information. CONN. GEN. STAT. §54-142g(a).

State: DELAWARE

Synopsis: Within the Executive Department, there is an Office of Information Services, headed by an Executive Director who is also the state's Chief Information Officer. There is also an Advisory Committee on Information Services. The Delaware Criminal Justice Information System (DELJIS) Board of Managers establishes policy for the development, implementation and operation of comprehensive data systems in support of the agencies and courts of the state's criminal justice system.

STATUTES⁸⁷ ¾ DEL. CODE tit.

11, §§8501 – 8572, State Bureau of Identification, Division of State Police, Department of Public Safety

11, §§8601 – 8610, Delaware Criminal Justice Information System

11, §§8701 – 8709, Criminal Justice Council

29, §§6351 – 6360, Office of Information Systems

Organization/Structure:

There is an Office of Information Services within the Executive Department, replacing the Office of Information Systems within the Office of the Budget. DEL. CODE tit. 29, §6351. The office is headed by an Executive Director who is also the state's Chief Information Officer. DEL. CODE tit. 29, §6354(a). An Advisory Committee on Information Services is chaired by a member designated by the Governor and includes:

- a member of the Senate appointed by the President Pro Tempore,
- a member of the House of Representatives appointed by the Speaker,
- Secretary of Finance,
- Secretary of Health and Social Services,
- Secretary of State,
- Superintendent of Public Instruction,
- Secretary of Public Safety,
- Budget Director,
- Controller General,
- a member of the judiciary appointed by the Chief Justice,
- a member representing state public schools appointed by the Governor;
- Executive Director, Office of Information Services; and
- no more than 3 other members from within and outside of state government as the Governor may deem appropriate.

DEL. CODE tit. 29, §6356.

To assist the Executive Director as Chief Information Officer in the coordination and statewide management of informational resources, each cabinet level agency is required to name an individual to act as that agency's "information resource manager" or "coordinator", who is the primary point of contact for communications between the Office of Information Services and the agency. The General Assembly, the Judiciary, the Department of Elections, the Board of Education, the Office of the State Public Defender, the Attorney General, and other elective offices are also to assign a coordinator. The coordinators are to meet regularly at the call of the

⁸⁷ Current through the 2000 Regular Session.

executive director for purposes of statewide coordination of informational resources. DEL. CODE tit. 29, §6357(a).

The Delaware Criminal Justice Information System (DELJIS) Board of Managers is an independent organization composed of 14 members:

9 voting members –

- a member of the Delaware State Police designated by its Superintendent,
- a member of a county or municipal police department designated by the Chairperson of the Delaware Police Chiefs' Council;
- a member of the Department of Correction designated by its Commissioner,
- a member of the Division of Youth Rehabilitative Services designated by its Director,
- 2 members designated by the Chief Justice of the Supreme Court, one representing the Family Court and one representing all other courts,
- a member of the Department of Justice designated by the Attorney General,
- a member of the Office of the Public Defender designated by the Public Defender,
- a member-at-large designated by the Governor, and

5 nonvoting members –

- 2 members of the General Assembly, one senator designated by the President Pro Tempore of the Senate, and a representative designated by the Speaker of the House of Representatives,
- a member of the Delaware State Bureau of Identification designated by the Superintendent of the Delaware State Police,
- a member of the department or agency within the state with overall responsibility for providing information resource management designated by the director or chief official of that agency; and
- a member of the Delaware Criminal Justice Council designated by its Chairperson.

DEL. CODE tit. 11, §8603(c) & (d).

 **Authority:**

The Advisory Committee on Information Services:

- identifies information policy issues of statewide importance, and provides overall information policy direction to address those issues;
- provides overall policy review and guidance to the planning, budgeting, operation and control of the state's informational assets;
- provides guidance in the review and establishment of policies and standards governing the state's informational resources;
- adjudicates appeals and disputes involving the Office of Information Services and state agencies;
- engages in, or causes to occur, post-implementation reviews of information system and technology initiatives to assess attainment of goals and objectives and budgetary compliance; and
- assists and consults with the Executive Director, Office of Information Services, as is required in the discharge of the Executive Director's duties and responsibilities.

DEL. CODE tit. 29, §6356.

The Office of Information Services establishes statewide standards, policies, guidelines and procedures relating to the state's information assets including, but not limited to, statewide technology and information architectures, statewide information technology plans, development

life cycle methodologies, transport facilities, communications protocols, data and information sharing considerations, the technique of obtaining grants involving the state's informational resources and the overall coordination of information technology efforts undertaken by and between the various state agencies. Within guidelines established by the Office of Information Services, no new computer or computer-programming related systems study may be initiated by any department or agency unless covered by a formal project approved by the department or agency head in the form prescribed by the Executive Director, Office of Information Services. Responsibility for the development and coordination of new technology-based management or productivity improvement programs is vested within the Office of Information Services, along with the responsibility to establish statewide information systems and technology priorities for purposes of budgetary funding reviews by the Budget Director. The Office of Information Services promotes cooperation between state agencies, departments, and institutions in order that work may be done by one agency for another agency and promotes such improvements as may be necessary in joint or cooperative data processing operations. DEL. CODE tit. 29, §6352. The executive director, along with agency information resource managers, is responsible for developing annually a statewide Information Technology Strategy, documenting current and evolving technology standards, the evolution of the state's technology infrastructure, and projections of the Office of Information Services service and support levels. Annually each state department and agency must submit a technology plan to the Office of Information Services, projecting anticipated information technology needs and objectives over a three-year time horizon. DEL. CODE tit. 29, §6357(b) & (c).

The Delaware Criminal Justice Information System Board of Managers:

- establishes policy for the development, implementation, and operation of comprehensive data systems in support of the agencies and courts of the criminal justice system;
- appoints and supervises an executive director, and approves the executive director's annual budget request and other applications for funds;
- recommends legislation necessary for the implementation, operation, and maintenance of the criminal justice information system;
- establishes and implements policy for providing management and administrative statistics and for coordinating technical assistance to serve the information needs of criminal justice agencies, planners, administrators, legislators, and the general public; and
- performs all functions necessary to carry out DEL. CODE tit. 11, §§8601 – 8610.

DEL. CODE tit. 11, §8603(b) & (g).



Scope of Records Included:

“[C]omprehensive data systems in support of the agencies and courts of the criminal justice system”, including criminal history record information with respect to individuals who are arrested, or against whom formal criminal charges are preferred within the state, or against whom proceedings relating to the adjudication of a juvenile as delinquent are instituted. DEL. CODE tit. 11, §8603(b). “Criminal history record information” is defined as information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations or other formal criminal charges, and any disposition arising therefrom, sentencing, correctional supervision and release. The term does not include identification information such as fingerprint records to the extent that such information does not indicate involvement of the individual in the criminal justice system. DEL. CODE tit. 11, §8602(2). “Criminal justice agency” is defined as

every state court government agencies or subunits which perform the administration of criminal justice pursuant to statute or executive order, and which allocate a substantial part of their annual budget to the administration of criminal justice. DEL. CODE tit. 11, §8602(3). “Administration of criminal justice” is defined as performance of any of the following activities: detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correction supervision or rehabilitation of accused persons or criminal offenders, criminal identification activities, and the collection, storage and dissemination of criminal history record information. DEL. CODE tit. 11, §8602(1).

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Delaware Criminal Justice Information System Board of Managers insures that the State Bureau of Identification and other criminal justice agencies collecting, storing or disseminating criminal history record information and other information concerning crimes and offenders comply with DEL. CODE tit. 11, §§8601 – 8610 and 8501 – 8572, and may promulgate rules and regulations to insure compliance. DEL. CODE tit. 11, §§8604 & 8605.

The Office of the Director for DELJIS is required to maintain complete and accurate records, ensure only authorized access, and provide system security. DEL. CODE tit. 11, §8606(c) & (d). Access by government agencies is specifically addressed in DEL. CODE tit. 11, §8610.

State: DISTRICT OF COLUMBIA

Synopsis: The Office of the Chief Technology Officer is in the executive branch of the government of the District of Columbia. The Metropolitan Police Department maintains criminal records for the District of Columbia.

STATUTES⁸⁸ 3/4 D.C. CODE §§

1-1195.1 to 1-1195.5, Office of the Chief Technology Officer

2-1001, Council on Law Enforcement

2-1101 to 2-1107, Criminal Justice Supervisory Board

4-131 to 4-137, Police records



Organization/Structure:

The Office of the Chief Technology Officer is in the executive branch of the government of the District of Columbia, under the supervision of a Chief Technology Officer. D.C. CODE § 1-1195.1.

The Metropolitan Police Department maintains criminal records for the District of Columbia. D.C. CODE §§ 4-131 & 4-132.

There is a 1999 Interagency Agreement on Information Technology which includes a Criminal Justice Coordinating Council and an Information Technology Advisory Committee, operating under the umbrella of the District of Columbia Financial Responsibility and Management Assistance Authority (aka DC Control Board) established by federal law.



Authority:

The Office of the Chief Technology Officer develops and enforces policy directives and standards regarding information technology and telecommunications systems throughout the District government; specifically, the office:

- issues regulations governing the acquisition, use, and management of information technology and telecommunications systems and resources throughout the District government, including hardware, software, and contract services in the areas of data and word processing, telecommunications, printing and copying;
- reviews and approves all agency proposals, purchase orders, and contracts for the acquisition of information technology and telecommunications systems, resources, and services, and recommend approval or disapproval to the Chief Procurement Officer;
- reviews and approves the information technology and telecommunications budgets for District government department and agencies;
- coordinates the development of information management plans, standards, systems, and procedures throughout the District government, including the development of an information technology strategic plan for the District;
- assesses new or emerging technologies, and advises District department and agencies on the potential applications of these technologies to their programs and services;
- implements information technology solutions and systems throughout the District government;
- promotes the compatibility of information technology and telecommunications systems throughout the District government; and
- serves as a resource and provides advice to District departments and agencies about how to use information technology and telecommunications systems to improve services, including assistance to departments and agencies in developing information technology strategic plans.

D.C. CODE §§ 1-1195.2 & 1-1195.3.

⁸⁸ Current through D.C. Law 13-203 (2000).

The Mayor of the District of Columbia shall cause the Metropolitan Police force to keep criminal records. D.C. CODE §§4-131 & 4-132.

 **Scope of Records Included:**

The Metropolitan Police Department is required to keep the following records:

- general complaint files,
- records of lost, missing, or stolen property,
- arrest books,
- a computerized record of a civil protection order or bench warrant issued as a result of an intrafamily offense,
- cases in which an individual in the custody of the police is charged with having committed a criminal offense in the District (except those traffic violations and other petty offenses), and
- such other records as the Council of the District of Columbia considers necessary for the efficient operation of the Metropolitan Police force.

D.C. CODE §§4-131 & 4-132.

 **Accessibility/Accuracy/Privacy/Security of the Information:**

Dissemination of adult arrest records to law enforcement agents is addressed in D.C. CODE §§4-133.1. General complaint files, records of missing or stolen property, and arrest books are open to public inspection. D.C. CODE §4-135.

State: FLORIDA

Synopsis: The State Technology Office, headed by a Chief Information Officer, is located within the Department of Management Services. The Chief Information Officers Council was created to enhance communication among the chief information officers of state agencies and to assist the State Technology Office in identifying critical statewide issues and make recommendations for solving enterprise resource planning and management deficiencies. The Criminal and Juvenile Justice Information Systems Council in the Department of Law Enforcement is responsible for facilitating the sharing of criminal and juvenile justice data and other public safety data among federal, state, and local agencies. The Department of Law Enforcement is required to develop and maintain, in consultation with the Criminal and Juvenile Justice Information Systems Council, an information system that supports the administration of the state's criminal and juvenile justice systems.

STATUTES⁸⁹ ¾ FLA. STAT. §§

20.201, Department of Law Enforcement

20.22(2)(b) & (3), Information Technology Program, Department of Management Services

186.022, Information resource strategic plans

282.003 – 282.404, Information Resources Management

943.03(13) & 943.045 – 943.081, Criminal justice information, Department of Law Enforcement



Organization/Structure:

The State Technology Office, headed by a Chief Information Officer, is located within the Department of Management Services. FLA. STAT. §282.102. The office provides administrative support for the Chief Information Officers Council. The members of the council include the chief information officers of all state agencies and the Supreme Court, a chief information officer selected by the state attorneys, a chief information officer selected by the public defenders, and the chairs or designees of the Geographic Information Board, the Florida Financial Management Information System Coordinating Council, the Criminal and Juvenile Justice Information Systems Council, and the Health Information Systems. FLA. STAT. §282.315.

The Department of Law Enforcement is responsible for the state's criminal and juvenile justice information system. FLA. STAT. §943.03(13). The department is required to have a chief information officer to assist the agency head in carrying out the enterprise resource planning and management⁹⁰ responsibilities. FLA. STAT. §282.3055. Within the Department of Law Enforcement, there is the Criminal Juvenile Justice Information Systems Council, comprised of:

- Attorney General or designee,
- Executive Director of the Department of Law Enforcement or designee,
- Secretary of the Department of Corrections or designee,
- Chair of the Parole Commission or designee,
- Secretary of Juvenile Justice or designee,
- Executive Director of the Department of Highway Safety and Motor Vehicles or designee,
- State Court Administrator or designee,
- a public defender appointed by the Florida Public Defender Association, Inc.,
- a state attorney appointed by the Florida Prosecuting Attorneys Association, Inc., and

⁸⁹ Current through the 2000 Regular Session, including 2000 Fla. Laws ch. 164 (SB 1334).

⁹⁰ "Enterprise resource planning and management" means the planning, budgeting, acquiring, developing, organizing, directing, training, and control associated with government information technology resources. The term encompasses information and related resources, as well as the controls associated with their acquisition, development, dissemination, and use. FLA. STAT. §282.303(11). "Information technology resources means data processing hardware and software and services, communications, supplies, personnel, facility resources, maintenance, and training. FLA. STAT. §282.303(12). See also FLA. STAT. §§282.303(5) ("information technology hardware"), 282.303(7) ("data processing software"), & 282.303(6) ("information technology services").

- 5 members appointed by the Governor, consisting of 2 sheriffs, 2 police chiefs, and a clerk of the circuit court.

FLA. STAT. §943.06.

 **Authority:**

The State Technology Office:

- coordinates the purchase, lease, and use of all information technology⁹¹ services for state agencies;
- integrates the information technology systems and services of state agencies;
- assumes management responsibility for any integrated information technology system or service when determined by the office to be economically efficient or performance-effective;
- standardizes policies and procedures for the use of information technology services;
- adopts rules relating to information technology and for the administration of FLA. STAT. §§282.003 – 282.404; and
- prepares, publishes, and disseminates the State Annual Report on Enterprise Resource Planning and Management under FLA. STAT. §282.310 (see FLA. STAT. §282.3063 on Agency Annual Enterprise Resource Planning and Management Reports).

FLA. STAT. §282.102.

The Chief Information Officers Council was created to

- enhance communication among the chief information officers of the state agencies by sharing information resources management experiences and exchanging ideas;
- facilitate the sharing of best practices that are characteristic of highly successful technology organizations, as well as exemplary information technology applications of state agencies;
- identify efficiency opportunities among state agencies;
- serve as an educational forum for enterprise resource planning and management issues; and
- assist the State Technology Council in identifying critical statewide issues, and when appropriate, make recommendations for solving information resources planning and management deficiencies.

FLA. STAT. §282.315.

The Criminal Juvenile Justice Information Systems Council is charged with:

- facilitating the identification, standardization, sharing, and coordination of criminal and juvenile justice data and other public safety system data⁹² among federal, state, and local agencies;

⁹¹ “Information technology” and “information technology system” means any transmission, emission, and reception of signs, signals, writings, images, and sounds of intelligence of any nature by wire, radio, optical, or other electromagnetic systems and includes all facilities and equipment owned, leased, or used by all agencies and political subdivisions of state government, and a full-service information-processing facility offering hardware, software, operations, integration, networking, and consulting services. FLA. STAT. §282.101.

⁹² “The following guiding principles adopted by the Criminal and Juvenile Justice Information Systems Council are hereby adopted as guiding principles for the management of public safety system information technology resources:

- (1) Cooperative planning by public safety system entities is a prerequisite for the effective development of systems to enable sharing of data.
- (2) The planning process, as well as coordination of development efforts, should include all principals from the outset.
- (3) Public safety system entities should be committed to maximizing information sharing and moving away from proprietary positions taken relative to data they capture and maintain.
- (4) Public safety system entities should maximize public access to data, while complying with legitimate security, privacy, and confidentiality requirements.
- (5) Public safety system entities should strive for electronic sharing of information via networks versus a reliance on magnetic and other media.

- reviewing proposed plans and policies relating to the information system of the Department of Corrections, the Department of Highway Safety and Motor Vehicles, the Department of Juvenile Justice, and the Department of Law Enforcement for the purpose of determining whether the departments' strategic information technology resource development efforts will facilitate the effective identification, standardization, sharing, and coordination of criminal and juvenile justice data and other public safety system data among federal, state, and local agencies, and make recommendations to the executive director and the secretaries of these departments; and
- developing and approving a strategic plan pursuant to FLA. STAT. §186.022.

FLA. STAT. §943.08

The Department of Law Enforcement has authority to issue regulations for the Criminal Justice Information Program and the Criminal Justice Network. FLA. STAT. §§943.03(4), 943.05(d), 943.052, & 943.054(6).



Scope of Records Included:

"[C]riminal and juvenile justice data and other public safety system data among federal, state, and local agencies." FLA. STAT. §943.08(1).

The Criminal Justice Information Program is set up within the Department of Law Enforcement as the state's central criminal justice information repository. FLA. STAT. §§943.05 & 943.051. "Criminal justice information" is defined as information on individuals collected or disseminated as a result of arrest, detention, or the initiation of a criminal proceeding by criminal justice agencies⁹³, including arrest record information, correctional and release information, criminal history record information⁹⁴, conviction record information, identification record information, and wanted persons record information. The term does not include statistical or analytical records or reports in which individuals

(6) The practice by public safety system entities of charging each other for data should, insofar as possible, be eliminated. Further, when the capture of data for mutual benefit can be accomplished, the costs for the development, capture, and network for access to that data should be shared.

(7) The redundant capture of data should, insofar as possible, be eliminated.

(8) With respect to statewide databases: (a) Only data that can best be compiled, preserved, and shared through a central database should be captured at the state level. (b) Remote access to distributed databases should be considered and provided for, instead of central repositories. (c) Statistical data that may be required infrequently or on a one-time basis should be captured via sampling or other methods. (d) Only data that are auditable, or that otherwise can be determined to be accurate, valid, and reliable should be maintained.

(9) Methods of sharing data among different protocols must be developed without requiring major redesign or replacement of individual systems."

FLA. STAT. §943.081. Similar principles are included in FLA. STAT. §282.3032.

⁹³ Criminal justice agency includes the courts, Departments of Law Enforcement and of Juvenile Justice, the protective investigations component of the Department of Children and Family Services (which investigates the crimes of abuse and neglect), and any other governmental agency or subunit which performs the administration of criminal justice pursuant to a statute or rule of court and which allocates a substantial part of its annual budget to the administration of criminal justice. FLA. STAT. §943.045(10). The "administration of criminal justice" is defined as performing functions of detection, apprehension, detention, pretrial release, posttrial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders by governmental agencies. It includes criminal identification activities and the collection, processing, storage, and dissemination of criminal justice information by governmental agencies. FLA. STAT. §943.045(2).

⁹⁴ "Criminal history record" is defined as any nonjudicial record maintained by a criminal justice agency containing criminal history information. FLA. STAT. §943.045(18). "Criminal history information" is defined as information collected by criminal justice agencies on persons, which information consists of identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal criminal charges and the their disposition. The term does not include identification information, such as fingerprint records, if the information does not indicate involvement of the person in the criminal justice system. FLA. STAT. §943.045(4).

are not identified and from which their identities are not ascertainable. The term also does not include criminal intelligence information⁹⁵ or criminal investigative information⁹⁶. FLA. STAT. §943.045(3).

The Department of Law Enforcement is authorized to “develop, implement, maintain, manage, and operate the Criminal Justice Network, which shall be an intraagency information and data-sharing network for use by the state’s criminal justice agencies.” FLA. STAT. §943.0544.

 **Accessibility/Accuracy/Privacy/Security of the Information:**

Each agency head, in consultation with the State Technology Office, is responsible and accountable for assuring an adequate level of security for all data and information technology resources of the agency. FLA. STAT. §282.318.

The Department of Law Enforcement is required to disseminate criminal justice information according to applicable federal and state laws and regulations. See generally FLA. STAT. §§943.053 – 943.059. The Department of Law Enforcement, in consultation with the Criminal and Juvenile Justice Information Systems Council, determines and regulates access to the Criminal Justice Network by the state’s criminal justice agencies. FLA. STAT. §943.0544(2).

A Task Force on Privacy and Technology was created to study and make recommendations by February 1, 2001, in a report to the Legislature and the Governor regarding privacy issues under existing law, balancing the traditional openness of public records in the state with the need to protect the privacy and identity of individuals, sale of public records to private individuals and companies, and technology fraud (including identity theft). The task force dissolves July 1, 2001. FLA. STAT. §282.3095.

⁹⁵ “Criminal intelligence information” is defined as information collected by a criminal justice agency with respect to an identifiable person or group in an effort to anticipate, prevent, or monitor possible criminal activity. FLA. STAT. §943.045(5).

⁹⁶ “Criminal investigative information” is defined as information about an identifiable person or group, compiled by a criminal justice agency in the course of conducting a criminal investigation of a specific criminal act or omission, including, but not limited to, information derived from laboratory tests, reports of investigators, informants, or any type of surveillance. FLA. STAT. §943.045(6).

State: GEORGIA

Synopsis: The Georgia Technology Authority is a public corporation and is assigned for administrative purposes to the Department of Administrative Services. The Chief Information Officer is the executive director of the authority and is appointed by the authority. The Georgia Crime Information Center (GCIC) is an operating division within the Georgia Bureau of Investigation (GBI) to serve as the chief provider of criminal justice information services in Georgia. Oversight responsibilities for the GCIC are vested in the GCIC Council, which is also the Board of Public Safety.

STATUTES⁹⁷ ¾ GA. CODE §§

35-2-1, Board of Public Safety

35-3-30 to 35-3-40, Georgia Crime Information Center (GCIC)

35-6A-1 to 35-6A-9, Criminal Justice Coordinating Council⁹⁸

50-25-1 to 50-25-14, Georgia Technology Authority (eff. July 1, 2000)

50-29-1, Georgia Technology Authority succeeding Georgia Information Technology Policy Council

Organization/Structure:

The Georgia Technology Authority is a public corporation. GA. CODE §50-25-1(a). It is assigned for administrative purposes to the Department of Administrative Services. GA. CODE §50-25-3. The authority consists of 11 members:

- 2 members appointed by the Lieutenant Governor,
- 2 members appointed by the Speaker of the House of Representatives, and
- 7 members appointed by the Governor who also designates a member as chairperson.

All of the members of the authority are required to be individuals employed in the private sector⁹⁹ who have experience in technology issues concerning large public or private organizations or entities. GA. CODE §50-25-2. The Chief Information Officer is the executive director of the authority and is appointed by the authority. GA. CODE §§50-25-2(d) & 50-25-5.1. There is a standing advisory committee to the authority, which is composed of representatives from state agencies. GA. CODE §50-25-4(17).

The Georgia Crime Information Center (GCIC) is established within the Georgia Bureau of Investigation (GBI). GA. CODE §§35-3-31. The members of the GCIC Council, who are also the members of the Board of Public Safety, are:

- Governor who chairs the board,
- an appointee of the Governor who is not the Attorney General,
- Commissioner of the Department of Corrections,
- 3 members appointed by the Governor,
- a member appointed by the Lieutenant Governor,
- a member appointed by the Speaker of the House of Representatives, and
- 4 members appointed by the Governor with the advice and consent of the Senate from the –
 - Georgia Sheriffs Association,
 - Georgia Association of Chiefs of Police,
 - District Attorneys Association of Georgia, and

⁹⁷ Current through the 2000 Regular Session, including 2000 Ga. Laws 497 (SB 465).

⁹⁸ The Criminal Justice Coordinating Council is assigned to the Office of Planning and Budget for administrative purposes only. GA. CODE §35-6A-2. The council's functions and authority include: providing for the interaction, communication, and coordination of all components of the criminal justice system; advising the Governor on issues impacting the criminal justice system; coordinating with all components of the state's criminal justice system to develop criminal justice legislative proposals and executive policy proposals reflective of the priorities of the entire criminal justice system; and serving as the statewide clearing-house for criminal justice information and research. GA. CODE §35-6A-7.

⁹⁹ "Private sector" means any nongovernment, privately owned entity in this state. GA. CODE §50-25-1(b)(9).

- Georgia State Firemen's Association.
GA. CODE §§35-3-32(c) & 35-2-1.



Authority:

The Georgia Technology Authority's purpose is to provide for procurement of technology resources¹⁰⁰, technology enterprise management¹⁰¹, and technology portfolio management¹⁰², as well as the centralized marketing, provision, sale, and leasing, or execution of license agreements for access online or in volume, of certain public information maintained in electronic format to the public. GA. CODE §50-25-1(c). The authority's powers include:

- establishing standards for agencies¹⁰³ to submit information technology plans to the authority;
- providing and approving a technology plan to include strategic planning and direction for technology acquisition, deployment development, and obsolescence management as well as a communications plan to manage costs for voice, video, data, and messaging services for all agencies (the state technology plan incorporates plans from agencies and other sources);
- setting technology policy¹⁰⁴ for all agencies except those under the authority, direction, or control of the General Assembly or statewide elected officials other than the Governor;
- prescribing procedures for the procurement of technology resources for agencies;
- providing oversight and program management for all technology resources for projects exceeding a cumulative investment of \$1 million to accomplish goals of technology portfolio management (see also GA. CODE §50-25-7.2);
- establishing architecture for state technology infrastructure to promote efficient use of resources and to promote economic development;
- coordinating with agencies, the legislative and judicial branches of government, and the Board of Regents of the University System of Georgia, regarding technology policy;
- establishing benchmarks for contracts requiring approval by the board;
- canvassing sources of supply, and contracting for the lease, rental, purchase, or other acquisition of all technology resource related supplies, materials, services, and equipment required by the state government or any of its agencies under competitive bidding, or authorizing an agency to purchase or contract for technology;
- establishing and enforcing standard specifications which apply to all technology and technology resource related supplies, materials, and equipment purchased for the use of the state government or any of its agencies (the specifications are to be based on and consistent with industry accepted open network architecture standards); and
- establishing processes, specifications, and standards for procurement, which apply to all technology to be purchased, licensed, or leased by any agency.

¹⁰⁰ "Technology" or "technology resources" means hardware, software, and communications equipment, including, but not limited to, personal computers, mainframes, wide and local area networks, servers, mobile or portable computers, peripheral equipment, telephones, wireless communications, public safety radio services, facsimile machines, technology facilities including but not limited to, data centers, dedicated training facilities, and switching facilities, and other relevant hardware and software items as well as personnel tasked with the planning, implementation, and support of technology. GA. CODE §50-25-1(b)(12).

¹⁰¹ "Technology enterprise management" means methods for managing technology resources for all agencies, considering the priorities of state planners, with an emphasis on making communications and sharing of data among agencies feasible and ensuring opportunities of greater access to state services by the public. GA. CODE §50-25-1(b)(13).

¹⁰² "Technology portfolio management" means an approach for analyzing and ranking potential technology investments based upon state priorities and a cost benefit analysis to include, but not be limited to, calculated savings, direct and indirect, and revenue generation related to technology expenditures and selecting the most cost-effective investments. The minimization of total ownership costs, i.e. purchase, operation, maintenance, and disposal, of technology resources from acquisition through retirement while maximizing benefits is to be emphasized. GA. CODE §50-25-1(b)(15).

¹⁰³ "Agency" means every state department, agency, board, bureau, commission, and authority, but shall not include any agency within the judicial branch of state government or the University System of Georgia. GA. CODE §50-25-1(b)(1).

¹⁰⁴ "Technology policy" means processes, methods, and procedures for managing technology, technology resources, and technology procurement. GA. CODE §50-25-1(b)(14).

GA. CODE §50-25-4.

The standing advisory committee to the Georgia Technology Authority, composed of representatives from state agencies, makes recommendations to the authority concerning such matters as policies, standards, and architecture. GA. CODE §50-25-4(17).

The duties and responsibilities of the Georgia Crime Information Center (GCIC) Council are to advise and assist in the establishment of policies under which the GCIC is to be operated and establish other policies that provide for the efficient and effective use and operation of the GCIC. GA. CODE §35-3-32(b). The GCIC Council may adopt rules, regulations, and forms necessary to implement GA. CODE §§35-3-34 to 35-3-35.

 **Scope of Records Included:**

The Georgia Crime Information Center (GCIC) was created within the Georgia Bureau of Investigation as “a system for the intrastate communication of vital information relating to crimes, criminals, and criminal activity.” GA. CODE §35-3-31(a). “Criminal justice information system” means all those agencies, procedures, mechanisms, media, and forms, as well as the information itself, which are or which become involved in the origination, transmittal, storage, retrieval, and dissemination of information related to reported offenses, offenders, and the subsequent actions related to such events or persons. GA. CODE §35-3-30(5). “Criminal justice information” includes criminal history record information, restricted data, secret data, and sensitive data. GA. CODE §35-3-30(4). “Criminal history record information” is defined as information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, accusations, information, or other formal charges, and any disposition arising therefrom, sentencing, correctional supervision, and release. The term does not include identification information, such as fingerprint records, to the extent that such information does not indicate involvement of the individual in the criminal justice system. GA. CODE §35-3-30(4)(A). “Criminal justice agencies” are defined as those public agencies at all levels of government which perform as their principal function activities relating to the apprehension, prosecution, adjudication, or rehabilitation of criminal offenders. GA. CODE §35-3-30(3).

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Georgia Technology Authority establishes technology security standards and services to be used by all agencies and conducts technology audits of all agencies. GA. CODE §50-25-4(21) & (22).

The GCIC Council is required to:

- ensure that the information obtained for the GCIC is restricted to the items specified by the statute and ensure that the GCIC is administered so as not to accumulate any information or distribute any information that is not specifically approved in the statute;
- ensure that adequate security safeguards are incorporated so that the data available through the system is used only by properly authorized persons and agencies; and
- establish appropriate disciplinary measures to be taken by the GCIC in the instance of violations of data reporting or dissemination of laws, rules, and regulations by criminal justice agencies or their members.

GA. CODE §35-3-32(b)(2)-(4); see also GA. CODE §35-3-33 to 35-3-37.

State: HAWAII

Synopsis: Within the Department of Accounting and General Services is the Information and Communication Services Division, which is the lead agency for information technology in the executive branch. The Hawaii Criminal Justice Data Center (HCJDC) is an agency of the Department of the Attorney General and is responsible for the statewide criminal history record information system, the statewide automated fingerprint identification system, and the issuance of the Hawaii state identification cards.

STATUTES¹⁰⁵ ¾ HAW. REV. STAT. §§
26-6, Department of Accounting and General Services
27C-1 to 27C-2, State information services, Office of the Governor
28-10.5, Criminal and juvenile justice resource coordination, Department of the Attorney General
92F-41 to 92F-42, Office of Information Practices, Office of the Lieutenant Governor¹⁰⁶
846-1 to 846-16, Hawaii Criminal Justice Data Center, Department of the Attorney General
846D-1 to 846D-7, Juvenile Justice Information Center, Department of the Attorney General



Organization/Structure:

The Department of Accounting and General Services is responsible for information management and processing. HAW. REV. STAT. §26-6(b)(9) & (10). Within the department is the Information and Communication Services Division, which is the lead agency for information technology in the executive branch.

The Hawaii Criminal Justice Data Center (HCJDC) is established within the Department of the Attorney General and is directed and managed by an administrator appointed by the Attorney General. HAW. REV. STAT. §846-2.



Authority:

The Department of Accounting and General Services:

- provides centralized computer information management and processing services, coordination in the use of all information processing equipment, software, facilities, and services in the executive branch, and consultation and support services in the use of information processing and management technologies to improve the efficiency, effectiveness, and productivity of state government programs; and
- establishes, coordinates, and manages a program to provide a means for public access to public information, and develops and operates an information network in conjunction with its overall plans for establishing a communication backbone for state government.

HAW. REV. STAT. §26-6(b)(9) & (10).

The Attorney General adopts rules and regulations for the Hawaii Criminal Justice Data Center's (HCJDC's) operations. HAW. REV. STAT. §846-15. The Attorney General may prescribe forms to be followed in a uniform manner for reporting purposes to the HDJDC. HAW. REV. STAT. § 846-2.5. All criminal justice agencies are to report to the HCJDC for disposition of cases to insure that all the criminal justice systems maintained within the state contain complete and accurate criminal history record information. Dispositions are to be reported promptly, no later than 90 days after an occurrence constituting a disposition takes place. HAW. REV. STAT. §846-5. The HDJDC is also to coordinate its activities with the records system of the Department of Public Safety in a manner which functions will not overlap or be duplicated. HAW. REV. STAT. §846-11.

¹⁰⁵ Current through the 2000 Legislative Session.

¹⁰⁶ The Office of Information Practices (OIP), an agency administratively attached to the Office of the Lieutenant Governor, administers and implements the state's public records law, the Uniform Information Practices Act (UIPA), HAW. REV. STAT. ch. 92F. The UIPA applies to the records maintained by all state and county executive and legislative branch agencies and departments, as well as to the administrative functions of the judiciary.

☐☐☐ **Scope of Records Included:**

The Hawaii Criminal Justice Data Center (HCJDC) is responsible for the collection, storage, dissemination, and analysis of all pertinent criminal justice data from all criminal justice agencies¹⁰⁷, including, the collection, storage, and dissemination of criminal history record information¹⁰⁸ by criminal justice agencies in such a manner as to balance the right of the public and press to be informed, the right of privacy of individual citizens, and the necessity for law enforcement agencies to utilize the tools needed to prevent crimes and detect criminals in support of the right of the public to be free from crime and the fear of crime. HAW. REV. STAT. §846-2.5. “Criminal history record information system” is defined as a system, including the equipment, facilities, procedures, agreements, and organizations thereof, for the collection, processing, preservation, or dissemination of intrastate, interstate, and national criminal justice data. HAW. REV. STAT. §846-1.

☐☐☐ **Accessibility/Accuracy/Privacy/Security of the Information:**

Criminal history record information may be disseminated to individuals and agencies as permitted by law, rule or regulation. HAW. REV. STAT. §§846-9 & 846-10. Criminal justice agencies responsible for maintaining a criminal justice information system are to implement measures that reasonably protect the system from unauthorized access, theft, and man-made or natural disasters. HAW. REV. STAT. §846-7. Criminal justice agencies are to implement measures to query the Hawaii Criminal Justice Data Center to assure that the data is kept current and to implement a systematic audit process of criminal information that will minimize the possibility of recording and storing inaccurate information. HAW. REV. STAT. §§846-4 & 846-6. Annually, selected criminal justice agencies are to be audited. HAW. REV. STAT. §846-13.

¹⁰⁷ “Criminal justice agency” is defined as the courts or a government agency or any subunit which performs the administration of criminal justice pursuant to a statute or executive order, and which allocates a substantial part of its annual budget to the administration of criminal justice. “Administration of criminal justice” is defined as the performance of any of the following activities: detection; apprehension; detention; pretrial release; post-trial release; prosecution; adjudication; correctional supervision; or rehabilitation of accused persons or criminal offenders; and includes criminal identification activities and the collection, storage, and dissemination of criminal history record information; but does not include crime prevention activities or criminal defense functions. HAW. REV. STAT. §846-1.

¹⁰⁸ “Criminal history record information” is defined as information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, and other formal criminal charges, and any disposition arising therefrom, sentencing, formal correctional supervisory action, and release; but does not include intelligence or investigative information, identification information to the extent that such information does not indicate involvement of the individual in the criminal justice system, and information derived from offender-based transaction statistics systems which do not reveal the identity of individuals. HAW. REV. STAT. §846-1.

State: IDAHO

Synopsis: The Information Technology Resource Management Council recommends and establishes statewide policies and prepares statewide short and long-range information technology and telecommunications plans. The Bureau of Criminal Identification is set up in the Idaho State Police as the state's central repository of criminal history records.

STATUTES¹⁰⁹ ¾ IDAHO CODE §§

19-5201 to 5204, Law enforcement communications

67-2906, Cooperation and exchange of information, Idaho State Police

67-3001 to 67-3011, Criminal history records and crime information

67-5701 et seq., Department of Administration

67-5745 to 67-5745C, Information Technology Resource Management Council



Organization/Structure:

The Information Technology Resource Management Council is within the Department of Administration and consists of 16 members:

The Governor appoints 8 members—

- a chairman,
- 2 executive agency officers,
- an information technology executive from private industry,
- a public safety official,
- a state information systems manager, and
- a representative from local government, and a representative for rural interests;

The remaining membership is comprised of—

- 2 persons appointed by the President Pro Tempore of the Senate and 2 persons appointed by the Speaker of the House of Representatives, 1 from each of the two 2 largest parties,
- a person appointed by the Chief Justice of the Supreme Court,
- State Controller,
- State Superintendent of Public Instruction, and
- Executive Officer of the State Board of Education.

IDAHO CODE §67-5745B. Also within the Department of Administration is a Division of Information Technology and Communications Services.

The Bureau of Criminal Identification is in the Idaho State Police and is the state's central repository of criminal history records. IDAHO CODE §67-3003(1).



Authority:

The establishment of the Information Technology Resource Management Council is intended to facilitate a centralized approach to the acquisition and evaluation of necessary technical information and the informed development of a statewide strategic plan to ensure a coordinated approach to the design, procurement and implementation of information technology¹¹⁰ and telecommunications systems for both state government and the public. IDAHO CODE §67-5745. The council has the authority to:

¹⁰⁹ Current through the 2000 Legislative Session, including Idaho Sess. Laws 469 (HB 660).

¹¹⁰ "Information technology" is defined as all present and future forms of computer hardware, computer software and services used or required for automated data processing, computer-related office automation or telecommunications. IDAHO CODE §67-5745A(1). "Telecommunications" means all present and future forms of hardware, software or services used or required for transmitting voice, data, video or images over a distance. IDAHO CODE §67-5745A(3).

- recommend policies and prepare statewide short-range and long-range information technology and telecommunications systems plans to meet the needs of state agencies¹¹¹;
- within the context of its strategic plans, establish statewide information technology and telecommunications standards, guidelines, conventions and comprehensive risk assessment criteria that will assure uniformity and compatibility of such systems within state agencies;
- recommend and coordinate the use and application of state agencies' information technology and telecommunications resources;
- review and approve large-scale information technology and telecommunications projects for state agencies including, but not limited to, risk assessment methodologies used by state agencies using council risk assessment criteria;
- review state agencies' compliance with statewide information technology and telecommunications systems plans;
- recommend cost-efficient procedures for state agencies' acquisition and procurement of information technology and telecommunications systems;
- upon request, provide technical expertise to state government and any other governmental entity;
- maintain a continuous and comprehensive inventory of information technology and telecommunications systems within state agencies;
- on an annual basis, publish a report of the activities of the council for provision to the Governor and the Legislature;
- recommend the enactment or promulgation of any statutes or rules necessary to carry out the statewide information technology and telecommunications systems plans;
- encourage and promote the development and growth of the information technology industry in the state in accordance with sound business principles and practices; and
- encourage and promote cooperative information technology efforts and activities between the state, private enterprise, and the public.

IDAHO CODE §67-5745C.

The Idaho State Police may adopt rules necessary to operate the Bureau of Criminal Identification. However, rules relating to information maintained and reported by the courts are to be made only with the approval of the Idaho Supreme Court. IDAHO CODE §67-3003(2). Agencies are required to provide information to the Bureau. IDAHO CODE §§67-3005 & 67-3006.

 **Scope of Records Included:**

“Criminal history records” with respect to the Bureau of Criminal Identification is defined as physical and automated information on individuals collected and maintained by the Idaho State Police as a result of arrest or the initiation of a criminal proceeding by felony summons or information. A criminal history record includes information relating to offenders, arrests, prosecutions, disposition of cases by courts, sentencing, probation and parole status, and offenders received by a correctional agency, facility or other institution. The term does not include statistical or analytical records, reports in which individuals are not identified and from which their identities are not ascertainable, criminal intelligence information or criminal investigative information, and source information or records maintained by and held at another criminal justice agency or the court. IDAHO CODE §67-3001(4).

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Information Technology Resource Management Council establishes, in accordance with statutes governing the availability or confidentiality of public records and information, guidelines for the accessing of public information by the public. IDAHO CODE §67-5745C(10).

¹¹¹ “State agencies” means all state agencies or departments, boards, commissions, councils and institutions of higher education, but the term does not include the elected constitutional officers and their staffs, the legislature and its staffs or the judiciary. IDAHO CODE §67-5745A(2).

The Idaho State Police is required to adopt reasonable procedures to ensure that criminal justice information it maintains is accurate and complete and to provide adequate procedures and facilities to protect criminal justice information from unauthorized access and from accidental or deliberate damage. IDAHO CODE §67-3007. IDAHO CODE §67-3008 governs the release of criminal history record information.

State: ILLINOIS

Synopsis: The Illinois Technology Office was created by executive order within the Office of the Governor. The Illinois Criminal Justice Information Authority was created to coordinate the use of information in the criminal justice system. The Department of State Police is the central repository of criminal history record information and maintains a statewide Law Enforcement Agencies Data System (LEADS).

STATUTES¹¹² **et al.**— 20 ILL. COMP. STAT. §§
2605 et seq., Department of State Police Law
2630/0.01 – 2630/10, Criminal Identification Act
2635/1 – 2635/24, Illinois Uniform Conviction Information Act
3930/1 – 3930/14, Illinois Criminal Justice Information Act

E.O. No. 5 (Feb. 19, 1999), Illinois Technology Office



Organization/Structure:

The Governor created the Illinois Technology Office within the Office of the Governor by Executive Order No. 5 on February 19, 1999. The office provides oversight and management of technology-related issues and initiatives.

The Illinois Criminal Justice Information Authority consists of 18 members:

- Attorney General or designee,
- Director of the Illinois Department of Corrections,
- Director of the Illinois Department of State Police,
- Sheriff of Cook County,
- State's Attorney of Cook County,
- Superintendent of the Chicago Police Department,
- Clerk of the Circuit Court of Cook County,
- Director of the Office of the State's Attorneys Appellate Prosecutor,
- Executive Director of the Illinois Law Enforcement Training and Standards Board, and

The following members appointed by the Governor –

- a circuit court clerk of a county other than Cook,
- a sheriff of a county other than Cook,
- a state's attorney of a county other than Cook,
- a chief of police, and
- 5 members of the general public.

20 ILL. COMP. STAT. §3930/4.

The Department of State Police is the state's central repository for criminal statistics and criminal history record information and is authorized to procure and file for record such information as is necessary and helpful to plan programs of crime prevention, law enforcement and criminal justice. 20 ILL. COMP. STAT. §2605/55a(3) & (5); see also §§2605/2605-110, 2605/2605-300, 2630/2, & 2630/8. The department also maintains a statewide Law Enforcement Agencies Data System (LEADS) for the purpose of providing electronic access by authorized entities to criminal justice data repositories and effecting an immediate law enforcement response to reports of missing persons, including lost, missing or runaway minors. 20 ILL. COMP. STAT. §2605/55a(24).



Authority:

The Illinois Criminal Justice Information Authority has the following powers, duties and responsibilities to:

¹¹² Current through Ill. Public Act 91-925 (July 7, 2000), including Public Act 91-798.

- develop and operate comprehensive information systems for the improvement and coordination of all aspects of law enforcement, prosecution and corrections;
- define, develop, evaluate and correlate state and local programs and projects associated with the improvement of law enforcement and the administration of criminal justice;
- establish general policies concerning criminal justice information systems and to promulgate such rules, regulations and procedures as are necessary to the operation of the authority;
- apply for, receive, establish priorities for, allocate, disburse and spend justice assistance grant funds from private sources and the federal government;
- advise and to make recommendations to the Governor and the General Assembly on policies relating to criminal justice information systems; and
- direct all other agencies under the jurisdiction of the Governor to provide whatever assistance and information the authority may lawfully require to carry out its functions.

20 ILL. COMP. STAT. §3930/7.

The Department of State Police has rulemaking authority. 20 ILL. COMP. STAT. §§2605/2605-15 & 2605/55a(26). Agencies are required to provide the department with information. 20 ILL. COMP. STAT. §§2605/55a(31), 2605/2605-390, 2630/2.1, 2630/5, 2630/5.1, & 2630/9.

 **Scope of Records Included:**

For purposes of the Illinois Criminal Justice Information Authority, “criminal justice information” is defined as any and every type of information that is collected, transmitted, or maintained by the criminal justice system. 20 ILL. COMP. STAT. §3930/3(c). The “criminal justice system” includes all activities by public agencies pertaining to the prevention or reduction of crime or enforcement of the criminal law, and particularly, but without limitation, the prevention, detection, and investigation of crime; the apprehension of offenders; the protection of victims and witnesses; the administration of juvenile justice; the prosecution and defense of criminal cases; the trial, conviction, and sentencing of offenders; as well as the correction and rehabilitation of offenders, which includes imprisonment, probation, parole and treatment. 20 ILL. COMP. STAT. §3930/3(a).

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Illinois Criminal Justice Information Authority issues regulations, guidelines and procedures to ensure the privacy and security of criminal history record information¹¹³ consistent with state and federal law. It monitors the operation of existing criminal justice information systems in order to protect the constitutional rights and privacy of individuals about whom criminal history record information has been collected. It acts as the sole, official, criminal justice body in the state to conduct annual and periodic audits of the procedures, policies, and practices of the state central repositories for criminal history record information to verify compliance with federal and state laws and regulations governing such information. 20 ILL. COMP. STAT. §3930/7(e), (g) & (i).

¹¹³ “Criminal history record information” is defined as data identifiable to an individual and consisting of descriptions or notations of arrests, detentions, indictments, informations, pre-trial proceedings, trials, or other formal events in the criminal justice system or descriptions or notations of criminal charges (including criminal violations of local municipal ordinances) and the nature of any disposition arising therefrom, including sentencing, court or correctional supervision, rehabilitation, and release. The term does not apply to statistical records and reports in which individuals are not identified and from which their identities are not ascertainable, or to information that is for criminal investigative or intelligence purposes. 20 ILL. COMP. STAT. §3930/3(d); see also §2635/3(G).

State: INDIANA

Synopsis: The Data Processing Oversight Commission is responsible for coordinating the operation of information technology and telecommunications systems within the executive branch. The Integrated Public Safety Commission was created to develop means for sharing information to improve public safety, initially focusing on establishing a statewide wireless voice and data communications system. Within the Indiana State Police Department, the Criminal Justice Data Division was established to provide rapid storage and retrieval of criminal justice data necessary for an effective criminal justice system.

STATUTES¹¹⁴ ¾ IND. CODE §§

4-13-1 et seq., Department of Administration

4-23-16-1 to 4-23-16-11, State Data Processing Oversight Commission

5-2-4-1 to 5-2-4-7, Criminal Intelligence Information

5-2-5-1 to 5-2-5-13, Criminal History Information

5-2-5.1-1 to 5-2-5.1-15, Juvenile History Information

5-2-6-1 to 5-2-6-16, Indiana Criminal Justice Institute

5-26-1-1 to 5-26-4-1, Public Safety Communications

5-26-2-1 to 5-26-2-10, Integrated Public Safety Commission

5-26-3-1 to 5-26-3-7, Indiana Statewide Wireless Public Safety Voice and Data Communications System

10-1-2.5-1 to 10-1-2.5-9, Criminal Justice Data Division, Indiana State Police Department

10-1-10-1 to 10-1-10-22, Indiana Statewide 800 MHz Public Safety Trunking System & State Agency Public Safety Committee



Organization/Structure:

The State Data Processing Oversight Commission is composed of 4 members:

- a member of the Governor's staff appointed by the Governor,
- a member of the Auditor's staff appointed by the Auditor of State,
- the Director of the State Budget Agency, and
- Commissioner of the Department of Administration.

IND. CODE §§4-23-16-1 & 4-23-16-2. The commission is supported by a staff, headed by an executive director appointed by the Governor. IND. CODE §§4-23-16-4 & 4-23-16-4.1.

The Department of Administration is in the executive branch. IND. CODE §4-13-1-2. Within the department, there is a Division of Information Technology.

The Integrated Public Safety Commission is comprised of 12 members:

- Superintendent of the Indiana State Police Department who represents the State Agency Public Safety Committee (below),
 - Special Agent in Charge of the Indiana office of the Federal Bureau of Investigation,
 - an individual appointed by the Speaker of the House of Representatives,
 - an individual appointed by the President pro tempore of the Senate, and
- The following appointed by the Governor –

- a sheriff,
- a chief of police,
- a fire chief,
- a head of an emergency medical service provider,
- a mayor,
- a county commissioner,
- a representative of campus law enforcement, and
- a representative of the private sector.

¹¹⁴ Current through the 2000 Legislative Session, including 2000 Ind. Acts 24 (HEA 1011) & 56 (HEA 1297).

IND. CODE §5-26-2-3. The Governor selects a chair and vice chair of the commission. The chair may appoint staff from the existing staff of participating agencies. IND. CODE §5-26-2-6.

The State Agency Public Safety Committee consists of 10 members appointed by the Superintendent of the Indiana State Police Department on the recommendation of the head of the participating agencies:

- State Police Department,
- Indiana Department of Transportation,
- State Emergency Management Agency,
- Department of Natural Resources,
- Alcoholic Beverage Commission,
- Department of State Revenue,
- Indiana Department of Environmental Management,
- Military Department of the State of Indiana,
- Department of Correction, and
- Department of Administration.

IND. CODE §§10-1-10-9.1 & 10-1-10-16.

The Criminal Justice Data Division is established within the Indiana State Police Department. IND. CODE §10-1-2.5-1. The Superintendent of the State Police in promulgating rules and regulations necessary for the operation of the Criminal Justice Data Division is advised by a criminal justice advisory committee appointed by the Governor, which consists of: the Superintendent of State Police who shall act as chairman; the Attorney General; the executive director of the criminal justice planning agency; the Commissioner of Corrections; one county sheriff serving in his second or subsequent term of office; one chief of police with two or more years experience as chief; one prosecuting attorney in his or her second or subsequent term of office; one judge of a court of general criminal jurisdiction; the executive director of the law enforcement training academy; and a criminologist or forensic scientist. IND. CODE §10-1-2.5-7.



Authority:

The Data Processing Oversight Commission is responsible for coordinating the operations of the various data processing¹¹⁵ systems within the executive branch insofar as is possible without infringing upon the prerogatives of the separately elected state officials, developing consistent policy, and promoting economical, effective, and integrated data processing services. IND. CODE §4-23-16-5(b). The commission reviews the status of all major projects under implementation, continuously monitors the quality and timeliness of the state's operations, and except in the case of separately elected state officials, controls new application projects by approving, modifying, deferring or rejecting project proposals. IND. CODE §4-23-16-7. Requests and contracts for data processing consultants and contractors, facilities management contractors, and computer equipment or software, and all requests for the sharing of either data or systems with any other entity must be submitted to the commission for review and approval. Contracts by separately elected state officials are subject to review and comment by the commission but are not subject to the approval of the commission. IND. CODE §4-23-16-8. The commission's staff is tasked to:

- provide technical staff support services to the commission;
- develop an overall strategy and architecture for the use of data processing technology in state government;
- coordinate state data processing master planning;
- review and recommend actions to the commission on project requests, contracts, and technical documents;
- provide consulting and technical advisory services to state agencies;

¹¹⁵ "Data processing" includes the resources, technologies, and services associated with the fields of information processing, office automation, and telecommunication facilities and networks. IND. CODE §4-23-16-5(a).

- monitor agency data processing activities;
- review data processing project plans and budget requests;
- develop and maintain policies, procedures, and guidelines for the effective use of data processing technology;
- monitor data processing legislation and recommend needed legislation to the commission;
- conduct periodic management reviews of data processing activities within state agencies; and
- maintain an inventory of data processing resources and expenditures.

IND. CODE §4-23-16-4.2.

The Integrated Public Safety Commission was established for the purpose of promoting the efficient use of public safety agency resources through improved coordination and cooperation to enhance the safety of Indiana residents. As a first step in accomplishing this goal, the commission was to focus on establishing a statewide wireless voice and data communications system. The commission's powers include:

- planning for voluntary coordination of resources by public safety agencies¹¹⁶;
- developing coordinated, integrated responses to significant public safety events by those public safety agencies that choose to take part;
- developing means of sharing information operationally and technologically to improve public safety;
- contracting for the statewide wireless public safety voice and data communications system; and
- supervising the statewide wireless public safety voice and data communications system.

IND. CODE §§5-26-2-5, 5-26-3-1, 5-26-3-3, and 5-26-3-6.

The State Agency Public Safety Committee's powers include:

- ensuring that federal and state communications requirements are followed;
- providing system¹¹⁷ planning, including mutual aid planning and compatibility planning in coordination with the Integrated Public Safety Commission;
- subject to IND. CODE §5-26-3-5, determining whether a state public safety agency may become a system user; and
- providing assistance to local public safety agencies in making equipment purchases.

IND. CODE §10-1-10-19. A state public safety agency¹¹⁸ that has or wants to have a voice or data wireless communications network must join the system when technically and economically feasible.

IND. CODE §10-1-10-9.5.

The Superintendent of the State Police with the advice of a criminal justice advisory committee promulgates rules and regulations necessary for the operation of the Criminal Justice Data Division.

IND. CODE §10-1-2.5-7.



Scope of Records Included:

The intent in creating the Criminal Justice Data Division is “to provide information and data with reference to the total criminal justice system that will be equally beneficial to all officers, agencies and components of said system so that each may better perform his or its respective duties for the overall improvement of criminal justice.” IND. CODE §10-1-2.5-9. Criminal intelligence information, criminal history information, and juvenile history information are defined by IND. CODE §§ 5-2-4-1, 5-2-5-1, and 5-2-5.1-5, respectively.

¹¹⁶ “Public safety agency” means a federal, state, or local governmental entity eligible to hold an authorization in a public safety radio service as set forth in 47 CFR 90 et seq. IND. CODE §5-26-1-4.

¹¹⁷ “System” refers to the statewide wireless public safety voice and data communications system under IND. CODE §5-26-3. IND. CODE §10-1-10-7.5.

¹¹⁸ “State public safety agency” means a state entity eligible to hold an authorization in a public safety radio service as set forth in 47 CFR 90 et seq. IND. CODE §10-1-10-5.

☐☐☐ **Accessibility/Accuracy/Privacy/Security of the Information:**

The objectives of the Data Processing Oversight Commission are to develop consistent policy and to promote economical, effective, and integrated data processing services, operational security, and adherence to the principles of the code of fair information practices for individual privacy. IND. CODE §4-23-16-5(b).

The Criminal Justice Data Division may only obtain data which are public records and is subject to the laws regulating privacy and restricting use of that data. IND. CODE §10-1-2.5-3. The handling of criminal intelligence information, criminal history information, and juvenile history information is provided for in IND. CODE chs. 5-2-4, 5-2-5, and 5-2-5.1, respectively.

State: IOWA

Synopsis: Until recently, there was a Division of Information Technology Services located in the Department of General Services. As promised by the legislature in 1999 Iowa Acts 207 (House File 762), an Information Technology Department was formally created with the passage 2000 Iowa Acts 1141 (Senate File 2395), effective April 25, 2000. An Information Technology Council was also created to provide recommendations concerning departmental operations. The Department of Public Safety is responsible for criminal identification and history information.

STATUTES¹¹⁹ ¾ IOWA CODE §§

14B.101 et seq., Information Technology Department (eff. April 25, 2000)

216A.131 – 216A.138, Division of Criminal and Juvenile Justice Planning, Department of Human Rights

690.1 – 690.5, Bureau of Criminal Identification

692.1 – 692.22, Criminal History and Intelligence Data



Organization/Structure:

The Information Technology Department is part of the executive branch and is headed by a director appointed by the Governor, subject to confirmation by the Senate, who also serves as the state's Chief Information Officer. IOWA CODE §§14B.102(1) & 14B.103(1). There is an Information Technology Council with the authority to oversee the department, and it is composed of 17 members:

- Director of the Information Technology Department,
- Administrator of the Public Broadcasting Division of the Department of Education,
- Chairperson of the IowaAccess Advisory Council or designee,
- State Technology Advisor in the Department of Economic Development,
- Executive Director of the Iowa Communications Network or designee,
- 2 executive branch department heads appointed by the Governor,
- 5 persons appointed by the Governor who are knowledgeable in information technology matters,
- a person representing the judicial branch appointed by the Chief Justice of the Supreme Court who serves in an ex officio, nonvoting capacity, and
- 4 members of the General Assembly with not more than one member from each chamber being from the same political party.

IOWA CODE §14B.104(2).

The Department of Public Safety is part of the executive branch and is headed by a Commissioner of Public Safety appointed by the Governor, subject to confirmation by the Senate. IOWA CODE §§80.1 & 80.2. The department is responsible for criminal identification, history, and intelligence data. IOWA CODE chs. 690 & 692.



Authority:

The Information Technology Council has the authority to oversee the Information Technology Department and the information technology activities of participating agencies¹²⁰. The council:

- adopts rules that are necessary for the exercise of its powers and duties and the proper administration of the Information Technology Department;
- develops recommended standards with respect to the procurement and development of

¹¹⁹ Current through the 2000 Regular Session, including 2000 Iowa Acts 1141 (SF 2395) amended by 1226 (SF 2433) (vetoed in part).

¹²⁰ "Participating agency" does not include the Department of Public Safety law enforcement communications systems. IOWA CODE §14B.101(8). "Agency" means a unit of state government, but does not include (i) the office of the Governor or the office of an elective constitutional or statutory officer, (ii) the General Assembly or any office or unit under its administrative authority, (iii) the judicial branch, or (iv) a political subdivision of the state or its offices or units, including but not limited to a county, city, or community college. IOWA CODE §14B.101(1).

information technology¹²¹ by participating agencies (The standards adopted also apply to existing information technology in use by participating agencies. Participating agencies are required by no later than June 30, 2002, to procure or develop information technology to replace existing information technology which does not meet the standards adopted by the council, if a waiver is not obtained. IOWA CODE §14B.107);

- prepares and annually updates a strategic information technology plan for the use of information technology throughout state government to be submitted to the Governor and the General Assembly (the plan promotes participation in cooperative projects with other governmental entities and also establishes a mission, goals, and objectives for the use of information technology);
- reviews and recommends to the General Assembly legislative proposals as developed and deemed necessary by the Council.

IOWA CODE §14B.104.

The Information Technology Department has primary responsibility for the development and application of information technology in state government. IOWA CODE §7E.5(1)(x). The powers and duties of the department include:

- providing information technology to participating agencies and other governmental entities;
- implementing the strategic information technology plan as prepared and updated by the Information Technology Council;
- developing and implementing a business continuity plan to be used if a disruption occurs in the provision of information technology to participating agencies and other governmental entities;
- implementing standards for information technology as developed by the Information Technology Council, which when implemented apply to all participating agencies;
- recommending and implementing standards for an electronic repository for maintaining mandated agency reports as provided in IOWA CODE §304.13A (The repository is to be developed and maintained for the purpose of providing public access to the mandated reports.);
- developing and implementing effective and efficient strategies for the use and provision of information technology for participating agencies and other governmental entities; and
- coordinating the acquisition of information technology by participating agencies (The department reviews requests for information technology submitted by participating agencies to determine whether they meet the standards established by the Information Technology Council. The Office of the Governor or the office of an elective constitutional or statutory officer are required to consult with the department prior to procuring or developing information technology and to consider the standards recommended by the council, and provide a written report to the department relating to the office's decision regarding the procurement or development. IOWA CODE §14B.107.).

IOWA CODE §14B.102(2).

¹²¹ "Information technology" means computing and electronics applications used to process and distribute information in digital and other forms and includes information technology devices and information technology services.

"Information technology device" means equipment or associated software, including programs, languages, procedures, or associated documentation, used in operating the equipment which is designed for utilizing information stored in an electronic format. "Information technology device" includes, but is not limited to computer systems, computer networks, and equipment used for input, output, processing, storage, display, scanning, and printing. "Information technology services" means services designed to provide functions, maintenance, and support of information technology devices and to provide services including, but not limited to: (1) computer systems application development and maintenance; (2) systems integration and interoperability; (3) operating systems maintenance and design; (4) computer systems programming; (5) computer systems software support; (6) planning and security relating to information technology devices; (7) data management consultation; (8) information technology education and consulting; (9) information technology planning and standards; and (10) establishment of local area network and workstation management standards. IOWA CODE §14B.101(4), (6) & (7).

The Department of Public Safety is responsible for collecting and classifying, and keeping at all times available, complete information useful for the detection of crime and the identification and apprehension of criminals, which shall be available to all peace officers within the state, under such regulations as the commissioner may prescribe. IOWA CODE §80.9(2)(d). The Department of Public Safety has rulemaking authority with respect to criminal identification information and criminal history and intelligence data. IOWA CODE §§690.1 & 692.10.

 **Scope of Records Included:**

The Department of Public Safety maintains “complete information useful for the detection of crime, and the identification and apprehension of criminals.” IOWA CODE §80.9(2)(d).

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Information Technology Council is required to include goals for electronic access to public records, information, and services in its annual strategic information technology plan. IOWA CODE §14B.104(2)(d). The Information Technology Department is responsible for developing and maintaining security policies and systems to ensure the integrity of the state’s information resources and to prevent the disclosure of confidential records. IOWA CODE §14B.102(2)(f).

The proper handling of criminal history and intelligence data is covered in IOWA CODE ch. 692.

State: KANSAS

Synopsis: The Information Technology Executive Council oversees the state's information technology resources. The Criminal Justice Coordinating Council (CJCC) oversees the development and implementation of the state criminal justice information system. A central repository of criminal justice information is managed and maintained within the Kansas Bureau of Investigation.

STATUTES¹²² ¾ KAN. STAT. §§
22-4701 to 22-4710, Criminal History Record Information
74-9501, Criminal Justice Coordinating Council
75-7201 to 75-7212, Information Technology



Organization/Structure:

The Information Technology Executive Council is attached to the Department of Administration for administrative purposes and is composed of

- Secretary of Administration, who also is the chair,
- 2 cabinet agency heads,
- a noncabinet agency head,
- Director of the Budget,
- Executive Chief Information Technology Officer,
- Legislative Chief Information Technology Officer,
- Judicial Chief Information Technology Officer and the Judicial Administrator of the Kansas Supreme Court,
- Executive Director of the Kansas Board of Regents,
- Commissioner of Education,
- a representative of cities,
- a representative of counties,
- Network Manager of the Information Network of Kansas (INK), and
- 3 representatives from the private sector who are chief executive officers or chief information technology officers.

KAN. STAT. §75-7202. Within the Department of Administration is an Office of Chief Information Technology Architect, headed by the Chief Information Technology Architect who also serves as the secretary to the Information Technology Executive Council. KAN. STAT. §75-7204. Also in the department, there is the Executive Chief Information Technology Officer. KAN. STAT. §75-7205.

The Criminal Justice Coordinating Council (CJCC) consists of the:

- Governor or designee,
- Chief Justice of the Supreme Court or designee,
- Attorney General or designee,
- Secretary of Corrections,
- Secretary of Social and Rehabilitation Services,
- Commissioner of Juvenile Justice, and
- Director of the Kansas Bureau of Investigation.

KAN. STAT. §74-9501(a) & (b). The director and employees of the Kansas Sentencing Commission serve as the staff for the CJCC. KAN. STAT. §74-9501(c). The CJCC appoints a standing local government advisory group to consult and advise the council concerning local government criminal justice issues and the impact of state criminal justice policy and decisions on local units of government. The advisory group consists of a sheriff, chief of police, county or district attorney, city governing body, and a county commissioner. KAN. STAT. §74-9501(f).

¹²² Current through the 2000 Legislative Session.

The criminal justice information system central repository for the collection, storage, and dissemination of criminal history record information is established and maintained within the Kansas Bureau of Investigation under the administrative control of its director. KAN. STAT. §§22-4705(b) & 38-1618.

 **Authority:**

The Information Technology Executive Council:

- adopts such policies and rules and regulations as necessary to implement, administer and enforce the provisions of KAN. STAT. §§75-7201 to 75-1212;
- adopts: (1) information technology resource policies and procedures and project management methodologies for all state agencies, (2) an information technology architecture, including telecommunications systems, networks and equipment, that covers all state agencies, (3) standards for data management for all state agencies, and (4) a strategic information technology management plan for the state;
- provides direction and coordination for the application of the state's information technology resources; and
- designates the ownership of information resource processes and the lead agency for implementation of new technologies and networks shared by multiple agencies in different branches of state government.

KAN. STAT. §75-7203.

The Chief Information Technology Architect proposes to the council: (1) information technology resource policies and procedures and project management methodologies for all state agencies; (2) an information technology architecture, including telecommunications systems, networks and equipment, that covers all state agencies; (3) standards for data management for all state agencies; and (4) a strategic information technology management plan for the state. KAN. STAT. §75-7204(b)(1).

The Executive Chief Information Technology Officer:

- reviews and consults with each executive agency regarding information technology plans, deviations from the state information technology architecture, information technology project estimates and information technology project changes and overruns submitted by such agency pursuant to KAN. STAT. §75-7209 to determine whether the agency has complied with the information technology resource policies and procedures, project management methodologies, and architecture, standards for data management, and the strategic information technology management plan, adopted by the Information Technology Executive Council;
- reports to the Chief Information Technology Architect deviations from the state information architecture that are reported by executive agencies;
- submits recommendations to the Division of the Budget as to the technical and management merit of information technology project estimates and information technology project changes and overruns submitted by executive agencies pursuant to KAN. STAT. §75-7209; and
- monitors executive agencies' compliance with Information Technology Executive Council's policies and procedures, etc.

KAN. STAT. §75-7205(b).

The Criminal Justice Coordinating Council (CJCC):

- defines and analyzes issues and processes in the criminal justice system, identifies alternative solutions, and make recommendations for improvements;
- performs criminal justice studies or tasks as requested by the Governor, the legislature, or the Chief Justice;
- oversees development and management of a criminal justice database including assuming the designation and functions of the state statistical analysis center (all criminal justice agencies¹²³

¹²³ "Criminal justice agency" means any government agency or subdivision of any such agency which is authorized by law to exercise the power of arrest, detention, prosecution, adjudication, correctional supervision, rehabilitation or

and the Department of Social and Rehabilitation Services are required to provide any data or information, including that relating to juvenile offenses, which is requested by the CJCC, in a form and manner established by the council, in order to facilitate the development and management of the criminal justice council database); and

- develops and oversees reporting of all criminal justice federal funding available to the state or local units of government.

KAN. STAT. §74-9501(e).

The Kansas Bureau of Investigation may promulgate rules and regulations governing the collection, reporting, and dissemination of criminal history record information by criminal justice agencies, and procedures for inspecting and challenging criminal history record information. KAN. STAT. §22-4704. All criminal justice agencies are to report criminal history information to the central repository in the prescribed manner. KAN. STAT. §22-4705(c).

 **Scope of Records Included:**

The meaning of “criminal justice database” is apparently left to the discretion of the Criminal Justice Coordinating Council. KAN. STAT. §74-9501(e)(3).

Criminal history record information is data initiated or collected by a criminal justice agency on a person pertaining to a reportable event as defined in KAN. STAT. §22-4705(a). KAN. STAT. §22-4701(b).

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Information Technology Executive Council oversees data management standards for all state agencies. KAN. STAT. §75-7203

The Kansas Bureau of Investigation may promulgate rules and regulations governing the security, accuracy, and dissemination of criminal history record information. KAN. STAT. §22-4704. Criminal justice agencies and the central repository may only disseminate criminal history record information for legitimate purposes and in strict compliance with state laws regarding privacy and rules and regulations promulgated by the director of the Kansas Bureau of Investigation. KAN. STAT. §22-4707.

release of persons suspected, charged or convicted of a crime and which allocates a substantial portion of its annual budget to any of these functions. KAN. STAT. §22-4701(c).

State: KENTUCKY

Synopsis: The Governor's Office for Technology is a state agency within the Office of the Governor and is headed by the Chief Information Officer. The Criminal Justice Council's Unified Criminal Justice Information System Committee, chaired by the Chief Information Officer, oversees the Kentucky Unified Criminal Justice Information System.

STATUTES¹²⁴ ¾ KY. REV. STAT. §§

11.501 – 11.550, Governor's Office of Technology et al. (eff. July 14, 2000)

15A.040, Criminal Justice Council

15A.042, Office of Criminal Justice Council, Justice Cabinet

17.131, Kentucky Unified Criminal Justice Information System

17.140 et seq., Centralized criminal history record information system



Organization/Structure:

The Governor's Office for Technology (GOT) is a state agency within the Office of the Governor and is headed by the Chief Information Officer. KY. REV. STAT. §11.505. The Chief Information Officer is advised by the Kentucky Information Technology Advisory Council. KY. REV. STAT. §11.513.

Criminal Justice Council consists of:

- Secretary of the Justice Cabinet or designee, who also serves as the chair,
- Director of the Administrative Office of the Courts or designee,
- Attorney General or designee,
- 2 members of the House of Representatives designated by the Speaker,
- 2 members of the Senate designated by the President of the Senate,
- a crime victim appointed by the Governor,
- a victim advocate appointed by the Governor,
- a Kentucky college or university professor, specializing in criminology, corrections, or a similar discipline, appointed by the Governor,
- The Public Advocate or designee,
- President of the Kentucky Sheriffs' Association,
- Commissioner of State Police or designee,
- a person selected by the Kentucky State Lodge of the Fraternal Order of Police,
- President of the Kentucky Association of Chiefs of Police,
- a member of the Prosecutors Advisory Council,
- Chief Justice or a justice or judge designee,
- a member of the Kentucky Association of Criminal Defense Lawyers,
- a member of the Kentucky Jailers' Association,
- a member of the Circuit Clerks' Association,
- 3 criminal law professors, one each from the University of Kentucky College of Law, the Louis D. Brandeis School of Law at the University of Louisville, and the Salmon P. Chase College of Law at Northern Kentucky University, appointed by the Governor,
- a district judge designated by the Chief Justice,
- a circuit judge designated by the Chief Justice,
- a court of appeals judge designated by the Chief Justice,
- a representative from an organization dedicated to restorative principles of justice involving victims, the community, and offenders,
- an individual with a demonstrated commitment to youth advocacy appointed by the Governor,
- Commissioner of the Department of Juvenile Justice or designee,
- Commissioner of the Department of Corrections or designee,
- Commissioner of the Department of Criminal Justice Training or designee, and

¹²⁴ Current through the 2000 Regular Session, including 2000 Ky. Acts 506 & 536.

- Governor's Chief Information Officer.

KY. REV. STAT. §15A.040(2) & (3). The council's executive director also serves as the executive director for the Office of Criminal Justice Council within the Justice Cabinet. KY. REV. STAT. §§15A.040(9) & 15A.042. The council is authorized to establish a Uniform Criminal Justice Information System Committee. KY. REV. STAT. §15A.040(8). The membership of the committee is determined by the council, upon the recommendation of the Governor's Chief Information Officer who chairs the committee. KY. REV. STAT. §17.131(2).

A centralized criminal history record information system has been established in the Justice Cabinet under the direction of the Commissioner of the Department of State Police. KY. REV. STAT. §17.140.

 **Authority:**

The Governor's Office for Technology is responsible for providing leadership, policy direction, and technical support to all executive agencies of state government in the application of information technology. The office has rulemaking authority. KY. REV. STAT. §11.507.

The Criminal Justice Council advises and makes recommendations to the Governor and the General Assembly on policies and direction for long-range planning regarding all elements of the criminal justice system at least six months prior to every regular session of the General Assembly. KY. REV. STAT. §15A.040(1). One of the council's committees is the Uniform Criminal Justice Information System Committee, chaired by the Governor's Chief Information Officer, and it is responsible for supervising the design, implementation, and maintenance of the Kentucky Unified Criminal Justice Information System. KY. REV. STAT. §§15A.040(8) & 17.131(2). The committee submits recommendations to the Criminal Justice Council and the Secretary of Justice for administrative regulations to implement the uniform policy required to operate the system. KY. REV. STAT. §17.131(3)-(6). All criminal justice agencies¹²⁵ are required to follow the policies established by administrative regulation for the exchange of data and connection to the system. KY. REV. STAT. §17.131(8). All state-funded expenditures by a criminal justice agency for computer platforms in support of criminal justice applications are to be reviewed by the committee. KY. REV. STAT. §17.131(10). Any criminal justice agency that does not participate in the criminal justice information system may be denied access to state and federal grant funds. KY. REV. STAT. §17.131(11).

 **Scope of Records Included:**

Data stored in the information systems of the criminal justice agencies and the courts. KY. REV. STAT. §17.131(5).

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Governor's Office for Technology is responsible for developing, implementing, and managing strategic information technology directions, standards, and enterprise architecture, specifically including directions, standards, and architecture related to the privacy and confidentiality of data collected and stored by state agencies. KY. REV. STAT. §11.507(1)(d).

The Uniform Criminal Justice Information System Committee makes recommendations to Criminal Justice Council and the Secretary of Justice on uniform policy to operate the Kentucky Unified Criminal Justice Information System. KY. REV. STAT. §17.131(3)-(6).

¹²⁵ "Criminal justice agencies" include all departments of the Justice Cabinet, the Unified Prosecutorial System, Commonwealth's attorneys, county attorneys, the Transportation Cabinet, the Cabinet for Health Services, and any agency with the authority to issue a citation or make an arrest. KY. REV. STAT. §17.131(1).

State: LOUISIANA

Synopsis: Within the Louisiana Commission on Law Enforcement and Administration of Criminal Justice, the Integrated Criminal Justice Information System Policy Board was created to coordinate the design, development, maintenance, and operation of an Integrated Criminal Justice Information System.

STATUTES¹²⁶ 3/4 LA. REV. STAT. §§

15:575 et seq., Louisiana Bureau of Criminal Identification and Information
15:1201 et seq., Commission on Law Enforcement and Administration of Criminal Justice
15:1204.2 – 15:1204.5, Louisiana Uniform Crime Reporting Program
15:1228 – 15:1228.8, Integrated Criminal Justice Information System
39:140 – 39:143, Telecommunications Authority
39:196 – 39:200, Data Processing Procurement
39:211 – 39:216, Louisiana Technology Innovations Fund

 **Organization/Structure:**

The Integrated Criminal Justice Information System Policy Board is under the jurisdiction of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice, Office of the Governor. LA. REV. STAT. §1228. Board membership consists of the following 13 members or their designees:

- Secretary of the Department of Public Safety and Corrections,
- Deputy Secretary for Public Safety Services,
- a member designated by the Louisiana Association of Chiefs of Police,
- a member designated by the Louisiana Sheriff's Association,
- a member designated by the Louisiana District Attorneys' Association,
- a member designated by the Louisiana District Court Judges Association,
- a member designated by the Louisiana Association of Clerks of Court,
- Chief Justice of the Supreme Court of Louisiana,
- Attorney General of Louisiana,
- Executive Director of the Louisiana Commission on Law Enforcement,
- a member of the Senate designated by the President of the Senate,
- a member of the House of Representatives designated by the Speaker, and
- a member designated by the Governor.

LA. REV. STAT. §1228.3.

 **Authority:**

The Integrated Criminal Justice Information System Policy Board is to coordinate the design, development, maintenance, and operation of the Integrated Criminal Justice Information System and may promulgate rules and regulations. LA. REV. STAT. §1228.1. All departments, commissions, boards, agencies, and officers of the state are directed to cooperate with the board. LA. REV. STAT. §1228.8.

 **Scope of Records Included:**

The component systems of the Integrated Criminal Justice Information System (ICJIS) include, but are not limited to, the following systems:

- Law Enforcement Management Information System (LaLEMIS) developed by the Louisiana Commission on Law Enforcement for use by local law enforcement agencies;
- Louisiana Uniform Crime Reporting System (LUCR) operated by the Louisiana Commission on Law Enforcement;

¹²⁶ Current through the 2000 2nd Extraordinary Session.

- Louisiana Incident Based Crime Reporting System (LIBRS) operated by the Louisiana Commission on Law Enforcement;
- Louisiana Computerized Criminal History System (LaCCH) operated by the Department of Public Safety and Corrections;
- Automated Fingerprint Identification System (AFIS) operated by the Department of Public Safety and Corrections;
- Corrections and Justice Unified Network (CAJUN) operated by the Department of Public Safety and Corrections;
- Juvenile Information Records Management System (JIRMS) operated by the Department of Public Safety and Corrections;
- Case Management Information System (CMIS) operated by the Louisiana Supreme Court, to the extent to which the chief justice shall deem the system a part of the Integrated Criminal Justice Information System;
- Communications networks or devices which link one or more components of the ICJIS and involve the participation of more than one agency;
- any other criminal justice information system, which may be developed by the state to serve more than one agency, and which is properly a part of the ICJIS as determined by the policy board; and
- any system to provide services to crime victims such as an automated crime victim notification system.

LA. REV. STAT. §1228.6.

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Integrated Criminal Justice Information System Policy Board coordinates the maintenance and operation of the Integrated Criminal Justice Information System and may promulgate rules and regulations.

LA. REV. STAT. §1228.1.

State: MAINE

Synopsis: The acquisition by state agencies of data processing and telecommunications services, equipment, and systems must be approved by the Director of Bureau of Information Services in the Department of Administrative and Financial Services as being in accordance with the standards and policies approved by the Information Services Policy Board. Within the Department of Public Safety, there is an information clearinghouse known as the Maine Criminal Justice Information System, which is overseen by the Maine Criminal Justice Information System Policy Board.

STATUTES¹²⁷ 3/4 ME. REV. STAT. tit.

- 5, §§353 – 357, Maine Governmental Information Network Board
- 5, §§1873, 1877-A, and 1881 to 1890-B, Department of Administrative and Financial Services and its Bureau of Information Services
- 5, §§1891 – 1895, Information Services Policy Board
- 5, §1896, Appeals Process
- 5, §3358, Maine Criminal Justice Commission
- 5, §§21201 – 21202, Interbranch Communication and Coordination
- 16, §§611 – 623, Criminal History Record Information Act
- 16, §§631 – 637, Maine Criminal Justice Information System
- 25, §1508, Criminal justice telecommunications and radio communications systems
- 25, §§1541 – 1550, State Bureau of Identification, Bureau of State Police



Organization/Structure:

At least annually, the Chief Justice of the Supreme Judicial Court, the Governor, the President of the Senate, and the Speaker of the House of Representatives are required to jointly convene an interbranch forum. The purpose of the interbranch forum is to provide for discussions among the top policymakers from each branch of government to address the need for cooperation and coordination at all levels. Topics to be discussed may include, but are not limited to: (1) an integrated system of communication, (2) a technology plan, (3) long-range planning, and (4) the allocation and use of resources. ME. REV. STAT. tit. 5, §21202.

The Maine Governmental Information Network Board oversees the construction and operation of a computer network to connect state, local and regional governments and other providers of governmental services. ME. REV. STAT. tit. 5, §§353 & 355. Administrative support for the board is provided by the Office of the Secretary of State. ME. REV. STAT. tit. 5, §356.

Within the Department of Administrative and Financial Services, there is a Bureau of Information Services (headed by a director) which is responsible for providing information services in data processing, planning for telecommunications and planning for the coordination of data processing throughout state government. ME. REV. STAT. tit. 5, §§1883 & 1885. The Information Services Policy Board advises Department of Administrative and Financial Services, particularly the Bureau of Information Services. ME. REV. STAT. tit. 5, §§1891 & 1893. The board consists of 11 voting members and 8 advisory members:

The voting members of the board are –

- Commissioner of Administrative and Financial Services or designee,
- Commissioner of Human Services or designee,
- Commissioner of Labor or designee,
- Commissioner of Transportation or designee,
- Secretary of State or designee,
- 4 members from the Executive Department appointed by the Governor, and

¹²⁷ Current through the 2000 Regular Session.

- 2 members, who represent companies recognized for their application of information technology, appointed by the Governor;

The advisory members are –

- one appointed by the Legislative Council to represent the agencies of the Legislature that provide research and information to the Legislature and its committees,
- one appointed by the Chief Justice of the Supreme Judicial Court,
- one appointed by the Maine State Housing Authority in the Finance Authority of Maine,
- one appointed by the Finance Authority of Maine,
- one appointed by the Maine State Retirement System,
- one appointed by the Maine Turnpike Authority,
- one appointed by the Chancellor of the University of Maine System, and
- one appointed by the President of the Maine Technical College System.

ME. REV. STAT. tit. 5, §1892.

Within the Department of Public Safety, there is an information clearinghouse known as the Maine Criminal Justice Information System. ME. REV. STAT. tit. 16, §631. System oversight is vested with the Maine Criminal Justice Information System Policy Board, which consists of 13 members:

- Attorney General,
- Commissioner of Public Safety,
- Commissioner of Corrections,
- State Court Administrator,
- Chief of the State Police,
- Associate Commissioner for Adult Services within the Department of Corrections,
- Director of the Bureau of Information Services,
- a representative of the Maine Prosecutors Association appointed by the Attorney General,
- a representative of the Maine Chiefs of Police Association appointed by the Commissioner of Public Safety,
- a representative of the Maine Sheriff’s Association appointed by the Commissioner of Public Safety,
- a representative of a federal criminal justice agency appointed by the Governor,
- a representative of a non-governmental agency, that provides services to victims of domestic violence, appointed by the Governor, and
- a public member, who represents private users of criminal offender record information, appointed by the Governor.

ME. REV. STAT. tit. 16, §633.

 **Authority:**

The Information Services Policy Board approves written standards, rules, and policies governing geographic information systems, data processing¹²⁸ and telecommunications¹²⁹. ME. REV. STAT. tit. 5, §1893. The Director of Bureau of Information Services, in accordance with the written standards, approves the acquisition and use of all data processing and telecommunications services, equipment and systems by state agencies¹³⁰. ME. REV. STAT. tit. 5, §1886. State agencies may not acquire data

¹²⁸ “Data processing” means the process that encompasses all computerized and auxiliary automated information handling, including systems analysis and design, conversion of data, computer programming, information storage and retrieval, data and facsimile transmission, requisite system controls, simulation and all the related man-machine interaction. Data processing includes all word or text manipulation processing. ME. REV. STAT. tit. 5, §1873(3).

¹²⁹ “Telecommunications” means, but is not limited to, the process of transmitting and receiving any information, to include voice, data and video, by any media to include wire, microwave, fibreoptics, radio and laser or satellite. ME. REV. STAT. tit. 5, §1873(5).

¹³⁰ The semiautonomous state agencies’ information service systems are to be compatible with the policies and standards approved by the Information Services Policy Board. ME. REV. STAT. tit. 5, §1894. The legislature and the judiciary are not subject to the board’s authority. ME. REV. STAT. tit. 5, §1895.

processing equipment, software or services that are not in compliance with the established standards, rules and policies. ME. REV. STAT. tit. 5, §1888.

The Maine Criminal Justice Information System Policy Board establishes policies and practices necessary to provide ready access to shared, uniform information on criminal offenders and crime data. It also establishes, maintains, and promotes minimum standards for accessing the Maine Criminal Justice Information System to ensure complete, accurate and up-to-date information is received by criminal justice agencies¹³¹ and authorized private users. The board is required report to the joint standing committees of the Legislature having jurisdiction over criminal justice matters and judiciary matters no later than January 1 of each year concerning the status of the development, implementation, and operation of the Maine Criminal Justice Information System. ME. REV. STAT. tit. 16, §635. The Department of Public Safety provides general administrative oversight for the board's policies and responsibilities. ME. REV. STAT. tit. 16, §636.



Scope of Records Included:

The Maine Criminal Justice Information System is an information clearinghouse within the Department of Public Safety, which includes the following information:

- offender-based tracking information (ME. REV. STAT. tit. 16, §632(10): “offender-based tracking information” means information collected during the administration of criminal justice by criminal justice agencies related to an identifiable person who has been determined to be an offender.), including any active status of offenders in the criminal justice system;
- criminal history record information that includes information on the potential risk of individuals (“Criminal history record information” means notations or other written evidence of an arrest, detention, complaint, indictment, information or other formal criminal charge relating to an identifiable person. It includes the identification or description of the person charged and any disposition of the charge. The term does not include identification information such as fingerprints, palm prints or photographic records to the extent that the information does not indicate involvement of the individual in the criminal justice system. The term does not include records of civil violations. ME. REV. STAT. tit. 16, §§611(3) & 632(3));
- specific crime data for investigations and statistical analysis;
- warrant and wanted persons information;
- status and conditions of release of those persons on probation or parole or admitted to bail;
- information pertaining to conditions of protection, protected persons and the subjects of protection from abuse orders;
- stolen property listings; and
- other information available through communications or networking with other states or federal criminal justice agencies, or both.

ME. REV. STAT. tit. 16, §631.



Accessibility/Accuracy/Privacy/Security of the Information:

The Director of the Bureau of Information Services, with the advice of the Information Services Policy Board, develops rules regarding the safeguarding, maintenance and use of information files relating to data processing required by law to be kept confidential, subject to the approval of the Commissioner of the Department of Administrative and Financial Services. ME. REV. STAT. tit. 5, §1886(12).

The Maine Criminal Justice Information System Policy Board establishes standards to address:

- completeness and accuracy of information,

¹³¹ “Criminal justice agency” means a federal, state, district, county or local government agency or any subunit thereof that performs the administration of criminal justice under a statute or executive order, and that allocates a substantial part of its annual budget to the administration of criminal justice. Courts and the Department of the Attorney General are considered criminal justice agencies. “Criminal justice agency” also includes any equivalent agency at any level of Canadian government. ME. REV. STAT. tit. 16, §§611(4) & 632(4).

- limitations on access and dissemination of information, and
- system audits and security.

ME. REV. STAT. tit. 16, §635(2).

State: MARYLAND

Synopsis: The Secretary of the Department of Budget and Management is responsible for the statewide information technology master plan, policies, and standards. Within the department, there is a Chief of Information Technology who is provided advice and counsel by the Information Technology Board. There is a Criminal Justice Information System Central Repository in the Department of Public Safety and Correctional Services. With respect to the central depository, the Secretary of the Department of Public Safety and Correctional Services receives advice from the Criminal Justice Information Advisory Board.

STATUTES¹³² 3/4

MD. CODE, STATE FIN. & PROC. §§3-401 to 3-413, Information Processing

MD. CODE, STATE FIN. & PROC. §§3-701 to 3-706, Telecommunications

MD. CODE art. 27, §§735 – 741, Criminal Records

MD. CODE art. 27, §§742 – 755, Criminal Justice Information System

Organization/Structure:

Within the Department of Budget and Management, there is a Chief of Information Technology. MD. CODE, STATE FIN. & PROC. §3-410. The Chief of Information Technology is provided advice and counsel by the Information Technology Board. MD. CODE, STATE FIN. & PROC. §3-409. The board consists of 34 members:

13 are the Secretaries or the their designees of the following departments or agencies –

- Department of Budget and Management,
- Department of General Services,
- Comptroller of the Treasury,
- Department of Human Resources,
- University System of Maryland,
- Maryland Higher Education Commission,
- Department of Public Safety and Correctional,
- Department of Health and Mental Hygiene,
- Department of Transportation;
- Maryland State Department of Education,
- Maryland Office of Planning,
- Department of State Police, and
- Department of Business and Economic Development; and
- 6 shall be members of the public with significant information technology experience,
- a representative of the Maryland Association of Community Colleges appointed by the Governor,
- 2 members of the Senate of Maryland appointed by the President of the Senate,
- 2 members of the Maryland House of Delegates appointed by the Speaker of the House,
- a representative of the judicial branch appointed by the Chief Judge of the Court of Appeals,
- a representative of state government appointed by the Governor,
- Executive Director of the Maryland Science, Engineering, and Technology Development Corporation or designee,
- 5 representatives from information technology companies or associations with expertise in information technology or electronic commerce appointed by the Governor,
- a representative of the Maryland Independent College and University Association appointed by the Governor, and
- a representative of the Maryland Association of Public Library Administrators appointed by the Governor.

MD. CODE, STATE FIN. & PROC. §3-406 & 3-407.

¹³² Current through the 2000 Regular Session, including 2000 Md. Laws 3 (SB 198), 5 (HB 274), 619 & 620 (HB 592 & SB 607).

There is a Criminal Justice Information System Central Repository in the Department of Public Safety and Correctional Services. The central repository is under the administrative control of the department's secretary and is operated as directed by the secretary with the advice of the Criminal Justice Information Advisory Board. MD. CODE art. 27, §747(b). The membership of the board includes:

- a member of the Maryland Senate appointed by the President of the Senate,
- a member of the House of Delegates appointed by the Speaker of the House,
- Executive Director of the Governor's Office of Crime Control and Prevention,
- 3 persons from the judicial branch appointed by the Chief Judge of the Court of Appeals,
- 3 persons recommended by the Secretary of Public Safety and Correctional Services,
- 2 executive officials from state, county, or municipal police agencies,
- Director of the Maryland Justice Analysis Center of the Institute of Criminal Justice and Criminology of the University of Maryland,
- 2 elected county officials,
- Attorney General,
- an elected municipal official,
- a state's attorney, and
- a person from the general public.

MD. CODE art. 27, §744.

 **Authority:**

The Secretary of the Department of Budget and Management is responsible for developing a statewide information technology master plan and for developing maintaining, revising, and enforcing information technology policies and standards. MD. CODE, STATE FIN. & PROC. §3-403. "Information technology [¹³³]of each unit of the Executive Branch shall be consistent with the statewide information technology master plan." MD. CODE, STATE FIN. & PROC. §3-404. Executive branch agencies may not purchase, lease, or rent information technology unless it is consistent with the master plan, and the secretary may review any information technology project for consistency with the master plan. MD. CODE, STATE FIN. & PROC. §3-405.

Subject to the provisions of MD. CODE, STATE FIN. & PROC. §§3-401 to 3-413 concerning the Secretary of the Department of Budget and Management and information technology, the Secretary of the Department of Public Safety and Correctional Services and the Court of Appeals adopt appropriate rules and regulations, governing their respective branches of government, for implementing, operating, and maintaining the criminal justice information system¹³⁴. MD. CODE art. 27, §747(b). With respect to such rules and regulations, the secretary and the court receive the advice and recommendations from the Criminal Justice Information Advisory Board. MD. CODE art. 27, §745.

 **Scope of Records Included:**

"Criminal history record information" means data initiated or collected by a criminal justice agency on a person pertaining to a reportable event. MD. CODE art. 27, §743(e). "Criminal justice agency" is defined in MD. CODE art. 27, §743(f) and includes prosecuting offices and the courts. Reportable events are specified in MD. CODE art. 27, §747.

¹³³ "Information technology means all electronic information processing hardware and software, including maintenance, telecommunications, and associated consulting services. MD. CODE, STATE FIN. & PROC. §3-402(d).

¹³⁴ "Criminal justice information system" means the equipment (including computer hardware and software), facilities, procedures, agreements, and personnel used in the collection, processing, preservation, and dissemination of criminal history record information. MD. CODE art. 27, §743(g). "Criminal history record information" is defined in MD. CODE art. 27, §743(e).

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The rules and regulations adopted by the Secretary of Public Safety and Correctional Services and the Court of Appeals are required to specifically address: (i) the collection, reporting, and dissemination of criminal history record information by the courts and other criminal justice agencies; (ii) the security of the criminal justice information system and all criminal history record information reported and collected from it; (iii) the dissemination of criminal history record information under MD. CODE art. 27, §§735 – 755; and (iv) the auditing of criminal justice agencies to insure that criminal history record information is accurate and complete and that it is collected, reported, and disseminated in accordance with MD. CODE art. 27, §§735 – 755. MD. CODE art. 27, §746.

State: MASSACHUSETTS

Synopsis: Within the Executive Office for Administration and Finance, there is an Information Technology Division, which is headed by the Chief Information Officer. The Chief Information Officer is responsible for setting information technology standards, reviewing and approving secretariat and department information technology strategic plans, and reviewing and approving the planning, design, acquisition, and operation of information technology systems. Within the Executive Office of Public Safety, there is the Criminal History Systems Board. The board, in conjunction with the Secretary of Public Safety, is responsible for the criminal offender record information system.

STATUTES¹³⁵ ¾ MASS. GEN. L. ch.

6, §156, Committee on Criminal Justice

6, §167 et seq., Criminal offender record information

6A, §18¾, Criminal offender information; duties of Secretary of Public Safety

7, §4A, Information Technology Division et al., Executive Office for Administration and Finance

22C, §36, Identification of criminals; furnishing of information to other departments and states, Department of State Police

22C, §38, Criminal Information Section, Department of State Police

 **Organization/Structure:**

Within the Executive Office for Administration and Finance, there is an Information Technology Division, which is headed by the Chief Information Officer. MASS. GEN. L. ch. 7, §4A.

Within the Executive Office of Public Safety, there is the Criminal History Systems Board. MASS. GEN. L. ch. 6A, §18. The board consists of the following persons or their designees:

- Secretary of Public Safety, who also serves as chair,
- Attorney General,
- Chairperson of the Massachusetts Sentencing Commission,
- Chief Counsel for the Committee for Public Counsel Services,
- Chairman of the Parole Board,
- Commissioner of the Department of Correction,
- Commissioner of Probation,
- Commissioner of the Department of Youth Services,
- Colonel of State Police, and
- 9 persons to be appointed by the Governor –
 - one representing the Massachusetts District Attorneys Association,
 - one representing the Massachusetts Sheriffs Association,
 - one representing the Massachusetts Chiefs of Police Association,
 - one representing private users of criminal offender record information,
 - one of whom has been a victim of crime, and
 - 4 persons who have experience in issues relating to personal privacy.

MASS. GEN. L. ch. 6, §168.

 **Authority:**

The Chief Information Officer is responsible for setting information technology standards, reviewing and approving secretariat and department information technology strategic plans, reviewing and approving the planning, design, acquisition and operation of information technology systems, assessing the performance of information technology systems and operations, and managing central information technology systems. MASS. GEN. L. ch. 7, §4A(d).

¹³⁵ Current through the 2000 Legislative Session.

The Criminal History Systems Board, in conjunction with the Secretary of Public Safety, is responsible for the installation, operation, and maintenance of data processing and data communication systems that make up the criminal offender record information system. The system is to insure the prompt collection, exchange, dissemination, and distribution of criminal offender record information as may be necessary for the efficient administration and operation of criminal justice agencies¹³⁶. The board also promulgates regulations regarding criminal offender record information. MASS. GEN. L. ch. 6, §168 and ch. 6A, §18 ¾.

 **Scope of Records Included:**

“Criminal offender record information” consists of those records and data in any communicable form compiled by a criminal justice agency which concern an identifiable individual and relate to the nature or disposition of a criminal charge, an arrest, a pre-trial proceeding, other judicial proceedings, sentencing, incarceration, rehabilitation, or release. The information is restricted to that recorded as the result of criminal proceedings. The information does not include evaluative information, statistical and analytical reports and files in which individuals are not identifiable, or intelligence information. The information is limited to information concerning persons who have attained the age of seventeen and does not include any information concerning criminal offenses or acts of delinquency committed by persons before then attained the age of seventeen, except those persons adjudicated as an adult. It also does not include information concerning offenses that are not punishable by incarceration. MASS. GEN. L. ch. 6, §167.

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Criminal History Systems Board promulgates regulations regarding the collection, storage, access, dissemination, content, organization, and use of criminal offender record information. MASS. GEN. L. ch. 6, §168.

¹³⁶ “Criminal justice agencies” means those agencies at all levels of government which perform as their principal function, activities relating to: (a) crime prevention, including research or the sponsorship of research; (b) the apprehension, prosecution, adjudication, incarceration, or rehabilitation of criminal offenders; or (c) the collection, storage, dissemination or usage of criminal offender record information. MASS. GEN. L. ch. 6, §167.

State: MICHIGAN

Synopsis: The Chief Information Officer is located in the Department of Management and Budget. Within the Department of State Police is the Criminal Justice Information Systems (CJIS) Policy Council. The authorities previously held by the AFIS (Automated Fingerprint Identification System) and the LIEN (Law Enforcement Information Network) Policy Councils were consolidated into the CJIS Policy Council. The CJIS Policy Council advises the Director of the Department of State Police on issues related to the development and deployment of information management systems that facilitate the rapid exchange of accurate information between the various components of the criminal justice community.

STATUTES¹³⁷ et al. ¾ MICH. COMP. LAWS §§

18.1101 et seq., Management and Budget Act

18.1203, State automated information processing installations and telecommunications projects and services, Department of Management and Budget

18.1691, Department of Management and Budget, planning and effecting a unified and integrated structure for information processing systems and related services for all executive branch agencies, Executive Reorganization Order (ERO) No. 1995-9

28.151 – 28.158, A.F.I.S. (Automated Fingerprint Identification System) Policy Council Act

28.161, Criminal Justice Information Systems (CJIS), ERO No. 1998-1

28.211 – 28.216, L.E.I.N. (Law Enforcement Information Network) Policy Council Act of 1974

28.241 – 28.247, Bureau of Criminal Identification and Records

28.251 – 28.259, Uniform Crime Reporting System

E.O. No. 2000-6, e-Michigan Office, Executive Office of the Governor



Organization/Structure:

There is a Department of Management and Budget. MICH. COMP. LAWS §1121. Within the department is a Chief Information Officer.

The central records division of the Department of State Police is responsible for criminal and juvenile identification and records. MICH. COMP. LAWS § 28.241. The central records division function is presently carried out by the Administrative Services Bureau. The Criminal Justice Information Systems (CJIS) Policy Council absorbed the Law Enforcement Information Network (LEIN) and the Automated Fingerprint Identification System (AFIS) Policy Councils and is comprised of the following members:

- Attorney General or designee,
- Secretary of State or designee,
- Director of the Department of State Police or designee,
- Director of the Department of Corrections or designee,
- 3 representatives of the Department of State Police appointed by its Director,
- Chief of Detroit Police Department or designee,
- 3 representatives of the Michigan Association of Chiefs of Police,
- 4 representatives of the Michigan Sheriffs' Association,
- 3 representatives of the Prosecuting Attorneys Association of Michigan,
- a representative of the Michigan District Judges Association,
- a representative of the Michigan Judges Association,
- State Court Administrator or designee,
- an individual employed or engaged in the business of private security appointed by the Governor,
- an individual representing human services appointed by the Governor, and
- Executive Secretary of the CJIS Policy Council.

MICH. COMP. LAWS §28.161.

¹³⁷ Current through 2000 Regular Session, including 2000 Mich. Pub. Acts 320 (SB 945).

 **Authority:**

The Department of Management and Budget is responsible for planning and effecting a unified and integrated structure for information processing systems and related services for all executive branch agencies. It is also responsible for defining those resources which comprise information processing and related services and for the approval of all information processing equipment, software, systems, and services to be acquired by executive branch agencies. MICH. COMP. LAWS §18.1691.

The CJIS Policy Council exercises the authorities previously held by the LEIN and AFIS Policy Councils. The LIEN Policy Council was established to create policy and promulgate rules regarding the operational procedures to be followed by agencies using the law enforcement information network, to review applications for network terminals and approve or disapprove the applications and the sites for terminal installations, and to establish minimum standards for terminal sites and installations. MICH. COMP. LAWS §28.214. The AFIS Policy Council was established to create policy and promulgate rules regarding the operation and audit procedures to be followed by agencies using the AFIS, to design and provide for statewide identification of individuals using AFIS, to establish minimum standards for AFIS sites and installation, to review proposed applications for the AFIS and approve or disapprove the applications and the sites for system installations, and to establish policy and promulgate rules restricting the dissemination of identification information to individuals and agencies. MICH. COMP. LAWS §28.155.

 **Scope of Records Included:**

The CJIS Policy Council advises the Director of the State Police on information management systems that facilitate the rapid exchange of “accurate information between the various components of the criminal justice community.” MICH. COMP. LAWS §28.161. The central records division of the Department of State Police maintains “criminal and juvenile identification and records”¹³⁸. MICH. COMP. LAWS §28.241.

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The CJIS Policy Board may promulgate rules on the operational procedures for the LEIN and AFIS. MICH. COMP. LAWS §§28.214(a) & 28.155(a).

The commanding officer of the central records division may perform random performance audits of criminal and juvenile history information. MICH. COMP. LAWS §28.245a.

¹³⁸ “Criminal history record information” means name; date of birth; fingerprints; photographs, if available; personal descriptions, including physical measurements, identifying marks, scars, amputations, and tattoos; aliases and prior names; social security and driver’s license numbers and other identifying numbers; and information on misdemeanor convictions and felony arrests and convictions. “Juvenile history record information” means name; date of birth; fingerprints; photographs, if available; personal descriptions, including physical measurements, identifying marks, scars, amputations, and tattoos; aliases and prior names; social security and driver’s license numbers and other identifying numbers; and information on juvenile offense arrests and adjudications. MICH. COMP. LAWS §28.241a(b) & (e).

State: MINNESOTA

Synopsis: The Commissioner of Administration is the state’s Chief Information Officer with an Office of Technology located in the department. The Criminal and Juvenile Justice Information Policy Group makes recommendations to the Governor, the Supreme Court, and the Legislature on “integrated criminal justice information systems.” The SAFE (State Agencies Focused on Effectiveness) Coordinating Council was formed by executive order to create a strategic plan for the criminal justice system and ensure that the state’s efforts are coordinated. In the Department of Public Safety is located the Bureau of Criminal Apprehension, which is responsible for statewide crime information systems.

STATUTES¹³⁹ **et al.** ¾ MINN. STAT. §§
16E.01 – 16E.08, Office of Technology, Department of Administration
16E.01, subd. 3(3) & 16E.04, subd. 2(e)(2), Information Policy Counsel
299C.01 et seq., Bureau of Criminal Apprehension, Department of Public Safety
299C.46 – 299C.50, Criminal justice data communications network
299C.65, Criminal and Juvenile Justice Information Policy Group

E.O. No. 99-18, S.A.F.E. (State Agencies Focused on Effectiveness) Coordinating Council



Organization/Structure:

The Commissioner of Administration is the state’s Chief Information Officer and technology advisor to the Governor. MINN. STAT. §16E.02. Within the Department of Administration is an Office of Technology. MINN. STAT. §16E.01. The Office of Technology receives advice from an Information Policy Council (IPC) and determines the IPC’s structure and responsibilities. MINN. STAT. §16E.01, subd. 3(3).

The Criminal and Juvenile Justice Information Policy Group consists of:

- Commissioner of Public Safety,
- Commissioner of Corrections,
- Commissioner of Administration,
- Commissioner of Finance, and
- 4 members of the judicial branch appointed by the Chief Justice of the Supreme Court.

The policy group is assisted by a large task force with representatives from throughout the justice system. MINN. STAT. §299C.65.

The SAFE (State Agencies Focused on Effectiveness) Coordinating Council was formed by Executive Order 99-18 to create a strategic plan for Minnesota’s Criminal Justice System and to ensure that the state’s crime, violence, and drug abuse prevention efforts are coordinated. The members of the Council are:

- Commissioner of Public Safety, who also acts as the chair,
- Attorney General,
- Commissioner of Children, Families, and Learning,
- Commissioner of Corrections,
- Commissioner of Economic Security,
- Commissioner of Health,
- Commissioner of Human Services,
- Adjutant General of Military Affairs,
- Director of Planning,
- Chief Justice of the Supreme Court, and
- U.S. Attorney.

¹³⁹ Current through 2000 Regular Session, including 2000 Minn. Laws 311 (HF 2688).

In the Department of Public Safety is the Bureau of Criminal Apprehension, which is responsible for statewide crime information systems. MINN. STAT. §299C.01. The department also operates a criminal justice data communications network to enable the interconnection of the criminal justice agencies¹⁴⁰ into a unified criminal justice information system. MINN. STAT. §299C.46.

 **Authority:**

The Commissioner of Administration is responsible for:

- coordinating the design of a master plan for information and communications technology systems in the state and its political subdivisions;
- coordinating all information and communications technology plans and contracts and overseeing the state's information and communications systems; and
- establishing standards for information and communications systems that encourage competition and support open systems environments and that are compatible with national and international standards.

A state agency¹⁴¹ may not undertake an information and communications technology project¹⁴², costing over \$100,000, until the department has evaluated it. MINN. STAT. §16E.03.

The Criminal and Juvenile Justice Information Policy Group studies and makes recommendations to the Governor, the Supreme Court, and the Legislature on “a framework for integrated criminal justice information systems, including the development and maintenance of a community data model for state, county, and local criminal justice information.” The policy group also reviews funding and grant requests for integration plan development and implementation and for criminal justice information systems for compatibility with system standards. MINN. STAT. §299C.65.

 **Scope of Records Included:**

The term “criminal justice information systems” is not defined in MINN. STAT. §299C.65.

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Commissioner of Administration has the authority to develop data security policies, guidelines, and standards, in consultation with the Attorney General and appropriate agency heads, to ensure the integrity of the data and the limitations on its access, consistent with the public's right to know as defined in MINN. STAT. chapter 13. Each department or agency head is responsible for the security of the organization's data. MINN. STAT. §16E.03, subd. 7.

The Criminal and Juvenile Justice Information Policy Group makes recommendations on:

- the responsibilities of each entity within the criminal and juvenile justice systems concerning the collection, maintenance, dissemination, and sharing of information with one another;
- actions necessary to ensure that information in the systems is accurate and up-to-date;
- comprehensive training programs and requirements for criminal justice agency personnel to ensure the quality and accuracy of information in those systems;
- continuing education for agency personnel who are responsible for the collection, maintenance, dissemination, and sharing of criminal justice data;

¹⁴⁰ For purposes of the system, "criminal justice agency" means an agency of the state or an agency of a political subdivision charged with detection, enforcement, prosecution, adjudication or incarceration in respect to the criminal or traffic laws. The definition also includes sites identified and licensed as a detention facility. MINN. STAT. §299C.46, subd. 2.

¹⁴¹ "State agency" means an agency in the executive branch of state government and includes the Minnesota Higher Education Services Office. MINN. STAT. §16E.03, subd. 1(c).

¹⁴² "Information and communications technology project" means the development or acquisition of information and communications technology devices and systems, but does not include the state information infrastructure or its contractors. MINN. STAT. §16E.03, subd. 1(a).

- a periodic audit process to ensure the quality and accuracy of the information in the systems;
and
 - the impact of integrated criminal justice information systems on individual privacy rights.
- MINN. STAT. §299C.65.

State: MISSISSIPPI

Synopsis: The Mississippi Department of Information Technology Services (ITS) is overseen by the 5-member ITS Board. The Mississippi Justice Information Center is located in the Mississippi Department of Public Safety.

STATUTES¹⁴³ ¾ MISS. CODE §§
25-53-1 et seq., Mississippi Department of Information Technology Services (ITS)
45-27-1 to 45-27-17, Mississippi Justice Information Center
45-29-1 & 45-29-3, Records



Organization/Structure:

Within the executive branch, there is a Mississippi Department of Information Technology Services (ITS). MISS. CODE §25-53-1. A 5-member ITS Board, appointed by the Governor with the advice and consent of the Senate, oversees the department. The Lieutenant Governor may designate one Senator and the Speaker of the House of Representatives may designate one Representative to attend board meetings. MISS. CODE §25-53-7.

Within the Mississippi Department of Public Safety, the “system for the communication of vital information relating to crimes, criminals and criminal activity” is known as the Mississippi Justice Information Center. MISS. CODE §45-27-3.



Authority:

The ITS Board provides for the development and implementation of plans for the efficient acquisition and utilization of computer equipment and services¹⁴⁴ by all agencies of state government and adopts rules, regulations, and procedures governing the acquisition of computer and telecommunications equipment and services. The board may also require the adoption of standardized computer programs. MISS. CODE §25-53-5. Under the ITS Board’s supervision, the Executive Director of the Department of Information Technology Services (ITS) is responsible for developing a long-range plan for information technology activities, suggesting and causing to be brought about cooperation between state agencies in order to provide efficiency in information technology operation, reviewing all contracts for acquisition of computer equipment or services, and acting as the purchasing and contracting agent for the state in the negotiation and execution of all contracts for the acquisition of computer equipment or services. MISS. CODE §25-53-21.

Criminal justice and law enforcement agencies¹⁴⁵ are required to submit information to the Mississippi Justice Information Center. MISS. CODE §45-27-9.



Scope of Records Included:

“Criminal justice information” includes the following classes of information:

¹⁴³ Current through the 2000 Regular and 2nd Extraordinary Legislative Sessions.

¹⁴⁴ “Computer equipment or services” means any information technology, computer or computer related telecommunications equipment, electronic word processing and office systems, or services utilized in connection therewith, including, but not limited to, all phases of computer software and consulting services, and insurance on all state-owned computer equipment. MISS. CODE §25-53-3.

¹⁴⁵ “Criminal justice agencies” mean public agencies at all levels of government which perform as their principal function activities relating to the apprehension, prosecution, adjudication or rehabilitation of criminal offenders. “Law enforcement agency” means a governmental unit of one or more persons employed full time or part time by the state as a political subdivision thereof for the purpose of preventing and detecting crime and enforcing state laws or local ordinances, employees of which unit are authorized to make arrests for crimes while acting within the scope of their authority. MISS. CODE §45-27-3.

- “Secret data” includes information dealing with those elements of the operation and programming of the Mississippi Justice Information Center computer system and the communications network and satellite computer systems handling criminal justice information which prevents unlawful intrusion into the system;
- “Criminal history record information” is information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, accusations, information or other formal charges and any disposition arising therefrom, sentencing, correctional supervision and release. The term does not include identification information such as fingerprint records to the extent that such information does not indicate involvement of the individual in the criminal justice system;
- “Sensitive data” which contains statistical information in the form of reports, lists and documentation which may identify a group characteristic, such as “white” males or “stolen” guns; and
- “Restricted data” which contains information relating to data-gathering techniques, distribution methods, manuals, and forms.

MISS. CODE §45-27-3.

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Mississippi Justice Information Center is required to institute necessary measures in the design, implementation, and continued operation of the justice information system to ensure the privacy and security of the system. The measures are to include establishing complete control over use of and access to the system and restricting its integral resources and facilities and those either possessed or procured and controlled by criminal justice agencies. The security measures must meet standards developed by the center as well as those set by the nationally operated systems for interstate sharing of information. MISS. CODE §45-27-7(1)(a) & (f).

State: MISSOURI

Synopsis: The Commissioner of Administration coordinates and controls the acquisition and use of electronic and automatic data processing in the executive branch. Within the Department of Administration, there is an Office of Information Technology. Within the Department of Public Safety is a Criminal Records Advisory Committee which makes recommendations on general policies with respect to the Missouri criminal history record information system. The central repository for compiling and disseminating criminal history records is located in the Department of Public Safety, State Highway Patrol Criminal Records Division.

STATUTES¹⁴⁶ ¾ MO. REV. STAT. §§
37.005 et seq., Office of Administration
43.270, Criminal justice network and technology revolving fund
43.500 – 43. 541, Criminal history record information
589.300 – 589.310, Missouri Crime Prevention Information Center
610.010 et seq., Governmental Bodies and Records
650.005 et seq., Department of Public Safety



Organization/Structure:

There is a Department of Administration. MO. REV. STAT. §37.005. Within the department is an Office of Information Technology, headed by a Chief Information Officer, with an Information Technology Advisory Board consisting of information technology (IT) directors from state agencies, commissions, offices, colleges, and universities.

Within the Department of Public Safety is the Criminal Records Advisory Committee which is composed of the:

- Director of the Department of Public Safety, who is also the committee chair,
- Director of the Department of Corrections and Human Resources,
- Attorney General,
- Director of the Missouri Office of Prosecution Services,
- President of the Missouri Prosecutors Association,
- President of the Missouri Court Clerks Association,
- Chief Clerk of the Missouri State Supreme Court,
- Director of the State Courts Administrator,
- Director of the State Judicial Record Committee,
- Chairman of the Circuit Court Budget Committee,
- President of the Missouri Peace Officers Association,
- President of Missouri Sheriffs Association,
- President of Missouri Police Chiefs Association,
- Superintendent of the Missouri Highway Patrol,
- chiefs of police of agencies in jurisdictions with over 200,000 population, and
- as many as 3 other representatives of other criminal justice records systems or law enforcement agencies may be appointed by the Director of Public Safety.

MO. REV. STAT. §43.518.

The central repository for criminal history records is located in the Department of Public Safety, State Highway Patrol Criminal Records Division. MO. REV. STAT. §43.500(1).



Authority:

¹⁴⁶ Current through the 2000 Regular Session.

The Commissioner of Administration is authorized to coordinate and control the acquisition and use of electronic data processing (EDP) and automatic data processing (ADP) in the executive branch of state government. MO. REV. STAT. §37.005.9.

The Criminal Records Advisory Committee recommends general policies with respect to the philosophy, concept, and operational principles of the Missouri criminal history record information system established by MO. REV. STAT. §§43.500 to 43.530, in regard to the collection, processing, storage, dissemination, and use of criminal history record information maintained by the central repository. MO. REV. STAT. §43.518.1.

Law enforcement officers, prosecuting attorneys, clerks of courts, the Departments of Corrections and Mental Health are required to furnish the State Highway Patrol Criminal Records Division with criminal information. MO. REV. STAT. §43.503.

The Director of the Department of Public Safety establishes such rules and regulations as are necessary to implement the criminal history record information system. MO. REV. STAT. §43.509.

The State Highway Patrol Criminal Records Division, with the approval of the Supreme Court, publishes and makes available to criminal justice officials, a standard manual of codes for all offenses in Missouri. MO. REV. STAT. §43.512.

 **Scope of Records Included:**

Criminal history record information is information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, information, or other formal criminal charges, and any disposition arising therefrom, sentencing, correctional supervision, and release. MO. REV. STAT. §43.500.3; see also MO. REV. STAT. §§43.503 & 43.506.

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Director of the Department of Public Safety establishes rules and regulations on the dissemination of central repository information. MO. REV. STAT. §43.509.

The State Highway Patrol Criminal Records Division, with the approval of the Attorney General, publishes regulations governing the security and privacy of criminal history record information as required by state and federal law. MO. REV. STAT. §43.515.

Information can be made available to private entities responsible for probation supervision (MO. REV. STAT. §43.504) and, without unique individual identifiers, to qualified persons and organizations for research, evaluative and statistical purposes under written agreements designed to ensure the security and confidentiality of the information and the protection of privacy interests (MO. REV. STAT. §43.507).

State: MONTANA

Synopsis: The Department of Administration is responsible for data processing statewide. The department is advised by a State Information Technology Advisory Council and has an Information Services Division. The Department of Justice maintains a centralized state repository of criminal history record information in its Justice Information Systems Division. The Governor, Attorney General, and Chief Justice of the Montana Supreme Court by a memorandum of understanding created a Criminal Justice Information Services Advisory Group in conjunction with the Montana Criminal Justice Information Services Project to improve information services to state and local justice and law enforcement agencies.

STATUTES¹⁴⁷ ¾ MONT. CODE ANN. §§
2-6-214, Department of Administration
2-15-114, Security responsibilities of departments for data and information technology resources
2-17-501 to 2-17-503, Data processing
44-2-201 to 44-2-206, State System of Criminal Identification
44-2-301 to 44-2-316, Teletypewriter Communications System
44-5-101 et seq., Montana Criminal Justice Information Act of 1979



Organization/Structure:

The Department of Administration is responsible for data processing for state government. MONT. CODE ANN. §§2-6-214 & 2-17-501. The department was directed by statute to create the State Information Technology Advisory Council and select its members from a diverse group in order to adequately represent the interests of state agencies, including the university system, and local governments. MONT. CODE ANN. §2-17-502. Within the Department of Administration, there is an Information Services Division.

The Department of Justice is charged with maintaining a centralized state repository of criminal history record information to serve all criminal justice agencies¹⁴⁸ in the state. MONT. CODE ANN. §44-5-213(1); see also §§44-2-201 & 202.

In 1999, the Governor, Attorney General, and Chief Justice of the Montana Supreme Court signed a memorandum of understanding which created an Executive Committee consisting of the three signatories and a Criminal Justice Information Services Advisory Group with representatives from the executive and judicial branches, local government groups, and law enforcement organizations. The advisory group was created in conjunction with the Montana Criminal Justice Information Services Project to improve information services to state and local justice and law enforcement agencies.



Authority:

The Department of Administration establishes policies and a statewide plan for the operation and development of data processing for state government. It also reviews and approves agency data processing procurements. MONT. CODE ANN. §§2-6-214 & 2-17-501(1).

In addition to its advisory functions, the State Information Technology Advisory Council reviews statewide information and data processing policies, makes recommendations regarding the application of new information processing technology in state government, and advises the Department of

¹⁴⁷ Current through the 2000 Special Session.

¹⁴⁸ “Criminal justice agency” includes: (1) any court with criminal jurisdiction; (2) any federal, state, or local government agency designated by statute or by a governor’s executive order to perform as its principal function the administration of criminal justice; and (3) any local government agency that performs as its principal function the administration of criminal justice pursuant to an ordinance or local executive order. MONT. CODE ANN. §44-5-103(7); “administration of criminal justice is further defined at §§44-5-103(2).

Administration on long-term strategic planning for the use of information processing technology in state government. MONT. CODE ANN. §2-17-502(3) & (4).

The Department of Justice may adopt rules for the criminal justice information system. MONT. CODE ANN. §44-5-105(1); see also MONT. CODE ANN. §44-5-213(7).

 **Scope of Records Included:**

“Criminal history record information” is defined as information about individuals collected by criminal justice agencies consisting of identifiable descriptions and notations of: arrests; detentions; the filing of complaints, indictments, or informations, and dispositions arising therefrom; sentences; correctional status; and release. It includes identification information, such as fingerprint records or photographs, unless the information was obtained for purposes other than the administration of justice. It does not include records of traffic offenses or court records. MONT. CODE ANN. §44-5-103(4). The Department of Justice is also required to have “a complete state system of criminal identification.” MONT. CODE ANN. §44-2-201.

 **Accessibility/Accuracy/Privacy/Security of the Information:**

Department heads are responsible for assuring an adequate level of security for all data and information technology resources within their departments. MONT. CODE ANN. §2-15-114. “Data and information technology resources”, “department head”, and “department” are defined at MONT. CODE ANN. §2-15-102.

The Department of Administration is responsible for providing centralized management and coordination of state policies for security of data and information technology resources. MONT. CODE ANN. §2-17-103.

The Department of Justice adopts rules for criminal justice agencies other than those that are part of the judicial branch of government to ensure complete and accurate criminal history record information. The department may adopt rules for the same purpose for the judicial branch if the Supreme Court consents to the rules. MONT. CODE ANN. §44-5-213(7). Dissemination is addressed in MONT. CODE ANN. §§44-5-301 to 44-5-305. Provisions for the recording, preservation, dissemination, and management of court records are made by statute and may be supplemented by Supreme Court rule. Any other criminal justice agency is required to protect the security of any criminal justice information system, automated or manual, under its control by taking reasonable precautions and establishing procedures to protect the system and data stored in the system from damage and for the prevention of and recovery from hazards such as fire, flood, power failure, and entry into secure areas by unauthorized persons. MONT. CODE ANN. §44-5-401 et seq.

State: NEBRASKA

Synopsis: There is a Nebraska Information Technology Commission appointed by the Governor. The commission is assisted by the Department of Administrative Services and the Nebraska Educational Telecommunications Commission with administrative and operational support. For administrative purposes, the Office of Chief Information Officer is located in the Department of Administrative Services. Also within the department is the Information Management Services Division. The Nebraska Commission on Law Enforcement and Criminal Justice is a state agency, and it has created a Criminal Justice Information System Advisory Committee.

STATUTES¹⁴⁹ ¾ NEB. REV. STAT. §§
29-209 & 29-210, 29-3501 to 29-3528, & 81-1423, Security, Privacy, and Dissemination of Criminal History Information Act
81-1101 et seq., Department of Administrative Services
81-1116 to 81-1117, Information Management Services Division
81-1120.35 to 81-1120.40, Intergovernmental data services program
81-1415 to 81-1426, Nebraska Commission on Law Enforcement and Criminal Justice
81-2301 to 81-2313, Intergovernmental Data Communications Act
86-1501 to 86-1514, Information technology; Nebraska Information Technology Commission; Chief Information Officer
86-1803 to 86-1811, Nebraska Public Safety Wireless Communication System Act

 **Organization/Structure:**

The Nebraska Information Technology Commission (NITC) is a nine-member, governor-appointed commission. Its members are approved by a majority of the Legislature and consist of one member representing elementary/secondary education, one member representing postsecondary education, one member representing communities, five members with strategic planning experience representing the general public, and the Governor or his or her designee. The commission is assisted by the Department of Administrative Services and the Nebraska Educational Telecommunications Commission with administrative and operational support. NEB. REV. STAT. §86-1505. For administrative purposes, the Office of Chief Information Officer is located in the Department of Administrative Services. NEB. REV. STAT. §86-1509. Also within the Department of Administrative Services is the Information Management Services Division. NEB. REV. STAT. §81-1116.

The Nebraska Commission on Law Enforcement and Criminal Justice is a state agency. NEB. REV. STAT. §81-1416. It consists of 19 members:

- Governor,
- Attorney General,
- Superintendent of Law Enforcement and Public Safety,
- Director of Correctional Services,
- the chief of police or director of public safety of a city of more than 200,000 thousand population,
- the chief of police or director of public safety of a city of less than 200,000 population,
- a district court judge,
- a county sheriff,

¹⁴⁹ Current through the 2000 Legislative Session.

- a county attorney,
- a county commissioner,
- a mayor or city manager,
- a person involved with the control or prevention of juvenile delinquency,
- Chairperson of the Nebraska Police Standards Advisory Council (the 7 members of the council are also considered members of the commission acting as a special committee of the commission with limited powers and duties), and
- 6 members, at least one of whom shall be a woman, from the public at large.

The Governor may increase the membership of the commission at any time if such increase is necessary to comply with the provisions of any federal act providing funds for law enforcement or delinquency prevention purposes. NEB. REV. STAT. §81-1417. The commission has created a Nebraska Criminal Justice Information Advisory Committee, which is comprised of representatives from a variety of state and local criminal justice agencies.

The Nebraska State Patrol maintains criminal identification information. NEB. REV. STAT. §§29-209 & 29-210. Each criminal justice agency¹⁵⁰ is required to maintain complete and accurate criminal history record information with regard to the actions taken by the agency. NEB. REV. STAT. §29-3515.

Authority:

The Nebraska Information Technology Commission is responsible for:

- developing and updating the statewide technology plan;
- creating a technology information clearinghouse¹⁵¹;
- adopting policies to provide incentives for investments in information technology¹⁵² infrastructure services;
- determining a broad strategy and objectives for developing and sustaining information technology development in the state, including long-range funding strategies, research and development investment, support and maintenance requirements, and system usage and assessment guidelines;
- adopt minimum technical standards, guidelines, and architectures upon recommendation by the technical panel created by NEB. REV. STAT. §86-1511;
- approve grants from the Community Technology Fund and Government Technology Collaboration Fund; and
- adopt guidelines regarding project planning and management, information sharing, and administrative and technical review procedures involving state-owned or state-supported

¹⁵⁰ “Criminal justice agency” means the courts and a government agency or any subunit thereof which performs the administration of criminal justice pursuant to a statute or executive order and which allocates a substantial part of its annual budget to the administration of criminal justice. NEB. REV. STAT. §29-3509. “Administration of criminal justice” means the performance of any of the following activities: detection, apprehension, detention, pretrial release, pretrial diversion, posttrial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The administration of criminal justice also includes criminal identification activities and the collection, storage, and dissemination of criminal history record information. NEB. REV. STAT. §29-3504.

¹⁵¹ “Technology information clearinghouse means a service to provide convenient access for the commission and general public to information about best technology practices, referrals for technical assistance, and other information related to the provisions of sections 86-1501 to 86-1514.” NEB. REV. STAT. §86-1504(3).

¹⁵² “Information technology means computing and telecommunications systems, their supporting infrastructure, and interconnectivity used to acquire, transport, process, analyze, store, and disseminate information electronically.” NEB. REV. STAT. §86-1504(2).

technology and infrastructure. Governmental entities¹⁵³, state agencies, and political subdivisions are required to submit for review under the process established by NEB. REV. STAT. §§86-1501 to 86-1514 projects which directly utilize state-appropriated funds for information technology purposes.

NEB. REV. STAT. §86-1506.

The Chief Information Officer works closely with the Nebraska Information Technology Commission and is responsible for:

- recommending policies and guidelines for acceptable and cost-effective use of information technology in noneducation state government;
- advising the Governor and Legislature on policy issues affecting noneducation state government related to information technology;
- coordinating efforts among other noneducation state government technology agencies and coordinating bodies;
- implementing a strategic, tactical, and project planning process for noneducation state government information technology that is linked to the budget process; and
- monitoring the status of major noneducation state government technology projects.

NEB. REV. STAT. §86-1509.

Some of the duties of the Director of Administrative Services are: (1) the supervision of telephone, mailing, messenger, duplicating, data processing, and other like services adaptable to economical and centralized management; (2) the development, maintenance, and operation of a statewide intergovernmental data services system in its Information Management Services Division (see NEB. REV. STAT. §§81-1120.35 to 81-1120.40); and (3) the provision of assistance as requested by the Nebraska Information Technology Commission. NEB. REV. STAT. §81-1107(6), (8) & (9). The purpose of the Information Management Services Division is to provide centralized, coordinated, and efficient information management¹⁵⁴ services to all state agencies and to prevent unnecessary duplication of information management operations and applications in state government. NEB. REV. STAT. §81-1116.02.

The Nebraska Commission on Law Enforcement and Criminal Justice has the authority to:

- adopt and promulgate rules and regulations governing the exercise of its powers and the fulfillment of its purposes;
- appoint and abolish such advisory committees as may be necessary for the performance of its functions;
- plan improvements in the administration of criminal justice and promote their implementation;
- coordinate activities relating to the administration of criminal justice among agencies of state and local government; and
- conduct random annual audits of criminal justice agencies to verify the accuracy and completeness of criminal history record information maintained by such agencies and to determine compliance with laws and regulations.

NEB. REV. STAT. §81-1423. In addition, the commission:

- adopts and promulgates rules and regulations for the standardized collection, development, and maintenance of statistical information, records, and reports, including, but not limited to, the Uniform Crime Report, and shall develop the prescribed form for the collection of data; and
- obtains from all public officers or agencies, the functions of which include the control, apprehension, trial, or correction of criminal offenders in the state, such information, records,

¹⁵³ The Legislature and the University of Nebraska are exempt from the provisions of NEB. REV. STAT. §§86-1501 to 86-1514. NEB. REV. STAT. §86-1503.

¹⁵⁴ "Information management" includes mainframe computers, minicomputers, microprocessors, word processors, desktop computers, and any peripheral device or code or program used therewith; and the employment of professional expertise for computer system design, operations, or program development. NEB. REV. STAT. §81-1117(1).

and reports, including, but not limited to, the Uniform Crime Report, as the commission determines relevant to its functions.

Willful or repeated failure by any public officers and agencies to submit the prescribed information, records, or reports, shall subject the agency or the administrator of the agency to a civil penalty of up to \$100 per day for each day of violation. NEB. REV. STAT. §81-1426. In order to achieve uniformity in reporting procedures, the commission is required to prescribe the form to be used in reporting dispositions¹⁵⁵ and may adopt rules and regulations to achieve efficiency and which will promote the ultimate purpose of insuring that each criminal justice information system¹⁵⁶ maintained in the state shall contain complete and accurate criminal history information. All forms and rules and regulations relating to reports of dispositions by courts are to be approved by the Supreme Court of Nebraska.

Each criminal justice agency is required to report the disposition of cases which enter its area in the administration of criminal justice. As to cases in which fingerprint records must be reported to the Nebraska State Patrol under NEB. REV. STAT. §29-209, such disposition reports shall be made to the patrol. In all other cases when a centralized criminal history record information system is maintained by local units of government, dispositions made within the jurisdiction covered by such system shall be reported to the operator of that system or to the arresting agency in a noncentralized criminal history record information system. NEB. REV. STAT. §29-3516.

 **Scope of Records Included:**

“Criminal history record information” means information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of issuance of arrest warrants, arrests, detentions, indictments, charges by information, and other formal criminal charges, and any disposition arising from such arrests, charges, sentencing, correctional supervision, and release. Criminal history record information does not include intelligence or investigative information. NEB. REV. STAT. §29-3506.

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Nebraska Commission on Law Enforcement and Criminal Justice has the authority to conduct random annual audits of criminal justice agencies to determine compliance with laws and regulations dealing with the dissemination, security, and privacy of criminal history information. NEB. REV. STAT. §81-1423(13).

Each criminal justice agency is required to maintain complete and accurate criminal history record information with regard to the actions taken by the agency. NEB. REV. STAT. §29-3515. With reference to criminal history record information, complete means that arrest records shall show the subsequent disposition of the case as it moves through the various stages of the criminal justice system; and accurate means containing no erroneous information of a material nature. NEB. REV. STAT. §29-3507; see also §29-3517. Appropriate access to criminal history record information and its security is also an agency responsibility. NEB. REV. STAT. §§29-3518 to 29-3521.

¹⁵⁵ “Disposition” means information disclosing that criminal proceedings have been concluded, including information disclosing that the police have elected not to refer a matter to a prosecutor or that a prosecutor has elected not to commence criminal proceedings, and also information disclosing the nature of the termination of the proceedings. NEB. REV. STAT. §29-3511.

¹⁵⁶ “Criminal history record information system” means a system including the equipment, facilities, procedures, agreements, and organizations thereof, for the collection, processing, preservation, or dissemination of criminal history record information. NEB. REV. STAT. §29-3508.

State: NEVADA

Synopsis: There is a Department of Information Technology, which is advised by an Information Technology Advisory Board. However, the criminal justice information computer system is excepted by law from the authority of the Director of the Department of Information Technology. The central repository for records of criminal history is located within the Nevada Highway Patrol, which is part of Department of Motor Vehicles and Public Safety. That department has a Nevada Criminal Justice Information System Advisory Committee.

STATUTES¹⁵⁷ 3/4 NEV. REV. STAT. §§

179A.010 et seq., Records of criminal history and information relating to public safety

242.011 – 242.300, Information services; Department of Information Technology

481.015 – 481.300, Department of Motor Vehicles and Public Safety

 **Organization/Structure:**

There is a Department of Information Technology. NEV. REV. STAT. §242.080. It is advised by an Information Technology Advisory Board. NEV. REV. STAT. §242.122 & 242.124.

The central repository for Nevada records of criminal history is within the Nevada Highway Patrol Division of the Department of Motor Vehicles and Public Safety. NEV. REV. STAT. § 179A.075. A uniform program for reporting crimes is part of the central repository. To assist in establishing and carrying out that program, there is an advisory committee that is composed of eight members who represent the association of district judges, the justices of the peace and municipal court judges, the association district attorneys, a law enforcement agency within a county with a population less than 400,000, a law enforcement agency within a county with a population is 400,000 or more, the highway patrol, the University and Community college system with knowledge of the criminal justice system, and the office of the court administrator. NEV. REV. STAT. §179A.078. There is also a Nevada Criminal Justice Information System Advisory Committee.

 **Authority:**

The “criminal justice information computer system” is specifically excepted by law from the regulatory authority of the Director of the Department of Information Technology. NEV. REV. STAT. §242.111. However, regulations, policies, standards and guidelines may be adopted by the department only after consultation and coordination with state agencies that are not required to use the services or equipment of the department. NEV. REV. STAT. §242.125.

The Directory of the Department of Motor Vehicles and Public Safety has the authority to adopt regulations in conjunction with records of criminal history and information relating to public safety. NEV. REV. STAT. §179A.080.

 **Scope of Records Included:**

“Record of criminal history” means information contained in records collected and maintained by agencies of criminal justice as specified in NEV. REV. STAT. §179A.070. “Agency of criminal justice” means the courts and any governmental agency which performs a function in the administration of criminal justice pursuant to a statute or executive order, and which allocates a substantial part of its budget to a function in the administration of criminal justice. NEV. REV. STAT. §179A.030; “administration of criminal justice” is defined at NEV. REV. STAT. §179A.020.

 **Accessibility/Accuracy/Privacy/Security of the Information:**

¹⁵⁷ Current through the 1999 Legislative Session (no 2000 session).

The Director of the Department of Motor Vehicles and Public Safety is required to adopt regulations for the security of the central repository and regulations and standards for personnel employed by agencies of criminal justice in positions of responsibility for maintenance and dissemination of information relating to records of criminal history. NEV. REV. STAT. §179A.080; see also §§179A.100 – 179A.160.

State: NEW HAMPSHIRE

Synopsis: The New Hampshire Council on Applied Technology and Innovation was established to gather and disseminate information relative to the application of technology. Each executive department is required to prepare an information technology plan in accordance with the planning process developed by the Director of the Division of Information Technology Management within the Department of Administrative Services. The Division of Information Technology Management is advised by an Information Technology Management Advisory Board. The Department of Safety's Division of State Police collects and disseminates criminal history record information.

STATUTES¹⁵⁸ 3/4 N.H. REV. STAT. §§

9:4-b, Information Technology Plan

12-H:1 & 12-H:2, New Hampshire Council on Applied Technology and Innovation

21-I:66 to 21-I:72, Division of Information Technology Management, Dept. of Administrative Services

106-B:7, Division of State Police - Rulemaking Power; Employees

106-B:11, Division of State Police - Cooperation with Other Police Forces

106-B:13, Division of State Police - Power to Take Identification Data

106-B:14, Division of State Police - Criminal Records, Reports

106-B:14-a, Division of State Police - Intrastate Misdemeanors Recorded

 **Organization/Structure:**

The New Hampshire Council on Applied Technology and Innovation consists of three House members appointed by the Speaker, three senators appointed by the Senate President, the Governor or designee, the Commissioner of the Department of Education or designee, the Commissioner of the Department of Administrative Services or designee, the State Librarian or designee, a representative from municipal government appointed by the New Hampshire Municipal Association, and a representative county government appointed by the New Hampshire Association of Counties. N.H. REV. STAT. §12-H:1.

Within the Department of Administrative Services, there is a Division of Information Technology Management. N.H. REV. STAT. §21-I:67. The division is advised by an Information Technology Management Advisory Board, which consists of:

- Director of the Division of Information Technology Management, who also acts the chair,
- Commissioner of Administrative Services,
- Commissioner of Transportation,
- Commissioner of Health and Human Services,
- Commissioner of Safety,
- Commissioner of Revenue Administration,
- Legislative Budget Assistant,
- 2 heads of departments appointed by the Governor, and
- 2 senior information technology executives from the private sector appointed by the Governor.

N.H. REV. STAT. §21-I:71.

Within the Department of Safety, there is a Division of State Police. N.H. REV. STAT. §§21-P:7 & 106-B:2. The division is required to cooperate and exchange information with any other law enforcement agency both within and without this state, including federal authorities, for the purpose of preventing and detecting crime and apprehending criminals. N.H. REV. STAT. §106-B:11.

 **Authority:**

The New Hampshire Council on Applied Technology and Innovation was established to gather and disseminate information relative to the application of technology-based innovations, inventions,

¹⁵⁸ Current through the 2000 Legislative Session, including 2000 N.H. Laws 320 (SB 446).

adaptations, and other uses in or by the private and public sectors in the state. N.H. REV. STAT. §12-H:1.

The Information Technology Management Advisory Board advises the Division of Information Technology Management on policy matters, strategic direction, and emerging trends in information technology, and reviews the information technology management office plan and state information technology plans. N.H. REV. STAT. §21-I:71.

Director of Information Technology Management has rulemaking authority. N.H. REV. STAT. §21-I:70. The director is responsible for:

- developing and implementing, subject to approval by the Governor and the Legislature, a long-range information technology¹⁵⁹ plan for the state;
- preparing and maintaining a statewide information technology plan based upon agency data processing plans;
- reporting to the Governor and to the Legislature on January 1 of each year as to the progress made in implementing the state information technology plan;
- developing a formal information technology planning process for approving agency information technology plans;
- developing standards and processes for collaborative stakeholder involvement to assure that hardware, software, and telecommunications systems acquired or developed by the state are as compatible among themselves and with other systems of the state and political subdivisions as are necessary and practical;
- coordinating information technology development efforts that affect multiple agencies or other levels of government; and
- developing in concert with the Commissioner of Administrative Services and the Budget Director the capital and operating budget requests for implementing each agency's information technology plan.

N.H. REV. STAT. §§21-I:67 & 21-I:69. The director is required to establish technical committees to advise the division on technical issues; technical committees include personnel from all three branches of government who are expert in the specific issue that is the focus of the committee. N.H. REV. STAT. §21-I:72.

Each executive department¹⁶⁰ is required to prepare an information technology plan and involves affected stakeholders¹⁶¹. N.H. REV. STAT. §9:4-b.

The Director of the Division of State Police may, with the approval of the Commissioner of Safety, adopt rules, particularly as may be necessary to secure criminal history records and other information. N.H. REV. STAT. §§106-B:7 & 106-B:14.



Scope of Records Included:

The Division of State Police may acquire identification data, records and other information relative to persons who have been convicted of a felony, misdemeanor or violation within the state, or who are known to be habitual criminals, or who have been placed under arrest in criminal proceedings. N.H. REV. STAT. §§106-B:13 & 106-B:14.

¹⁵⁹ "Information technology" means the equipment and software used in electronic data processing and in voice and data communications. N.H. REV. STAT. §§21-I:66.

¹⁶⁰ "Department" means any executive department, commission, board, institution, bureau, office, or other agency of the state government, by whatever name called, other than the legislature and the state judicial branch, that uses, expends or receives any state funds. N.H. REV. STAT. §9:1.

¹⁶¹ "Stakeholder" means a person or group which can affect or is affected by the development, design, or deployment of information technology systems. N.H. REV. STAT. §9:1.

☐☐☐ **Accessibility/Accuracy/Privacy/Security of the Information:**

The Division of State Police is required to cooperate and exchange information with other law enforcement agencies, including federal and other state authorities, for the purpose of preventing and detecting crime and apprehending criminals. N.H. REV. STAT. §106-B:11. Records and information concerning arrest not leading to conviction are not to be disclosed except to law enforcement personnel or to the individual requesting his or her own record. N.H. REV. STAT. §106-B:14. Intrastate misdemeanors information is made available upon request to local and state law enforcement agencies and officers. N.H. REV. STAT. §106-B:14-a.

State: NEW JERSEY

Synopsis: There is an Office of Information Technology, headed by a Governing Board which includes the Chief Information Officer, allocated in, but not under the supervision of, the Department of the Treasury. Uniform crime reports, criminal identification and criminal history record information are the responsibility of the Department of Law and Public Safety, which includes the Division of State Police. There is a Criminal Justice Information Systems Advisory Committee, informally established as an inter-agency criminal justice planning committee.

STATUTES¹⁶² et al. ¾ N.J. REV. STAT. §§

52:4B-8.1, Informational tracking system, Victims of Crime Compensation Board

52:9XX-1 to 52:9XX-12, New Jersey Information Resources Management Commission

52:17B-5.1 to 52:17B-5.5, Uniform crime reporting system, Department of Law and Public Safety

52:17B-142 to 52:17B-150, State Law Enforcement Planning Agency

52:18A-178 to 52:18A-191, General Services Administration Act of 1984

53:1-13 et seq., Criminal identification & criminal history record information, Division of State Police

E.O. No. 87 (Sept. 4, 1998), Office of Information Technology

 **Organization/Structure:**

The New Jersey Information Resources Management Commission consists of the following members:

- 2 members of the Senate appointed by its President,
- 2 members of the General Assembly appointed by its Speaker,
- 4 members of the executive branch, who hold the position of Commissioner, Deputy Commissioner, Assistant Commissioner or their equivalent, appointed by the Governor,
- a member of the judicial branch appointed by the Chief Justice of the Supreme Court, and
- 6 public members of whom two each are appointed by the Governor, the President of the Senate, and the Speaker of the General Assembly.

N.J. REV. STAT. §52:9XX-2

There is an Office of Information Technology, headed by a Governing Board, allocated in, but not under the supervision of, the Department of the Treasury. The Governing Board consists of 7 members:

- Chief Information Officer, who acts as the chair,
- State Treasurer or designee,
- 2 members of the executive branch appointed by the Governor, and
- 3 state residents, who have both business and information technology leadership expertise, appointed by the Governor.

E.O. No. 87 ¶¶1 & 5. The Office of Information Technology is managed by a Chief Technology Officer appointed by the Governing Board. E.O. No. 87 ¶8. The Chief Technology Officer chairs the Information Technology Coordinating Team, consisting of the chief information officer from each executive branch agency. E.O. No. 87 ¶9.

A uniform crime reporting system has been established under the supervision of the Attorney General in the Department of Law and Public Safety. N.J. REV. STAT. §52:17B-5.1. The Attorney General may designate the Division of State Police in the Department of Law and Public Safety to be the agency which collects, gathers, assembles, and collates such information. N.J. REV. STAT. §52:17B-5.2. The Division of State Police is also responsible for criminal identification and criminal history record information. N.J. REV. STAT. §53:1-13 et seq. There is a Criminal Justice Information Systems (CJIS) Advisory Committee established informally as a cooperative effort to improve and facilitate the exchange of information between the various components of the criminal justice system.

¹⁶² Current through 2000 Legislative Session.



Authority:

The New Jersey Information Resources Management Commission is responsible for

- overseeing an ongoing statewide information management planning process in accordance with the strategic plan submitted to the commission pursuant to N.J. REV. STAT. §52:9XX-12;
- establishing policies, procedures, and standards, in accordance with the strategic plan, for all information management services in the three branches of state government, including, but not limited to: (1) information access and sharing; (2) security and privacy; (3) evaluation systems; (4) information systems and telecommunications architecture; (5) procurement; and (6) human resources management (the commission and its staff are required to consult and work closely with appropriate parties in the three branches in the development and implementation of policies, procedures, and standards (N.J. REV. STAT. §52:9XX-8));
- reviewing executive, legislative, and judicial information management master plans;
- developing audit, oversight and evaluation mechanisms to monitor compliance with, and the effectiveness of, the policies, procedures, and standards established by the commission;
- establishing a statewide inventory system for information resources management; and
- establishing advisory committees, when appropriate.

N.J. REV. STAT. §52:9XX-7.

The Governor, the Chief Justice of the Supreme Court, and the President of the Senate and the Speaker of the General Assembly are required to establish a body in their respective branches to develop an information management master plan and to provide oversight and coordination of and set priorities for branch information management activities. Each such body may establish and define the functions of a central information operating agency within its respective branch. Individual departments, agencies, and operating units within the three branches are responsible for their information processing activities in accordance with the policies and procedures established by each branch's information management body or central information operating agency. N.J. REV. STAT. §52:9XX-9.

The Governing Board sets policy for the Office of Information Technology and reviews and approves its annual budget request. It appoints and advises the Chief Technology Officer. It reviews and approves the strategic plan for the Office of Information Technology and ensures it is consistent with the strategic direction established by the executive branch agencies as embodied in the Statewide Strategic Plan for Information Technology. E.O. No. 87 ¶6. The Chief Information Officer, working with executive branch agencies, develops and implements the Statewide Strategic Plan for Information Technology and leads, coordinates, and integrates statewide information technology policies and activities. E.O. No. 87 ¶7; see also N.J. REV. STAT. §§52:18A-186 to 52:18A-190, authorities transferred to the Office of Information Technology by E.O. Nos. 87 (Sept. 4, 1998) ¶2 & 84 (Oct. 17, 1984) ¶1.

The Attorney General has the power to promulgate rules and regulations to collect uniform crime reporting information from local and county police authorities. N.J. REV. STAT. §52:17B-5.1. Criminal justice agencies are required to provide criminal identification and criminal history record information to the Division of State Police. N.J. REV. STAT. §53:1-13 et seq.



Scope of Records Included:

The records included are uniform crime reports (N.J. REV. STAT. §52:17B-5.1) and criminal identification and criminal history record information (N.J. REV. STAT. §53:1-13 et seq.).



Accessibility/Accuracy/Privacy/Security of the Information:

The New Jersey Information Resources Management Commission is responsible for establishing policies, procedures, and standards, in accordance with the strategic plan, for all information management services in the three branches of state government, including, but not limited to information access and sharing and security and privacy. N.J. REV. STAT. §52:9XX-7(b).

The Superintendent of State Police, with the approval of the Attorney General, adopts rules and regulations authorizing the dissemination criminal history record background information. N.J. REV. STAT. §53:1-20.6.

State: NEW MEXICO

Synopsis: The Information Technology Commission's primary mission is to adopt and promulgate rules specifying the state information architecture and update the state strategic information technology plan. The Information Technology Oversight Committee is a joint legislative committee composed of eight members – four from each chamber of the legislature. The Chief Information Officer (CIO) heads the Information Technology Management Office, which is administratively attached to the Office of the Governor. Also administratively attached to the Office of the Governor is the Criminal and Juvenile Justice Coordinating Council. The council and the CIO were the impetus behind the creation of a Criminal Justice Information Management Team by agreement among the criminal justice agencies.

STATUTES¹⁶³ ¾ N.M. STAT. ANN. §§
9-3-10 to 9-3-10.2, Criminal & Juvenile Justice Coordinating Council
9-19-1 to 9-19-11, Public Safety Department
15-1C-1 to 15-1C-11, Information Technology Management Act (1999)
29-3-1 to 29-3-9, Identification of Criminals
29-10-1 to 29-10-8, Arrest Record Information Act



Organization/Structure:

The Information Technology Commission consists of 13 voting members:

- 5 members appointed by the Governor, 3 of whom are from agencies whose primary funding is not from internal service funds,
- a staff member with telecommunications regulatory experience appointed by the Chairman of the Public Regulation Commission,
- 2 members representing education, one appointed by the Commission on Higher Education and one appointed by the President of the State Board of Education,
- 2 members from the national laboratories, and
- 3 members appointed by the Governor to represent the public with information technology and management experience, but who are not employees of the state or a political subdivision of the state and who do not have any financial interest in the state information systems or state contracts.

Additionally, the following advisory members may be appointed at the request of the commission:

- 2 members from the Judicial Information Systems Council appointed by its Chairman,
- 2 members from the House of Representatives and 2 members from the Senate appointed by the New Mexico Legislative Council, and
- 2 members representing local governments, one appointed by the New Mexico Association of Counties and one appointed by the New Mexico Municipal League.

N.M. STAT. ANN. §15-1C-4. The Chief Information Officer heads the Information Technology Management Office, which is administratively attached to the Office of the Governor. N.M. STAT. ANN. §15-1C-6. The Information Technology Oversight Committee is a joint legislative committee composed of eight members; the New Mexico Legislative Council appoints four members from the House of Representatives and four members from the Senate. N.M. STAT. ANN. §15-1C-10.

The Criminal and Juvenile Justice Coordinating Council is composed of 15 members:

- Attorney General,
- a district attorney appointed by the District Attorneys Association of New Mexico,
- Chief Public Defender,
- 2 district court judges, one of whom shall be a children's court judge appointed by the District Court Judge's Association of New Mexico,
- a judge from the Court of Appeals appointed by the Chief Judge of the Court of Appeals,

¹⁶³ Current through the 2000 2nd Special Legislative Session.

- Dean of the University of New Mexico College of Law,
- Secretary of Corrections,
- Secretary of Public Safety,
- Secretary of Children, Youth and Families,
- a county sheriff appointed by the Executive Director of the New Mexico Association of Counties,
- 2 public members appointed by the Governor with one designated as the chair,
- 3 public members appointed by the President Pro Tempore of the Senate,
- 3 public members appointed by the Speaker of the House of Representatives,
- 2 public members appointed by the Chief Justice of the Supreme Court,
- a public member, who is Native American and a practicing attorney, appointed by the President of the State Bar Association, and
- a public member who is the president of the New Mexico victim assistance organization.

The council is administratively attached to the Office of the Governor. N.M. STAT. ANN. §9-3-10.

The Criminal Justice Information Management Team began as a subcommittee to the Criminal and Juvenile Justice Coordinating Council and to the Chief Information Officer. It was created to address common problems and work toward solutions for sharing criminal justice data among justice agencies. The team members include representatives from the Administrative Office of the Courts, Administrative Office of the District Attorneys, Children, Youth and Families Department, New Mexico Corrections Department, Department of Public Safety, and the Public Defenders Department.

Within the Department of Public Safety, the New Mexico State Police maintains complete systems for the identification of criminals. N.M. STAT. ANN. §29-3-1.



Authority:

The duties of the Information Technology Commission are:

- adopting and promulgating rules that specify the state information architecture¹⁶⁴;
- adopting and promulgating other rules necessary to implement the Information Technology Management Act;
- developing strategies for identifying and managing multiple agency development projects;
- updating the state strategic plan annually, identifying areas of noncompliance; and
- submitting proposed rules to the legislative Information Technology Oversight Committee for review prior to adoption.

N.M. STAT. ANN. §15-1C-5.

The Information Technology Oversight Committee:

- monitors the work of the Information Technology Commission and the Information Technology Management Office, including reviewing the commission's rules setting out the policies, standards, procedures and guidelines for information architecture and development projects and the annual update of the state strategic plan;
- oversees the implementation of the Information Technology Management Office, reviews the work of the Judicial Information Systems Council and Division, and oversees any other state-funded systems;
- receives and evaluates periodic reports from the commission and the office;
- performs such other related duties as assigned by the Legislative Council; and
- reports its findings and recommendations for the consideration of each session of the legislature.

N.M. STAT. ANN. §15-1C-11.

¹⁶⁴ "State information architecture" includes the standards, guidelines, policies and protocols to implement information technology. N.M. STAT. ANN. §15-1C-3(G).

The Information Technology Management Office responsibilities include:

- reviewing agency information technology plans and making recommendations to the commission regarding prudent allocation of information technology¹⁶⁵ resources, reduction of redundant data, hardware, and software, and improving interoperability and data accessibility between agencies;
- approving executive agency requests for proposals and professional services contracts involving information technology;
- monitoring executive agency information technology plan compliance and reporting to the commission and agency management on noncompliance;
- reviewing appropriation requests of executive agencies to ensure compliance with agency plans and the strategic plan and make written recommendations to the Department of Finance and Administration, the Legislative Finance Committee, and the Information Technology Oversight Committee by November 30 of each year;
- providing oversight of development projects, including ensuring adequate risk management and disaster recovery practices, and monitoring compliance with commission strategies for problem resolution;
- certifying that agency purchases are consistent with agency information technology plans, the information architecture, and the information technology strategic plan; and
- performing other functions assigned by the commission.

N.M. STAT. ANN. §15-1C-7. Prior to making information technology purchases, an executive agency must certify to the Information Technology Management Office that its proposed information technology purchases are consistent with its agency plan, the information architecture adopted by the commission, and the state strategic plan. The office may delay or stop a purchase if it believes that the proposed purchase may not meet the requirements of the agency plan, state information architecture, or state strategic plan. N.M. STAT. ANN. §15-1C-8.

The Criminal and Juvenile Justice Coordinating Council advises the executive, judicial and legislative branches of government on policy matters relating to criminal and juvenile justice and makes recommendations to the legislature concerning proposed changes to laws relating to the criminal and juvenile systems that the council determines would improve those systems. N.M. STAT. ANN. §9-3-10. The council promulgates rules setting forth procedures for inspecting, copying, receiving, reviewing and reporting records, data and information necessary to fulfill its duties. State, county and local government agencies are required to assist the council in obtaining the records, data and information necessary to fulfill its duties. N.M. STAT. ANN. §9-3-10.1.



Scope of Records Included:

The Criminal and Juvenile Justice Coordinating Council is authorized access to all records, data and information necessary to fulfill its duties. N.M. STAT. ANN. §9-3-10.1. The New Mexico State Police is required to maintain complete systems for the identification of criminals, including the fingerprint system and the modus operandi system. N.M. STAT. ANN. §29-3-1. "Arrest record information" means notations of the arrest or detention or indictment or filing of information or other formal criminal charge against an individual made by a law enforcement agency. N.M. STAT. ANN. §29-10-3.



Accessibility/Accuracy/Privacy/Security of the Information:

The Department of Public Safety has access to all records, data and information of other state departments, agencies and institutions, including its own organizational units, not specifically held confidential by law. N.M. STAT. ANN. §9-19-7(A).

Access and dissemination of criminal identification and arrest record information is addressed in

¹⁶⁵ "Information technology" means computer and voice and data communication software and hardware, including imaging systems, terminals and communications networks and facilities, staff information systems services and professional services contracts for information systems services. N.M. STAT. ANN. §15-1C-3(E).

N.M. STAT. ANN. §§29-3-1 et seq. and 29-10-1 et seq., respectively.

State: NEW YORK

Synopsis: The Office for Technology is within the executive department and is headed by a director who also serves as the Chief Technology Officer for the state and chairs the office's Advisory Council for Technology. The state's central criminal data facility is housed in the Division of Criminal Justice Services of the executive department. The division has assembled an informal Criminal Justice Technology Group.

STATUTES¹⁶⁶ ¾

N.Y. EXEC. LAW §§205 – 208, Office for Technology

N.Y. EXEC. LAW §§210 – 230, Division of State Police

N.Y. EXEC. LAW §§835 – 846, Division of Criminal Justice Services

N.Y. CRIM. PRO. LAW §§160.10 – 160.60, Criminal identification records and statistics



Organization/Structure:

The Office for Technology is within the executive department and is headed by a director who also serves as the Chief Technology Officer for the state. N.Y. EXEC. LAW §206. Within the office is an Advisory Council for Technology, which is chaired by the office's director. The council is composed of a minimum of nine information resource management directors or their equivalent from state agencies, appointed by the Governor. In addition, each chamber of the legislature appoints one member each. N.Y. EXEC. LAW §207.

The Division of Criminal Justice Services is in the executive department and is headed by a commissioner. N.Y. EXEC. LAW §836. Housed in the division are the state's criminal history fingerprint files. N.Y. EXEC. LAW §837(6) & (7) and N.Y. CRIM. PRO. LAW §§160.20 – 160.30. The division has assembled an informal Criminal Justice Technology Group.

Felony and other information are contained in the New York Statewide Police Information Network under the supervision of the Division of State Police. N.Y. EXEC. LAW §§221 – 221-b.



Authority:

The Office for Technology:

- acts as the official state planning and coordinating office for the advancement of technology¹⁶⁷ to improve government efficiency and effectiveness, and perform all necessary and appropriate services required to fulfill these duties;
- advises and assists the state agencies¹⁶⁸ in developing policies, plans and programs for improving the statewide coordination, administration, security, confidentiality, program effectiveness, acquisition and deployment of technology;
- reviews and coordinates the purchase of technology by state agencies (where applicable, the reviews may include: assessing consistency with the statewide strategic technology plan and agency technology plan; statewide technology standards; the safeguarding of information privacy; security of confidential records; and proper dissemination of public information);
- establishes, oversees, manages, coordinates, and facilitates the planning, design and implementation of the state's common technology networks;

¹⁶⁶ Current through the 2000 Legislative Session.

¹⁶⁷ "Technology" means a good, service, or good and service that results in a digital, electronic or similar technical method of achieving a practical purpose or in improvements in productivity, including but not limited to information management, equipment, software, operating systems, interface systems, interconnected systems, telecommunications, data management, networks, and network management, consulting, supplies, facilities, maintenance and training. N.Y. EXEC. LAW §205(5).

¹⁶⁸ "State agency" means any department, board, bureau, commission, division, office, council, committee or officer of the state; it does not include the legislature or judiciary. N.Y. EXEC. LAW §205(4).

- facilitates and coordinates the improvement of program delivery services through technology with and among other departments, divisions and agencies of the state, its political subdivisions and municipalities;
- encourages and fosters the exchange of, and increases access to, information among public and private entities and individuals in order to improve the delivery of state programs and services;
- undertakes technology projects with a statewide or multi-agency impact and, where appropriate, designates agencies to act as lead agency for the project;
- establishes statewide technology policies, including preferred technology standards and security;
- adopts rules and regulations necessary or convenient to the performance of the functions, powers and duties of the office; and
- establishes a multi-year statewide strategy plan covering a time period of not less than three years to promote and coordinate interagency technology efforts and initiatives that conform to the state's overarching programmatic policy under which state agencies are required to develop their information resource management plans.

N.Y. EXEC. LAW §§206-a.

The Advisory Council for Technology:

- reviews and comments on all rules and regulations of the Office for Technology;
- provides guidance and support to the Office for Technology in the development of any statewide plan for the further development and improvement of the state's technology acquisitions;
- recommends surveys and reports to be completed by the Office for Technology to carry out its statutory objectives and purposes; and
- performs such other acts as may be assigned by the council chairperson to carry out the functions of the council.

N.Y. EXEC. LAW §§207-a.

The Division of Criminal Justice Services:

- advises and assists the Governor in developing policies, plans and programs for improving the coordination, administration, and effectiveness of the criminal justice system;
- makes recommendations to agencies in the criminal justice system for improving their administration and effectiveness;
- collects and analyzes crime data and conducts research on critical criminal justice issues;
- establishes, through electronic data processing and related procedures, a central data facility with a communication network serving qualified agencies¹⁶⁹ anywhere in the state, so that they may, upon such terms and conditions as the commissioner and the appropriate officials of the agencies agree, contribute information and have access to information contained in the central data facility;
- receives, processes, and files fingerprints, photographs and other descriptive data for the purpose of establishing identity and previous criminal record; and
- adopts rules and regulations to carry out its functions.

N.Y. EXEC. LAW §§837 & 837-a.

Information is entered into the New York Statewide Police Information Network in accordance with the rules promulgated by the Superintendent of State Police. N.Y. EXEC. LAW §§221 – 221-b.

¹⁶⁹ “ ‘Qualified agencies’ means courts in the unified court system, the administrative board of the judicial conference, probation departments, sheriffs’ offices, district attorneys’ offices, the state department of correctional services, the state division of probation and correctional alternatives, the department of correction of any municipality, the insurance frauds bureau of the state department of insurance, the office of professional medical conduct of the state department of health for the purposes of section two hundred thirty of the public health law, the temporary state commission of investigation and police forces and departments having responsibility for enforcement of the general criminal laws of the state.” N.Y. EXEC. LAW §835(9).

☐☐☐ **Scope of Records Included:**

Information contained in the central data facility maintained by the Division of Criminal Justice Services includes, but is not be limited to, such information as criminal record, personal appearance data, fingerprints, photographs, and handwriting samples. The division also handles fingerprints, photographs and other descriptive data for the purpose of establishing identity and previous criminal record. N.Y. EXEC. LAW §837(6) & (7).

☐☐☐ **Accessibility/Accuracy/Privacy/Security of the Information:**

The Division of Criminal Justice Services is required to adopt appropriate measures to assure the security and privacy of identification and information data. N.Y. EXEC. LAW §837(8).

State: NORTH CAROLINA

Synopsis: The Office of Information Technology Services, headed by the State Chief Information Officer, and Information Resource Management Commission are in the Office of the Governor. Responsibility for maintaining criminal statistical and criminal history record information rests with the Division of Criminal Information, State Bureau of Investigation, Department of Justice. The Criminal Justice Information Network Governing Board was established to operate the state's Criminal Justice Information Network.

STATUTES¹⁷⁰ ¾ N.C. GEN. STAT. §§

114-10 & 114-10.1, Division of Criminal Statistics & Police Information Network, Department of Justice
114-19 et seq., Criminal statistics & criminal history, State Bureau of Investigation, Department of Justice
143-660 to 143-662, Criminal Justice Information Network Governing Board
143B-472.40 to 143B-472.67, Information Resource Management Commission & Office of Information Technology Services, Department of Commerce (repealed by 2000 N.C. Sess. Laws 174)
147-33.75 to 147-33.99, Office of Information Technology Services & Information Resource Management Commission, Office of the Governor (2000)



Organization/Structure:

The Office of Information Technology Services is headed by the State Chief Information Officer and is located in the Office of the Governor. N.C. GEN. STAT. §§147-33.75 to 147-33.76. The Information Resource Management Commission is located within the Office of Information Technology Services for organizational, budgetary, and administrative purposes and consists of the following members:

- 4 members of the Council of State appointed by the Governor,
- Secretary of State,
- Secretary of Administration,
- State Budget Officer,
- 2 members of the Governor's cabinet appointed by the Governor,
- a state citizen with a background in and familiarity with information systems or telecommunications appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate,
- a state citizen with a background in and familiarity with information systems or telecommunications appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives,
- Chair of the Information Technology Management Advisory Council,
- Chair of the Criminal Justice Information Network Governing Board,
- State Controller,
- Director of the Administrative Office of the Courts or designee,
- President of the University of North Carolina or designee,
- President of the Community Colleges System Office or designee,
- Executive Director of the North Carolina League of Municipalities or designee, who is a nonvoting member,
- Executive Director of the North Carolina Association of County Commissioners or designee, who is a nonvoting member, and
- State Chief Information Officer, who is a nonvoting member.

N.C. GEN. STAT. §147-33.78(a).

In the Department of Justice's State Bureau of Investigation is the Division of Criminal Information, which maintains criminal statistical and criminal history record information. N.C. GEN. STAT. §§114-10 & 114-10.1 and 114-19 et seq.

¹⁷⁰ Current through the 2000 Regular Session, including 2000 N.C. Sess. Laws 174 (HB 1578).

The Criminal Justice Information Network Governing Board was established to operate the state's Criminal Justice Information Network. The board is located in the Department of Justice's State Bureau of Investigation for organizational and budgetary purposes only and consists of 19 members:

- 3 members appointed by the Governor, including –
 - a member who is a director or employee of a state correction agency,
 - a member who is an employee of the North Carolina Department of Crime Control and Public Safety,
 - a member selected from the North Carolina Association of Chiefs of Police,
- 3 members recommended by the President Pro Tempore of the Senate, including –
 - 2 members of the general public
 - a member selected from the North Carolina League of Municipalities who is a member of, or an employee working directly for, the governing board of a North Carolina municipality,
- 3 members recommended by the Speaker of the House of Representatives, including –
 - 2 members of the general public,
 - a member selected from the North Carolina Association of County Commissioners who is a member of, or an employee working directly for, the governing board of a North Carolina county,
- 2 members appointed by the Attorney General, including –
 - a member who is an employee of the Attorney General,
 - a member from the North Carolina Sheriffs' Association,
- 6 members appointed by the Chief Justice of the North Carolina Supreme Court, as follows –
 - Director of the Administrative Office of the Courts or an employee of that office,
 - a member who is a district attorney or an assistant district attorney upon the recommendation of the Conference of District Attorneys of North Carolina,
 - 2 members who are superior court or district court judges,
 - a member who is a magistrate upon the recommendation of the North Carolina Magistrates' Association,
 - a member who is a clerk of superior court upon the recommendation of the North Carolina Association of Clerks of Superior Court,
- a member appointed by the Chair of the Information Resource Management Commission who is the chair or a member of that Commission, and
- a member appointed by the President of the North Carolina Chapter of the Association of Public Communications Officials International who is an active member of the Association.

The appointing authorities are encouraged to appoint persons having a background in and familiarity with criminal information systems and networks generally and with the criminal information needs and capacities of the constituency from which the member is appointed. N.C. GEN. STAT. §143-661.



Authority:

The Information Resource Management Commission:

- develops, approves, and publishes a statewide¹⁷¹ information technology¹⁷² strategy which is updated annually and submitted to the General Assembly on the first day of each regular session;

¹⁷¹ "Except as otherwise specifically provided by law, this Article [§§ 147-33.75 to 147-33.99] shall not apply to the General Assembly, the Judicial Department, or The University of North Carolina and its constituent institutions. These agencies may elect to participate in the information technology programs, services, or contracts offered by the Office, including information technology procurement, in accordance with the statutes, policies, and rules of the Office." N.C. GEN. STAT. §147-33.80.

¹⁷² "Information technology" means electronic data processing goods and services and telecommunications goods and services, microprocessors, software, information processing, office systems, any services related to the foregoing, and consulting or other services for design or redesign of information technology supporting business processes. N.C. GEN. STAT. §147-33.81(2).

- develops, approves, and sponsors statewide technology initiatives, and reports on those initiatives in the annual update of the statewide information technology strategy;
- reviews and approves biennially the information technology plans of the executive agencies and the Administrative Office of the Courts (the review includes plans for the procurement and use of personal computers and workstations);
- recommends to the Governor and the Office of State Budget, Planning and Management the relative priorities across executive agency and Administrative Office of the Courts information technology plans;
- issues certifications of state agency information technology projects in excess of \$500,000 (the certification is issued when the commission determines that the project complies with commission policies, standards, and procedures; no state agency, other than the University of North Carolina and its constituent institutions, may allocate or expend funds in excess of \$500,000 on any information technology project without prior certification);
- establishes a quality assurance policy for all agency information technology projects, information systems training programs, and information systems documentation; and
- establishes and enforces a quality review and expenditure review procedure for major agency information technology projects.

N.C. GEN. STAT. §147-33.78(b).

The Office of Information Technology Services:

- procures all information technology for state agencies, as provided in N.C. GEN. STAT. §§147-33.91 to 147-33.99 (including rulemaking authority to carry out its provisions);
- submits for approval of the Information Resources Management Commission recommended state government-wide, enterprise-level policies for information technology;
- develops standards, procedures, and processes to implement policies approved by the Information Resources Management Commission;
- assures that state agencies implement and manage information technology portfolio-based management¹⁷³ of state information technology resources, in accordance with the direction set by the State Chief Information Officer;
- assures that state agencies implement and manage information technology enterprise management¹⁷⁴ effort of state government, in accordance with the direction set by the State Chief Information Officer;
- provides recommendations to the Information Resources Management Commission for its biennial technology strategy and develops state government-wide technology initiatives to be approved by the Information Resources Management Commission;
- develops a project management, quality assurance, and architectural review process that adheres to the Information Resources Management Commission's certification program and portfolio-based management initiative; and
- establishes and utilizes the Information Technology Management Advisory Council to consist of representatives from other state agencies to advise the office on information technology business management and technology matters.

N.C. GEN. STAT. §§147-33.82. With respect to all executive departments and agencies of state government, except the Department of Justice if they do not elect at their option to participate, the Office of Information Technology Services has the authority to establish and operate information

¹⁷³ "Information technology portfolio management" means a business-based approach for analyzing and ranking potential technology investments and selecting those investments that are the most cost-effective in supporting the strategic business and program objectives of the agency. N.C. GEN. STAT. §147-33.81(4); see also §147-33.85.

¹⁷⁴ "Information technology enterprise management" means a method for managing distributed information technology assets from acquisition through retirement so that total ownership costs (purchase, operation, maintenance, disposal, etc.) are minimized while maximum benefits are realized. "Distributed information technology assets" means hardware, software, and communications equipment not classified as traditional mainframe-based items, including personal computers, local area networks (LANs), servers, mobile computers, peripheral equipment, and other related hardware and software items. N.C. GEN. STAT. §147-33.81(1) & (3); see also §147-33.86.

resource centers and services to serve two or more departments on a cost-sharing basis, if the Information Resources Management Commission decides it is advisable from the standpoint of efficiency and economy to establish these centers and services. N.C. GEN. STAT. §§147-33.83.

The Criminal Justice Information Network Governing Board:

- establishes and operates the Criminal Justice Information Network as an integrated system of state and local government components for effectively and efficiently storing, communicating, and using criminal justice information at the state and local levels throughout North Carolina's law enforcement, judicial, and corrections agencies, with the components of the network to include electronic devices, programs, data, and governance;
- sets the network's policies and procedures;
- develops and adopts uniform standards and cost-effective information technology, after thorough evaluation of the capacity of information technology to meet the present and future needs of the state and, in consultation with the Information Resource Management Commission, develops and adopts standards for entering, storing, and transmitting information in criminal justice databases and for achieving maximum compatibility among user technologies;
- identifies and secures the funds from public and private sources needed for the network, including making grants to local government users to enable them to acquire or improve elements of the network that lie within the responsibility of their agencies or state agencies;
- provides assistance to local governments for the financial and systems planning for network-related automation, and coordinates and assists the network users in soliciting bids for information technology hardware, software, and services in order to assure compliance with the board's technical standards, to gain the most advantageous contracts for the network users, and to assure financial accountability where state funds are used;
- provides a liaison among local government users, and advocates on behalf of the network and its users in connection with legislation affecting the network; and
- facilitates the sharing of knowledge about information technologies among users of the network.

All grants or other uses of funds appropriated or granted to the board are to be conditioned on compliance with the board's technical and other standards. N.C. GEN. STAT. §143-663.

 **Scope of Records Included:**

The purpose of the state's Criminal Justice Information Network is "to provide the governmental and technical information systems infrastructure necessary for accomplishing state and local governmental public safety and justice functions in the most effective manner by appropriately and efficiently sharing criminal justice and juvenile justice information among law enforcement, judicial, and corrections agencies." N.C. GEN. STAT. §143-661(a).

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Criminal Justice Information Network Governing Board sets policies and procedures for the Criminal Justice Information Network and, in consultation with the Information Resource Management Commission, develops and adopts standards for entering, storing, and transmitting information in criminal justice databases. N.C. GEN. STAT. §143-663(a)(1) & (2).

State: NORTH DAKOTA

Synopsis: The Chief Information Officer is the head of the Information Technology Department which is responsible for all wide-area network services planning, selection, and implementation for all state agencies, counties, cities, and school districts in the state. In exercising its powers and duties, the department is responsible for computer support services, host software development, statewide communications services, standards for providing information to other state agencies and the public through the internet, technology planning, process redesign, and quality assurance. The Statewide Wide Area Network Committee advises the department on the planning and implementation of wide-area network services provided by the department. Under the Attorney General is the Bureau of Criminal Investigation which is the state central repository for the collection, maintenance, and dissemination of criminal history record information.

STATUTES¹⁷⁵ ¾ N.D. CENT. CODE §§

12-60-01 to 12-60-23, Bureau of Criminal Investigation & criminal history record information

12-62-01 to 12-62-10, Criminal Justice Training and Statistics Division

54-23.2-01 to 54-23.2-09, State Radio Broadcasting System, Office of Management and Budget

54-59-01 to 54-59-16, Information Technology Department (1999)



Organization/Structure:

The Information Technology Department is headed by a Chief Information Officer who is appointed by the Governor. N.D. CENT. CODE §§54-59-02 & 54-59-03.

The Statewide Wide Area Network Committee advises the Information Technology Department with respect to planning and implementation of wide-area network services¹⁷⁶ provided by the department and consists of:

- Chief Information Officer or designee, who is a nonvoting member,
 - State Court Administrator or designee with the approval of the Chief Justice of The Supreme Court,
 - Commissioner of Higher Education or designee, and
- 9 members appointed by the Governor –
- 2 members representing state agencies,
 - a member representing a county,
 - a member representing a city,
 - 2 members representing elementary and secondary education,
 - a member representing noncommercial public television stations licensed by the Federal Communications Commission to operate in the state, and
 - 2 members from private industry who are knowledgeable in the deployment of major technology projects.

The Governor also designates the chair of the committee. N.D. CENT. CODE §54-59-07.

Each agency¹⁷⁷ or institution is required to appoint an information technology coordinator, who maintains a liaison with the Information Technology Department and assists the department in areas related to making the most economical use of information technology¹⁷⁸. N.D. CENT. CODE §54-59-10.

¹⁷⁵ Current through the 1999 Legislative Session (no 2000 session).

¹⁷⁶ “Network services” means the equipment, software, and services necessary to transmit voice, data, or video. N.D. CENT. CODE §§54-59-01(4).

¹⁷⁷ “Agency” or “entity” does not include any agricultural commodity promotion group or any occupational or professional board. N.D. CENT. CODE §§54-59-01(1).

¹⁷⁸ “Information technology” means the use of hardware, software, services, and supporting infrastructure to manage and deliver information using voice, data, and video. N.D. CENT. CODE §§54-59-01(3).

Under the Attorney General is the Bureau of Criminal Investigation, which is the state central repository for the collection, maintenance, and dissemination of criminal history record information. N.D. CENT. CODE §§ 12-60-01 & 12-60-07(3). Also under the Attorney General is the Criminal Justice Training and Statistics Division which is responsible for gathering, analyzing, and disseminating information regarding the state's criminal justice system. N.D. CENT. CODE § 12-62-01.



Authority:

The Information Technology Department:

- provides, supervises, and regulates information technology of all executive branch state entities, excluding the institutions under the control of the Board of Higher Education;
- provides network services in a way that ensures the network requirements of a single entity do not adversely affect the functionality of the whole network, facilitates open communications with the citizens of the state, minimizes the state's investment in human resources, accommodates an ever-increasing amount of traffic, supports rapid detection and resolution of problems, protects the network infrastructure from damage and security breaches, provides for the aggregation of data, voice, video, and multimedia into a statewide transport mechanism or backbone, and provides for the network support for the entity to carry out its mission;
- reviews and approves additional network services that are not provided by the department;
- may purchase or lease equipment or replace, including by trade or resale, equipment as may be necessary; each executive branch agency or institution, except the institutions under the control of the Board of Higher Education, must submit to the department, in accordance with its guidelines, a written request for the lease, purchase, or other contractual acquisition of information technology, which is reviewed for conformance with the requesting entity's information technology plan and compliance with statewide policies and standards; if the request is not in conformance or compliance, the department may disapprove the request or require justification for the departure from the plan or statewide policy or standard;
- provides information technology, including assistance and advisory service, to the executive, legislative, and judicial branches; if the department is unable to fulfill a request for service from the legislative or judicial branch, the information technology may be procured by the legislative or judicial branch within the limits of legislative appropriations;
- may request information on or review information technology, applications, system development projects, and application development projects of executive branch agencies;
- develops guidelines for reports to be provided by each executive branch agency, institution, or department, the institutions under the control of the Board of Higher Education, and agencies of the judicial and legislative branches on information technology in those entities; and
- reviews the information technology management of executive branch agencies or institutions, including institutions under the control of the Board of Higher Education as provided in N.D. CENT. CODE § 54-59-13.

N.D. CENT. CODE §§ 54-59-02 & 54-59-05. The department is required to develop and maintain a business plan. N.D. CENT. CODE § 54-59-06. Based on information from state agencies and institutions, the department develops statewide information technology policies, standards, and guidelines. Unless an exemption is granted by the department, each executive branch state agency and institution, excluding the institutions under the control of the Board of Higher Education with respect to academic and research uses of information technology, must comply with the policies and standards developed by the department. N.D. CENT. CODE § 54-59-09.

Each executive branch state agency or institution, including the institutions under the control of the Board of Higher Education, must prepare an information technology plan, subject to approval by the Information Technology Department. N.D. CENT. CODE § 54-59-11. Each state agency and institution that desires access to wide area network services and each county, city, and school district that desires access to wide area network services to transmit voice, data, or video outside that county, city, or school district is required to obtain those services from the Information Technology Department. The Chief Information Officer may exempt a county, city, or school district that demonstrates its current wide area network services are more cost-effective for or more appropriate for the specific

needs of that county, city, or school district than wide area network services available from the department. N.D. CENT. CODE §54-59-08.

The Attorney General has the authority to adopt appropriate rules for criminal justice agencies regarding the reporting, collecting, maintaining, and disseminating of criminal history record information. N.D. CENT. CODE §§12-60-16.3 & 12-60-17. The Attorney General also may adopt rules to carry out the powers and duties assigned to the Criminal Justice Training and Statistics Division. N.D. CENT. CODE §12-62.10.

Criminal justice agencies are required to report “reportable events”¹⁷⁹ to the Bureau of Criminal Investigation. N.D. CENT. CODE §12-60-16.2.

 **Scope of Records Included:**

“Criminal history record information” includes information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, information, or other criminal charges, any dispositions arising therefrom, sentencing, correctional supervision, and release. “Criminal justice agency” means any government law enforcement agency or entity authorized by law to provide information regarding, or to exercise the powers of, arrest, detention, prosecution, correctional supervision, rehabilitation, or release of persons suspected in, charged with, or convicted of, a crime. N.D. CENT. CODE §12-60-16.1(3) & (4).

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Information Technology Department provides network services in a manner that protects the network infrastructure from damage and security breaches. N.D. CENT. CODE §54-59-05(2). The Information Technology Department’s business plan is required to address the deployment of encryption, the administration of digital signatures, and information and system backup and disaster recovery. N.D. CENT. CODE §54-59-06.

The Attorney General is charged with adopting rules for criminal justice agencies regarding the collecting, maintaining, and disseminating of criminal history record information, particularly with respect to the security and auditing of the information. N.D. CENT. CODE §§12-60-16.3; see also §§12-60-16.5 to 12-60-16.8.

¹⁷⁹ “Reportable event” means an interaction with a criminal justice agency for which a report is required to be filed under N.D. CENT. CODE §12-60-16.2. The term includes only those events in which the subject of the event is an adult or a juvenile adjudicated as an adult. N.D. CENT. CODE §12-60-16.1(8).

State: OHIO

Synopsis: In 1997, the Governor issued an executive order that created a Chief Information Officer and set up an Interagency Information Management Group. In 1994, the Criminal Justice Information System (CJIS) Policy Board was created by interagency agreement, between the Governor, Attorney General, and Chief Justice, and is responsible for the CJIS effort.

STATUTES¹⁸⁰ et al. ¾ OHIO REV. CODE §§

109.51 et seq., Bureau of Criminal Identification and Investigation, Office of the Attorney General

125.021, Telecommunications and computer services, Department of Administrative Services

181.51 – 181.56, Office of Criminal Justice Services

5503.10, Law enforcement automated data system, Div. of State Highway Patrol, Dept. of Public Safety

E.O. 97-01V (Jan. 10, 1997), Interagency Information Management Group (IMG)

 **Organization/Structure:**

The Interagency Information Management Group consists of the following members, who are appointed by and serve at the pleasure of the Governor:

- an assistant director of Administrative Services, who serves as the Chief Information Officer of the state and as the chair of the group,
- Director of the Office of Budget and Management,
- Commissioner of Taxation,
- Superintendent of Public Instruction,
- Administrator of the Bureau of Employment Services,
- Director of the Department of Human Services,
- Director of the Department of Mental Health,
- Director of the Department of Public Safety,
- Director of the Department of Rehabilitation and Correction,
- Director of the Department of Transportation,
- Administrator of the Bureau of Workers Compensation, and
- any other director or individual who the Governor believes could positively serve the group.

E.O. 97-01V ¶A.

In 1994, the Governor, along with the Attorney General and the Chief Justice, convened a Criminal Justice Information System (CJIS) Policy Board. The board includes representatives of key CJIS stakeholders, consisting of state level executives who manage criminal justice information systems, as well as representatives from state criminal justice associations, the state's regional reporting centers, and Chairs of the Regional Working Groups. The Office of Criminal Justice Services provides project management to the board for implementation of the Criminal Justice Information System Plan.

A Bureau of Criminal Identification and Investigation, headed by a Superintendent, is in the Office of the Attorney General. OHIO REV. CODE §109.51. The bureau may operate a center for electronic, automated, or other data processing for the storage and retrieval of information, data, and statistics pertaining to criminals, criminal activity, crime prevention, law enforcement, and criminal justice, and may establish and operate a statewide communications network to gather and disseminate information, data, and statistics for the use of law enforcement agencies. OHIO REV. CODE §109.57(C).

A law enforcement automated data system (LEADS) is established within the Division of State Highway Patrol in the Department of Public Safety. The Superintendent of State Highway Patrol appoints a steering committee to provide advice on the operation of LEADS; the members of the

¹⁸⁰ Current as of November 1, 2000.

committee represent the agencies that use LEADS. The Superintendent or his or her designee serves as chair of the committee. OHIO REV. CODE §5503.10.

 **Authority:**

The primary goal of the Information Management Group is to assure consistency between the state's programmatic directions and its technology initiatives. The group is directed to address system development issues with broad interagency significance and identify and eliminate those areas where there is replication of information or processes. The group is to work to restructure Ohio's current information management environment and to meet the challenges for the future in the most effective, efficient, and streamlined manner. E.O. 97-01V ¶B. All state departments, agencies, boards, commissions, or officers of the state are required to cooperate and provide any necessary assistance required by the group, or any member or representative thereof in the performance of its duties. E.O. 97-01V ¶F.

The Chief Information Officer provides statewide oversight and leadership for all activities related to information technologies by monitoring the use of information technologies statewide and insuring continued technological advancement through research, analysis, and evaluation. E.O. 97-01V ¶C.

State agencies are directed to provide the Bureau of Criminal Identification and Investigation in the Office of the Attorney General with the necessary information. OHIO REV. CODE §§109.57(A), 109.60 & 109.61.

The Superintendent of State Highway Patrol adopts rules establishing fees and guidelines for the operation of and participation in the law enforcement automated data system (LEADS). OHIO REV. CODE §5503.10.

 **Scope of Records Included:**

The Bureau of Criminal Identification and Investigation keeps statistics and other necessary data and engages in such other activities as will aid law enforcement officers in solving crimes and controlling criminal activity. OHIO REV. CODE §109.52.

A law enforcement automated data system (LEADS) is a program for administering and operating a law enforcement automated data system providing computerized data and communications to the various criminal justice agencies of the state. OHIO REV. CODE §5503.10.

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The handling of information by the Bureau of Criminal Identification and Investigation is covered in OHIO REV. CODE §109.57.

The rules adopted by the Superintendent of State Highway Patrol for the law enforcement automated data system (LEADS) must include criteria for granting and restricting access to information maintained in the system. OHIO REV. CODE §5503.10.

State: OKLAHOMA

Synopsis: The Information Services Division is in the Office of State Finance, an agency in the executive department. The District Attorneys Council is a special division of the Office of Attorney General. Under the guidance of the council is a Drug and Violent Crime Policy Board which created the Criminal Justice Information Systems (CJIS) Task Force. The Information Services Division of the Oklahoma State Bureau of Investigation is the central repository for criminal records.

STATUTES¹⁸¹ ¾ OKLA. STAT. tit.

19, §215.28, District Attorneys Council

57, §§508.2 – 508.2b, Criminal Justice Resource Center

62, §41.5a et seq., Information Services Division, Office of State Finance

74, §150.9 et seq., Criminal history, identification & statistical information, State Bureau of Investigation

 **Organization/Structure:**

The Information Services Division is within the Office of State Finance in the executive department. OKLA. STAT. tit. 62, §41.3.

The District Attorneys Council is a special division of the Office of Attorney General and is composed of the following members:

- Attorney General or designee,
- President of the Oklahoma District Attorneys Association,
- President-elect of the Oklahoma District Attorneys Association,
- a district attorney selected by the Court of Criminal Appeals, and
- a district attorney selected by the Board of Governors of the Oklahoma Bar Association.

OKLA. STAT. tit. 19, §215.28(A) & (C). There is a Drug and Violent Crime Policy Board that is under the guidance of the District Attorneys Council. The board's makeup includes criminal justice representatives from both state and local levels of government, as well as representation from non-criminal justice agencies impacted by the board's activities. The board created the Criminal Justice Information Systems (CJIS) Task Force.

The Oklahoma State Bureau of Investigation, Information Services Division is the central repository for all criminal records in the, as well as the collection point for state criminal statistical data. OKLA. STAT. tit. 74, §150.9 et seq.

 **Authority:**

The Information Services Division:

- coordinates data processing planning through analysis of each agency's long-term data processing plans (see also OKLA. STAT. tit. 62, §41.5e);
- develops a state-wide data processing plan with annual modifications;
- establishes minimum mandatory standards for: (a) information systems planning, (b) systems development methodology, (c) documentation, (d) hardware requirements and compatibility, (e) operating systems compatibility, (f) software and hardware acquisition, (g) data security and internal controls, (h) data base compatibility, and (i) contingency planning and disaster recovery (such standards, upon adoption, are the minimum requirements applicable to all agencies);
- operates a data processing service center to provide operations and hardware support for agencies requiring such services and for statewide systems; and
- coordinates for the executive branch of state government agency data processing activities, encourage joint projects and common systems, and linking of agency systems through the review of agency plans, development of a statewide plan and its integration with the budget

¹⁸¹ Current through the 2000 Regular Session.

process to ensure that developments and/or acquisitions are consistent with statewide objectives and that proposed systems are justified and cost effective.

No agency of the executive branch of the state may use state funds for or enter into any agreement for the acquisition of computer hardware or software exceeding \$2,500 without written authorization of the Director of State Finance. Okla. Stat. tit. 62, §41.5a.

The Council has the power to perform such functions as in its opinion shall strengthen the state's criminal justice system, to provide a professional organization for the education, training and coordination of technical efforts of all state prosecutors, and to maintain and improve prosecutor efficiency and effectiveness in enforcing the laws of the state. OKLA. STAT. tit. 19, §215.28(H). The council administers the Crime Victims Compensation Board and other federal grant programs. See OKLA. STAT. tit. 19, §215.28(H)(3) & (10) and (J).

Criminal justice agencies are required to provide the Oklahoma State Bureau of Investigations with criminal history, identification and statistical information. OKLA. STAT. tit. 74, §§150.9 (criminal history), 150.10 (uniform crime reporting system), 150.12 (identification), and 150.17 (statistics). The bureau also has rulemaking authority. OKLA. STAT. tit. 74, §§150.12 & 150.31.

 **Scope of Records Included:**

The central repository for all criminal records, as well as the collection point for state criminal statistical data, is the Information Services Division of the Oklahoma State Bureau of Investigation. OKLA. STAT. tit. 74, §150.9 et seq.

 **Accessibility/Accuracy/Privacy/Security of the Information:**

“The Oklahoma State Bureau of Investigation may promulgate rules and establish procedures for the business operations of the Bureau under the Oklahoma Open Records Act....” OKLA. STAT. tit. 74, §150.31.

State: OREGON

Synopsis: Within the Department of Administrative Services, there is an Information Resources Division Management Division, headed by a State Chief Information Officer. To provide policy direction for and coordination of information technology for state government, the Director of the Department of Administrative Services chairs and appoints the members of the Information Resources Management Council. There is also a Stakeholders Advisory Committee appointed by the director. The Department of State Police has been directed by law to establish a Criminal Justice Information Standards program that coordinates information among state criminal justice agencies; it is advised in this endeavor by the Criminal Justice Information Standards Advisory Board. The Department of State Police also has responsibility for criminal offender information and the Law Enforcement Data System.

STATUTES¹⁸² et al. ¾ OR. REV. STAT. §§

181.060, Bureau of Criminal Identification, Department of State Police

181.511 – 181.580, Crime reporting

181.715 – 181.730, Criminal Justice Information Standards

283.500 – 283.520, Information technology and telecommunications

291.034, Providing technical assistance involving data processing, Department of Administrative Services

291.037 – 291.038, Information and telecommunications technology

E.O. 98-05 (March 19, 1998), Statewide Strategic Planning for Information Technology

E.O. 99-05 (Feb. 26, 1999), Enterprise Information Technology Strategy

 **Organization/Structure:**

The Department of Administrative Services may provide technical services to state agencies for data processing systems development and the development of data processing methods and applications. OR. REV. STAT. §291.034. Within the department, there is an Information Resources Division Management Division, headed by a State Chief Information Officer.

To provide policy direction for and coordination of information technology¹⁸³ for state government, the Director of the Department of Administrative Services chairs and appoints not fewer than five agency executives to an Information Resources Management Council, which includes at least two members representing the private sector and political subdivisions of the state. OR. REV. STAT. §291.038(1). There is also a Stakeholders Advisory Committee, consisting of a minimum of nine members appointed by the Director of the Department of Administrative Services, consisting of members who represent elementary or secondary education, higher education, community colleges, economic development, health care, human services, and public safety. At least four members are to reside in areas east of the Cascade Mountains. In making appointments, the director is required to give consideration to geographic balance and adequate representation of the department's users and providers and the general public. OR. REV. STAT. §291.038(6).

The Department of State Police has been directed to establish a Criminal Justice Information Standards program that coordinates information among state criminal justice agencies¹⁸⁴. The program must:

¹⁸² Current through the 1999 Regular Session (no 2000 session).

¹⁸³ "Information technology" includes, but is not limited to, all present and future forms of hardware, software and services for data processing, office automation and telecommunications. OR. REV. STAT. §291.038(8)(d).

¹⁸⁴ "Criminal justice agencies" includes, but is not limited to: (a) Judicial Department; (b) Department of Corrections; (c) Department of State Police; (d) Department of Transportation; (e) State Board of Parole and Post-Prison Supervision; (f) Department of Public Safety Standards and Training; (g) State Department of Fish and Wildlife; (h) Oregon Liquor Control Commission; (i) Oregon Youth Authority; and (j) State Commission on Children and Families. OR. REV. STAT. §181.715(2).

- ensure that in developing new information systems, data can be retrieved to support evaluation of criminal justice planning and programs, including, but not limited to, the ability of the programs to reduce future criminal conduct;
- ensure that maximum effort is made for the safety of public safety officers;
- establish methods and standards for data interchange and information access between criminal justice information systems, in compliance with the technology standards and policies of the Department of Administrative Services;
- design and implement improved applications for exchange of agency information; and
- implement the capability to exchange images between criminal justice agencies.

OR. REV. STAT. §181.715(1). The Criminal Justice Information Standards Advisory Board, established to advise the Department of State Police on the Criminal Justice Information Standards program, is comprised of the following members:

- State Court Administrator or designee,
- Director of Department of Corrections or designee,
- Superintendent of State Police or designee,
- Executive Director of the Oregon Criminal Justice Commission or designee,
- Director of Transportation or designee,
- Chairperson of the State Board of Parole and Post-Prison Supervision or designee,
- Executive Director of the Board on Public Safety Standards and Training or designee,
- a chief of police designated by the Oregon Association of Chiefs of Police,
- a sheriff designated by the Oregon Sheriff's Association,
- a jail manager designated by the Oregon Jail Managers' Association,
- Director of the Oregon Youth Authority or designee,
- State Fish and Wildlife Director or designee,
- Administrator of the Oregon Liquor Control Commission or designee,
- Staff Director of the State Commission on Children and Families or designee, and
- Administrator of the Information Resource Management Division of the Department Of Administrative Services or designee.

OR. REV. STAT. §181.725.

In the Department of State Police, there is a Bureau of Criminal Identification, which is responsible for systems for criminal offender information¹⁸⁵. OR. REV. STAT. §181.066. There is also established in the department a Law Enforcement Data System – a criminal justice telecommunication and information system for storage and retrieval of criminal justice information submitted by state criminal justice agencies and a control point for access to similar programs operated by other states and the federal government. OR. REV. STAT. §181.175(1).



Authority:

The Department of Administrative Services adopts by rule policies, procedures, standards and guidelines to plan for, acquire, implement and manage the state's information resources¹⁸⁶. In developing rules, the department is to consult with state agencies having needs that may be satisfied by use of information resources. State agencies are required to cooperate with the department in preparing and complying with rules. The rules must be formulated to promote electronic communication and information sharing among state agencies and programs and between state and local governments, and with the public where appropriate. Rules, plans, and specifications are to be formulated to insure that information resources fit together in a statewide system capable of providing

¹⁸⁵ "Criminal offender information" includes records and related data as to physical description and vital statistics, fingerprints received and compiled by the bureau for purposes of identifying criminal offenders and alleged offenders, records of arrests and the nature and disposition of criminal charges, including sentencing, confinement, parole and release. OR. REV. STAT. §181.010(2).

¹⁸⁶ "Information resources" means media, instruments and methods for planning, collecting, processing, transmitting and storing data and information, including telecommunications. OR. REV. STAT. §291.038(8)(b).

ready access to information, computing or telecommunication resources, and they are to be based on industry standards for open systems¹⁸⁷ to the greatest extent possible. The department also has review and oversight responsibility for insuring that agency planning, acquisition, and implementation activities support the statewide information resources management¹⁸⁸ plan. OR. REV. STAT. §291.038(2) & (3).

The Attorney General must approve for legal sufficiency all information technology contracts calling for payment in excess of \$75,000 entered into by a state agency before any such contract becomes binding on the state and before any service may be performed or payment may be made under the contract. OR. REV. STAT. §291.047.

The Department of State Police has been directed to establish a Criminal Justice Information Standards program that coordinates information among state criminal justice agencies. OR. REV. STAT. §181.715(1). State criminal justice agencies as part of their biennial information resource management plan, are required to address the goals of the Criminal Justice Information Standards program with particular attention to data access, availability and information sharing among criminal justice agencies. The plans must be based on industry standards for open systems to the greatest extent possible. State criminal justice agencies submit copies of their information resource management plan to the Criminal Justice Information Standards Advisory Board. OR. REV. STAT. §181.720

The Department of State Police has rulemaking authority concerning criminal offender information, and the Law Enforcement Data System. OR. REV. STAT. §§181.555 & 181.730(3)

 **Scope of Records Included:**

“Data” and “information” represent facts and representations about the state’s human, natural and commercial resources. OR. REV. STAT. §291.038(8)(e).

The Law Enforcement Data System includes criminal justice information submitted by state criminal justice agencies and information relating to crime and criminals. OR. REV. STAT. §181.730.

“Criminal offender information” includes records and related data as to physical description and vital statistics, fingerprints received and compiled by the Department of State Police for purposes of identifying criminal offenders and alleged offenders, records of arrests and the nature and disposition of criminal charges, including sentencing, confinement, parole and release. OR. REV. STAT. §181.010(2).

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Department of State Police may adopt rules establishing procedures for the submission, access and dissemination of information by the Law Enforcement Data System. OR. REV. STAT. §181.730(3).

Availability of criminal identification information by particular state agencies and others is addressed in OR. REV. STAT. §§181.535 – 181.540 and 181.557 – 181.560. The Department of State Police adopts rules on procedures for access to criminal offender information. OR. REV. STAT. §181.555.

¹⁸⁷ “Open systems” means systems that allow state agencies freedom of choice by providing a vendor-neutral operating environment where different computers, applications, system software and networks operate together easily and reliably. OR. REV. STAT. §291.038(8)(f).

¹⁸⁸ “Information resources management” means the state’s program for managing data and information in its various forms in furtherance of program and agency objectives, and in such a way that agency employees are able to obtain and use information easily, efficiently, effectively and economically. OR. REV. STAT. §291.038(8)(c). “Data” and “information” represent facts and representations about the state’s human, natural and commercial resources. OR. REV. STAT. §291.038(8)(e).

State: PENNSYLVANIA

Synopsis: The Office of Administration is responsible for developing and promulgating statewide policies and standards governing the management and use of the state's technology investments. These responsibilities are carried out through the Office for Information Technology (OIT) which is comprised of seven organizational units, including the Pennsylvania Justice Network (JNET) Office. The JNET Office directs the day-to-day management of the JNET Project. The JNET Office's priorities are established by the JNET Steering Committee in agreement with the overall strategic direction created by the JNET Executive Council. The goal of the JNET Project is to enhance public safety through the integration of criminal justice information throughout the Commonwealth of Pennsylvania by adopting business practices which promote cost effectiveness, information sharing, and timely and appropriate access to information while recognizing the independence of each agency.

STATUTES et al.¹⁸⁹ ¾

18 PA. CON. STAT. §§9101 – 9183, Criminal History Record Information

4 PA. CODE §§5.551 – 5.555, Management of Automated Technology (codifying E.O. 1988-10)

4 PA. CODE §§6.21 – 6.25, Pennsylvania Justice Network (JNET) Governance Structure (codifying E.O. 1999-4)

37 PA. CODE §§195.1 – 195.6, Criminal Records

37 PA. CODE §§601.1 – 601.11, Automated Criminal Justice Information Systems – Statement of Policy

 **Organization/Structure:**

The purpose of the Pennsylvania Justice Network (JNET) governance structure is to establish a strategic direction for the investment in information solutions across the commonwealth's technology enterprise and to direct implementation of a comprehensive integrated justice information system. 4 PA. CODE §6.21. The JNET governance structure consists of an Executive Council, a Steering Committee, and a JNET Office. 4 PA. CODE §6.22.

The JNET Executive Council is comprised of chief executives (or a high-level decision-maker) from the following justice and justice affiliated organizations:

- Department of Corrections,
- Pennsylvania State Police,
- Board of Probation and Parole,
- Commission on Crime and Delinquency,
- Board of Pardons,
- Juvenile Court Judges' Commission,
- Department of Public Welfare,
- Department of Transportation,
- Governor's Policy Office,
- Governor's Office of Administration,
- Office of the Budget,
- Office of General Counsel,
- Office of Inspector General,
- Administrative Office of Pennsylvania Courts, and
- Office of Attorney General.

“Although participation on the JNET Executive Council by justice entities outside the Executive Branch, or outside the Governor's jurisdiction, cannot be required by Executive Order, representation by the Administrative Office of Pennsylvania Courts and the Office of Attorney General is seen to be critical to the success of the JNET Project, as is strongly encouraged.” 4 PA. CODE §6.23.

¹⁸⁹ Statutes current through the 2000 Regular Session, and regulations current as of Nov. 11, 2000.

The JNET Steering Committee includes representatives from the following agencies as selected by the agency heads:

- Pennsylvania State Police,
- Department of Corrections,
- Board of Probation and Parole,
- Board of Pardons,
- Juvenile Court Judges' Commission,
- Commission on Crime and Delinquency,
- Department of Public Welfare,
- Department of Transportation,
- Office of Attorney General,
- Administrative Office of Pennsylvania Courts,
- Governor's Policy Office (ex-officio member),
- Governor's Office of Administration (ex-officio member),
- Governor's Office of the Budget (ex-officio member),
- Office of General Counsel (ex-officio member), and
- Office of Inspector General (ex-officio member).

4 PA. CODE §6.24.

The JNET Office, headed by an executive director, is located within the Office of Administration, Office for Information Technology, and reports to the Deputy Secretary for Information Technology. 4 PA. CODE §6.25.



Authority:

The JNET Executive Council is responsible for establishing an overall policy and strategic vision for the JNET Project. The vision should complement agency operations and ensure ongoing interagency cooperation and collaboration. 4 PA. CODE §6.23.

The JNET Steering Committee establishes a tactical plan for the deployment of JNET Project functionality and associated information sharing requirements. Policies set forth by the committee are required to reflect the means by which participating agencies will share data stored in agency-specific information systems to maximize access to, and the use of, existing databases and platforms. 4 PA. CODE §6.24.

The JNET Office directs the day-to-day management, development, and implementation of the JNET Project. 4 PA. CODE §6.25.



Scope of Records Included:

A “comprehensive integrated justice information system.” 4 PA. CODE §6.21.



Accessibility/Accuracy/Privacy/Security of the Information:

Completeness, accuracy, accessibility, dissemination, and security of criminal records are addressed in 37 PA. CODE §§195.1 – 195.6 and 601.1 – 601.11.

State: RHODE ISLAND

Synopsis: The Rhode Island Information Resources Management Board is assisted by the Department of Administration's Office of Library and Information Services, headed by a Chief Information Officer. The Rhode Island Justice Commission Steering Committee set up a Technical Advisory Committee, comprised of agency representatives with specific expertise in the area of computers/management information systems, to oversee the Rhode Island Justice Link (J-Link) Project. Criminal identification records are the responsibility of the Attorney General, and uniform crime reports are the responsibility of the State Police.

STATUTES¹⁹⁰ ¾ R.I. GEN. LAWS §§

12-1-1 to 12-1-15, Identification and Apprehension of Criminals

12-24-1 to 12-24-4, Uniform Crime Reporting System

29-3.1-1 to 29-3.1-13, Office of Library and Information Services, Department of Administration

29-8-1 to 29-8-13, The Rhode Island Information Resources Management Board

42-26-1 to 42-26-19.1, Rhode Island Justice Commission

42-108-1 to 42-108-6, Comprehensive Criminal/Juvenile Justice Information System Act



Organization/Structure:

Within the Department of Administration there is an Office of Library and Information Services under the direction of a Chief Information Officer who is appointed by the Director of Administration with the approval of the Governor. R.I. GEN. LAWS §§29-3.1-1 & 29-3.1-5.

The Rhode Island Information Resources Management Board consists of:

- 3 department directors from the executive branch appointed by the Governor,
- State Budget Director or designee,
- Secretary of State or designee,
- Chief Information Officer or designee,
- a representative from the public universities appointed by the Governor from a list of three persons submitted by the Commissioner of Higher Education,
- 2 citizen members from the private sector with information resources management knowledge and experience appointed by the Governor,
- a citizen who is a consumer of government information appointed by the Governor,
- a representative of local government appointed by the Governor,
- President of the Rhode Island League of Cities and Towns or designee,
- Chair of the Library Board of Rhode Island or designee,
- Commissioner of Higher Education or designee,
- Commissioner for Elementary and Secondary Education or designee,
- Executive Director of the Rhode Island Public Telecommunications Authority or designee,
- Chair of the Senate Finance Committee or designee, and
- Chair of the House Finance Committee or designee.

R.I. GEN. LAWS §§29-8-3 & 29-8-4. The staff of the Office of Library and Information Services assists the board in the formulation of the statewide electronic data processing plan and provides necessary support for the board's research activities. R.I. GEN. LAWS §29-8-11.

The Rhode Island Justice Commission is within the executive branch under the jurisdiction of the Governor. The commission consists of (1) a Criminal Justice Policy Board, (2) a full-time administrator and staff, and (3) such permanent and ad hoc committees and task forces as the board deems necessary. R.I. GEN. LAWS §42-26-3. The policy board consists of:

- Attorney General,
- Superintendent of the State Police,
- Public Defender,

¹⁹⁰ Current through the 2000 Legislative Session, including 2000 R.I. Pub. Laws 270 (H 7641).

- Director of the Department of Corrections,
- Director of the Department of Human Services,
- Director of the Department of Mental Health, Retardation, and Hospitals,
- Chairperson of the State Board of Regents,
- Director of the Department for Children and their Families,
- Chief Justice of the Family Court,
- President of the Rhode Island Police Chiefs Association,
- a police chief selected by the Rhode Island Police Chiefs Association,
- Chief Justice of the Supreme Court,
- Presiding Justice of the Superior Court,
- Chief Judge of the District Court,
- 7 members of the General Assembly – 4 from the House of Representatives and 3 from the Senate,
- Executive Director of the Rhode Island League of Cities and Towns,
- Director of Health,
- Director of the Division of Fire Safety,
- a university or college faculty member with a research background in criminal justice appointed by the Governor,
- 4 citizens appointed by the Governor, and
- 3 representatives appointed by the Governor from community service organizations.

R.I. GEN. LAWS §42-26-6. The commission’s Steering Committee set up a Technical Advisory Committee, comprised of agency representatives with specific expertise in the area of computers/management information systems, to oversee the Rhode Island Justice Link (J-Link) Project.

By statute, there is a committee known as the “committee to establish and administer a comprehensive criminal/juvenile justice information system.” R.I. GEN. LAWS §42-108-4. The committee consists of the Executive Director of the Justice Commission, the Auditor-General of the state, and the Court Administrator of the state, or their designees. R.I. GEN. LAWS §42-108-5.

There has been established a Division of Criminal Identification in the Department of the Attorney General. R.I. GEN. LAWS §12-1-4. A uniform crime reporting system has been established under the direction, control, and supervision of the Superintendent of State Police. R.I. GEN. LAWS §12-24-1.

 **Authority:**

The responsibility of the Rhode Island Information Resources Management Board is to coordinate and guide the application of information technologies and resources¹⁹¹ in the executive branch of state government¹⁹². R.I. GEN. LAWS §29-8-3. The board’s roles and duties include:

- providing overall leadership, policy direction, strategic planning and coordination of information resources management¹⁹³ for the executive branch of state government and public universities;

¹⁹¹ “Information resources” means the procedures, equipment materials, and software that are designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit information, and associated personnel. R.I. GEN. LAWS §29-8-2(3). “Information technologies” means data processing and telecommunications hardware, software, services, supplies, facilities, maintenance, and training which are used to support information processing and telecommunications systems. R.I. GEN. LAWS §29-8-2(6).

¹⁹² “The provisions of this chapter shall not be construed to grant any authority over the judicial or legislative branches of state government, or agencies thereof, to the Rhode Island information resources management board or the office of library and information services.” R.I. GEN. LAWS §29-8-13.

¹⁹³ “Information resources management” means the planning, budgeting, organizing, directing, training, and accountability associated with the government information. The term encompasses both information itself and the related resources associated with its use. R.I. GEN. LAWS §29-8-2(4).

- formulation of a five-year statewide information resources management plan, to be updated every two years, from long-range information resources management plans submitted by agencies of the executive branch, including the public universities, as the board may require (see also R.I. GEN. LAWS §29-8-12);
- defining, maintaining, and publishing a timely information resources management architecture¹⁹⁴ relating to the management of information resources by executive branch state agencies, and implementing processes and procedures to ensure compliance with the information resources management architecture;
- promoting executive level awareness, support, and involvement with information resources management throughout the executive branch of government;
- reviewing executive branch agency five-year strategic information resources plans, and forwarding those plans with findings and recommendations to the agency head, the Governor's Policy Office, the Budget Office, and the General Assembly for use during the preparation and enactment of the annual budget;
- identifying and assessing opportunities for multi-agency development and use of information resources, or the development of executive branch agency projects¹⁹⁵ which would improve the quality and availability of information;
- establishing and maintaining relationships with other planning organizations as necessary to ensure coordination and implementation of comprehensive statewide strategies involved with, or affected by, information technology;
- establishing and maintaining information dissemination service or clearinghouse;
- establishing and maintaining research and development capacity for beneficial applications of information resources technology for the state's public sector;
- fostering and encouraging the interest and cooperation of the state information resources technology community for improvement and enhancement of public services delivery; and
- serving as catalyst for information technology advancements in the public sector.

R.I. GEN. LAWS §29-8-12. All public universities, departments, divisions, agencies, and officers of the state must furnish the Rhode Island Information Resources Management Board the necessary assistance, resources, information, records, or advice as it may require which is pertinent to the subject matter being studied. R.I. GEN. LAWS §29-8-11.

The Rhode Island Justice Commission:

- serves as the state planning agency for administration of federal criminal justice related grant programs;
- advises and assists the Governor in developing policies, plans, programs, and budgets for improving the coordination, administration, and effectiveness of the state's criminal justice system;
- prepares a state comprehensive criminal justice plan on behalf of the Governor; the plan or any substantial modifications must be submitted to the Legislature for its advisory review of the goals, priorities, and policies;
- establishes goals, priorities, and standards for the reduction of crime and the improvement of the administration of justice in the state;
- recommends legislation to the Governor and Legislature in the criminal justice field;
- encourages local comprehensive criminal justice planning efforts;

¹⁹⁴ "Information resources management architecture" means the orderly arrangement of policies, standards, and guidelines for managing information technology resources for the purpose of maximizing the interconnection and efficiency of these resources, and the ability of users to share and optimize the information resources. R.I. GEN. LAWS §29-8-2(5).

¹⁹⁵ "Project" means a program to provide information technologies support to functions within an executive branch state agency, which should be characterized by well defined parameters, specific objectives, common benefits, planned activities, expected outcomes and completion dates, and an established budget with a specified source of funding. R.I. GEN. LAWS §29-8-2(8).

- monitors and evaluates programs and projects, funded in whole or in part by the state government, aimed at reducing crime and delinquency and improving the administration of justice;
- cooperates with and renders technical assistance to state agencies, units of general local government, and public or private agencies relating to the criminal justice system;
- applies for, contracts for, receives, and expends for its purposes any appropriations or grants from the state, its political subdivisions, the federal government, or any other source public or private, in accordance with the appropriations process; and
- has the authority to collect from any state or local government departments and agencies, such public information, data, reports, statistics, or other material which is necessary to carry out its functions.

R.I. GEN. LAWS §42-26-4. The commission may establish and the chairperson may appoint such subcommittees, task forces, or advisory committees it deems necessary to carry out its functions. Appointments to subcommittees, task forces, and advisory committees are not restricted to the membership of the policy board. R.I. GEN. LAWS §29-8-7.

The “committee to establish and administer a comprehensive criminal/juvenile justice information system” was given all the powers necessary or convenient to plan, develop and administer a comprehensive criminal/juvenile justice information system to be utilized by the criminal justice agencies¹⁹⁶ within the state, including rulemaking authority. The committee was directed to work with a consultant to implement the criminal justice information system plan dated June 15, 1988. R.I. GEN. LAWS §42-108-6.

Police officials have a duty to furnish the Attorney General with criminal identification and stolen property information. R.I. GEN. LAWS §12-1-10. The Superintendent of State Police by rule or regulation collects and gathers uniform crime information from local police departments and the Enforcement Division of the Department of Environment. R.I. GEN. LAWS §12-24-1.



Scope of Records Included:

Criminal identification and stolen property records are maintained by the Attorney General. R.I. GEN. LAWS §12-1-7. The uniform crime reporting system is the responsibility of the Superintendent of State Police. R.I. GEN. LAWS §12-24-1.



Accessibility/Accuracy/Privacy/Security of the Information:

The Rhode Island Information Resources Management Board is responsible for providing overall leadership, policy direction, strategic planning and coordination of information resources management, including public access to appropriate state government information resources and for recommending procedures and legislation to ensure the privacy of individuals, with particular emphasis on the potential for invasion of individual privacy. R.I. GEN. LAWS §29-8-12.

The “committee to establish and administer a comprehensive criminal/juvenile justice information system” can make and publish rules and regulations regarding the conduct of its business and for the sharing of information among criminal justice agencies within the state. R.I. GEN. LAWS §42-108-6(3).

“In addition to availability of [criminal identification] records to law enforcement agencies and officers, the records shall be made available to any attorney of record in any criminal action, and any officials of businesses which are required by federal or state law or regulation to effectuate a criminal background check of potential or prospective employees. Such information shall be confidential and shall be used only by the employer for the employee’s application of employment.” R.I. GEN. LAWS §12-1-4.

¹⁹⁶ "Criminal justice agencies" means and includes the Rhode Island State Police, the Department of Public Defender, the Department of Attorney General, the Department of Corrections, the Department of Children, Youth, and Families, and the state courts. R.I. GEN. LAWS §42-108-3(4).

State: SOUTH CAROLINA

Synopsis: The Criminal Justice Information Systems Committee is a component of the Information Resources Council (IRC), a Governor-appointed advisory board of public and private sector leaders established by executive order. The State Law Enforcement Division's Central Record Repository maintains criminal data and related information.

STATUTES¹⁹⁷ et al. ^{3/4}

S.C. CODE §§ 23-3-110 to 23-3-175, Criminal Information and Communication System, State Law Enforcement Division (SLED)

E.O. 99-10 (March 1, 1999), Information Resources Council of South Carolina



Organization/Structure:

The Information Resources Council of South Carolina consists of 15 members:

- 3 members representing regional, county, and municipal governments appointed by the Governor,
- 2 members representing business/programmatic/technology interests within state agencies or institutions appointed by the Governor,
- a member representing academic or research interests appointed by the Governor,
- 5 members representing the private sector appointed by the Governor,
- a member representing the Office of the Governor,
- 2 members representing the General Assembly, one member appointed by the President Pro Tempore of the Senate and one member appointed by the Speaker of the House of Representatives, and
- a member representing the Budget and Control Board appointed by the Executive Director.

The Office of the Executive Director of the State Budget and Control Board provides the council with primary support. E.O. 99-10. The council has established a Criminal Justice Information Systems Committee.

There is established, as a department within the State Law Enforcement Division, a statewide criminal information and communication system. S.C. CODE §23-3-110.



Authority:

The Information Resources Council:

- assists agencies in the development and implementation of sound business plans that include information technology plans that address the effective and efficient use of information resources and technologies;
- oversees and coordinates development of statewide policies, standards, strategies, goals, and objectives derived from sound business plans that address the enterprise-wide planning, management, and use of information resources and technologies;
- oversees and coordinates development of a statewide information infrastructure that supports the state's information resources planning initiatives toward access, optimization, measurement, and innovation;
- fosters interagency and intergovernmental project funding and management that share staff, budgets, information resources, and facilities;
- provides a forum that encourages innovation and creativity in the application of information resources and stimulates defining and resolving barriers to efficient and effective development, use and sharing of information resources among public, private, national, state, and local interests;

¹⁹⁷ Current through the 2000 Legislative Session, including 2000 S.C. Acts 332 (S44) & 396 (H3120).

- provides leadership and guidance in the continued development of integrated statewide networks that cost-effectively facilitate sharing of, and access to, information, computing, and communications resources;
- oversees, coordinates, and improves the delivery of services to the general public and to the private sector by expanding government's use of technology; and
- provides advice on policy issues related to technology.

State agencies are to cooperate fully with the council and provide staff support as needed. E.O. 99-10.

All law enforcement agencies and court officials are required to report criminal data and related information within their respective jurisdictions to the State Law Enforcement Division's Central Record Repository at such times and in such form as the division requires. S.C. CODE §23-3-120. The State Law Enforcement Division is authorized to promulgate rules and regulations. S.C. CODE §23-3-130.



Scope of Records Included:

“All law enforcement agencies and court officials must report all criminal data and related information within their respective jurisdictions the State Law Enforcement Division's Central Record Repository....” S.C. CODE §23-3-120.



Accessibility/Accuracy/Privacy/Security of the Information:

“The provisions of [S.C. CODE §§23-3-110 to 23-3-175] shall not be construed to require or permit the disclosure or reporting of any information in the manner prohibited by existing law.” S.C. CODE §23-3-140.

State: SOUTH DAKOTA

Synopsis: There is the Bureau of Information and Telecommunications within the Office of Executive Management in the executive branch. The Division of Criminal Investigation is under the control of the Attorney General and is responsible for maintaining a system of criminal identification and investigation.

STATUTES¹⁹⁸ ¾ S.D. CODIFIED LAWS §§

1-33-37 to 1-33-61, Bureau of Information and Telecommunications, Office of Executive Management
23-3-6 et seq., Division of Criminal Investigation, Office of the Attorney General
23-5-1 to 23-5-18, Criminal Identification
23-6-1 to 23-6-20, Criminal Statistics



Organization/Structure:

Within the Office of Executive Management in the executive branch, there is the Bureau of Information and Telecommunications. S.D. CODIFIED LAWS §§ 1-33-3 & 1-33-37. The head of the bureau is the Commissioner of Information and Telecommunications. S.D. CODIFIED LAWS § 1-33-38.

The Division of Criminal Investigation is under the superintendency and control of the Attorney General. S.D. CODIFIED LAWS § 23-3-6. The division is responsible for maintaining a system of criminal identification and investigation. S.D. CODIFIED LAWS § 23-3-16.



Authority:

The functions of the Bureau of Information and Telecommunications include:

- providing technical and management assistance to state agencies and institutions as to systems or methods to be used to meet information and communication requirements efficiently and effectively;
- developing and proposing operational technical standards for the state information systems which will ensure the interconnection of computer networks and information of state agencies;
- purchasing from, or contracting with, suppliers and communications common carriers for communications facilities or services;
- cooperating with any federal, state, or local emergency management agency in providing for emergency communication and information services; and
- in cooperation with the appropriate state agencies, plan, design, and conduct experiments in information services, equipment, and technology, and implement enhancements in the state information system.

S.D. CODIFIED LAWS § 1-33-43. The bureau may approve, disapprove, or modify requests of departments, agencies, commissions, institutions, or any other units of state government which involve the acquisition by lease or purchase of any office systems technology¹⁹⁹, software and services²⁰⁰; telecommunication equipment, software and services; and data processing²⁰¹ equipment, software and services. The bureau must take into consideration the unique needs of the separate

¹⁹⁸ Current through the 2000 Regular Session.

¹⁹⁹ "Office systems technology" includes office equipment such as typewriters, duplicating, photocopy and paper handling machines or equipment, micrographic equipment, and printing equipment and services. S.D. CODIFIED LAWS § 1-33-42(2).

²⁰⁰ "Services" mean the providing of consultant assistance for any aspect of information technology, to include data processing, office system technology and telecommunication systems and networks. S.D. CODIFIED LAWS § 1-33-42(3).

²⁰¹ "Data processing" means any automated collection, storage, manipulation and retrieval of data including: central processing units for micro, mini and mainframe computers; any related peripheral equipment such as, but not limited to, terminals, document scanners, word processors, intelligent copiers, disk units, tape units, controllers, plotters, offline memory storage, printer devices and data transmission equipment; and any software such as, but not limited to, operating systems, teleprocessing monitors, data base monitors, library and maintenance routines and application programs. S.D. CODIFIED LAWS § 1-33-42(1).

legislative and judicial branches of government, the constitutional offices, and the public utilities commission when evaluating requests for software acquisition. S.D. CODIFIED LAWS § 1-33-44.

It is the duty of the person in charge of any state institution to furnish any criminal identifying information to the Attorney General upon request. S.D. CODIFIED LAWS § 23-5-1; see also 23-5-4 & 23-5-8.

 **Scope of Records Included:**

“The attorney general shall also co-operate with, and assist sheriffs, chiefs of police, and other law enforcement officers to the end that a complete state system of criminal identification, investigation, and statistical information may be established.” S.D. CODIFIED LAWS § 23-5-2. “Criminal history information” is arrest information, conviction information, disposition information and correction information compiled by the attorney general pursuant to S.D. CODIFIED LAWS §§ 23-5-1 to 23-5-18, commonly referred to as a “rap sheet.” S.D. CODIFIED LAWS § 23-5-10(2).

 **Accessibility/Accuracy/Privacy/Security of the Information:**

“All photographs, impressions, measurements, descriptions, or records taken or made as provided for in § 23-5-6 shall be filed and preserved in the department or institution where made or taken and shall not be published, transferred, or circulated outside such department or institutions, nor exhibited to the public or any person or persons except duly authorized peace officers unless the subject of such photograph, measurement, description, or other record shall have become a fugitive from justice, or shall have escaped from a penal or reformatory institution.” S.D. CODIFIED LAWS § 23-5-7. Confidential criminal justice information²⁰² is not subject to inspection under the open records provision, S.D. CODIFIED LAWS § 1-27-1. S.D. CODIFIED LAWS § 23-5-11. Any person may examine criminal history information filed with the Attorney General that refers to that person. S.D. CODIFIED LAWS § 23-5-12. See also S.D. CODIFIED LAWS § 23-5-12.1 (criminal record check by schools or child welfare agencies on prospective employee).

²⁰² “Confidential criminal justice information” is criminal identification information compiled pursuant to S.D. CODIFIED LAWS chapter 23-5, criminal intelligence information, criminal investigative information, criminal statistics information made confidential pursuant to S.D. CODIFIED LAWS § 23-6-14, and criminal justice information otherwise made confidential by law. S.D. CODIFIED LAWS § 23-5-10(1). “Criminal intelligence information” is information associated with an identifiable individual, group, organization or event compiled by a law enforcement agency: in the course of conducting an investigation into a criminal conspiracy, projecting a potential criminal operation, or producing an estimate of future criminal activities; or in relation to the reliability of information derived from reports of informants or investigators or from any type of surveillance. S.D. CODIFIED LAWS § 23-5-10(3). “Criminal investigative information” is information associated with an individual, group, organization, or event compiled by a law enforcement agency in the course of conducting an investigation of a crime or crimes; it includes information about a crime or crimes derived from reports of officers, deputies, agents, informants or investigators or from any type of surveillance. S.D. CODIFIED LAWS § 23-5-10(4).

State: TENNESSEE

Synopsis: The Information Systems Council has members from all three branches of state government. The Office for Information Resources of the Department of Finance and Administration serves as staff to the council. The Director of the Tennessee Bureau of Investigation is required to establish a system of intrastate communication of vital statistics and information relating to crime, criminals, and criminal activity. The Administrative Office of the Courts, in consultation with the Tennessee Court Information System (TnCIS) Steering Committee, uses recommendations from the Tennessee Judicial Information System Advisory Committee to manage and control the scope of the TnCIS software project.

STATUTES²⁰³ ¾ TENN. CODE §§

4-3-1004, Data processing section, Department of Finance and Administration

4-3-5501 to 4-3-5525, Information Systems Council

16-3-807, 16-3-809 & 16-3-811, Tennessee Court Information System (TnCIS)

38-6-116, Tennessee Internet Criminal Information Center, Tennessee Bureau of Investigation

38-10-101 to 38-10-105, Intrastate Communication of Criminal Statistics

38-13 101 to 38-13-104, Law Enforcement Advisory Council



Organization/Structure:

The Information Systems Council is to be composed of:

- Commissioner of Finance and Administration, who also acts as the chair,
- Commissioner of General Services,
- Comptroller of the Treasury,
- 3 members of the Senate appointed by its Speaker,
- 3 members of the House of Representatives appointed by its Speaker,
- 2 private citizens appointed by the Governor who have demonstrated expertise and experience in managing large and diverse information management systems,
- a director of the Tennessee Regulatory Authority appointed by its Chair, who is a member whenever the council considers statewide telecommunications issues or other matters relating directly to areas over which the authority has responsibility,
- 2 nonvoting members of the council – one a state employee selected by the Tennessee State Employees Association who has experience in the field of information systems and the other the Chair of the State Employee-Run Information Systems Management Group, and
- Chief Justice of the Supreme Court or designee.

TENN. CODE §4-3-5501. The Office for Information Resources of the Department of Finance and Administration serves as staff to the Information Systems Council. TENN. CODE §4-3-5503.

The Tennessee Bureau of Investigation is a separate department of state government. TENN. CODE §38-6-101(a)(1). The bureau's director is required to establish a system of intrastate communication of vital statistics and information relating to crime, criminals, and criminal activity. TENN. CODE §38-10-101.

The Tennessee Judicial Information System Advisory Committee (TJISAC) is composed of 18 members:

- 5 court clerk members from each grand division appointed by the President of the Tennessee Court Clerks Association,
- a representative of the County Audit Division of the Office of the Comptroller of the Treasury,
- President of the Tennessee Court Clerks Association, and
- Administrative Director of the Courts.

TENN. CODE §16-3-809(a). The Tennessee Court Information System (TnCIS) Steering Committee consists of 13 members:

²⁰³ Current through the 2000 Regular Session.

- 3 court clerk members selected by TJISAC,
- 2 members appointed by the Comptroller of the Treasury,
- 2 members appointed by the Administrative Office of the Courts, and
- 6 members of the General Assembly appointed by the respective speakers.

The Office for Information Resources, contract software vendors, and other groups or organizations providing support for the TnCIS software project serve as advisors to the steering committee. The steering committee is to remain in existence for a period not to exceed five years from June 30, 1999, or until such time as the TnCIS system has been implemented based on the initial project scope as determined by the TnCIS Steering Committee. TENN. CODE §16-3-811.

Authority:

The duties and responsibilities of the Information Systems Council include:

- developing policy guidelines for the overall management of the state's information systems, including effective long-range planning for the state's information management system (TENN. CODE §4-3-5502(1));
- periodically reviewing the overall effectiveness and efficiency with which the state's information systems network is being managed (TENN. CODE §4-3-5502(2)); and
- establishing the policy, with the assistance and support of the Department of General Services and the Department of Finance and Administration, under which the state procures telecommunications, computer, or computer-related equipment or services (TENN. CODE §4-3-5504).

The Office for Information Resources facilitates the use of information systems, provides technical direction and assistance to departments and agencies for all distributive processing and network related systems, and serves as a computer service bureau. TENN. CODE §4-3-5503.

The Tennessee Judicial Information System Advisory Committee (TJISAC) meets quarterly to review the development of the Tennessee Court Information System (TnCIS) software until the software is implemented statewide and collecting data from all 95 counties. After implementation, the advisory committee will meet periodically, as necessary, to review any major functional modification to the TnCIS software, but no major functional modification is to be made without agreement between the Administrative Director of the Courts and the President of the Tennessee Court Clerks Association. TENN. CODE §16-3-809(b) & (c). The Administrative Office of the Courts, in consultation with the TnCIS Steering Committee, uses recommendations from TJISAC to manage and control the scope of the TnCIS software project relative to defining system functionality and determining project timelines, deadlines and system implementation priorities. TENN. CODE §16-3-811.

The Administrative Office of the Courts is responsible for making available to the Tennessee Bureau of Investigation in a mutually agreeable form all information the office receives from the various courts regarding disposition of cases. TENN. CODE §16-3-812.

All state, county, and municipal law enforcement and correctional agencies, and courts are required to submit to the Tennessee Bureau of Investigation reports setting forth their activities in connection with law enforcement and criminal justice, including uniform crime reports. TENN. CODE §38-10-101. The bureau has rulemaking authority for uniform crime reports. TENN. CODE §38-10-103.

Scope of Records Included:

The Director of the Tennessee Bureau of Investigation is required to establish a system of intrastate communication of vital statistics and information relating to crime, criminals, and criminal activity. TENN. CODE §38-10-101.

Accessibility/Accuracy/Privacy/Security of the Information:

The Information Systems Council develops policy guidelines, including appropriate security and disaster recovery policies and procedures for the state's information systems environment. TENN. CODE §4-3-5502(1)(A).

State: TEXAS

Synopsis: The Department of Public Safety and the Texas Department of Criminal Justice, with advice from the Criminal Justice Policy Council and the Department of Information Resources, are required to develop plans to improve the reporting and accuracy of the criminal justice information system. Several justice agencies have formed the State Agency Justice Information Coordinating Committee to plan for the development of a statewide integrated justice system.

STATUTES²⁰⁴ ¾

TEX. CRIM. PROC. CODE §§60.01 – 60.18, Criminal History Record System

TEX. GOV'T CODE §§

411.042, Bureau of Identification and Records, Department of Public Safety

411.081 – 411.136, Criminal History Record Information

413.001 – 413.022, Criminal Justice Policy Council

491.001 et seq., Department of Criminal Justice

2054.001 – 2054.207, Information Resources Management Act



Organization/Structure:

The Department of Information Resources is an agency of the state. TEX. GOV'T CODE § 2054.004. The department is governed by a board composed of six voting members appointed by the Governor with the advice and consent of the Senate. One voting member must be employed by an institution of higher education. Two groups each composed of three ex officio members serve on the board on a rotating basis. The ex officio members serve as nonvoting members of the board. Only one group serves at a time. The first group is composed of the Executive Director of the Texas Workers' Compensation Commission, the Commissioner of Health and Human Services, and the Executive Director of the Texas Department of Transportation. The second group is composed of the Commissioner of Education, the Executive Director of the Texas Department of Criminal Justice, and the Executive Director of the Parks and Wildlife Department. TEX. GOV'T CODE § 2054.021. The board employs an executive director and other employees necessary to implement its duties. TEX. GOV'T CODE § 2054.029. The board and the executive director (if authorized by the board) may appoint advisory committees as the department considers necessary to provide expertise to the department. TEX. GOV'T CODE § 2054.033.

The State Agency Justice Information Coordinating Council was formed through the initiative of the participating agencies in an attempt to improve interagency coordination of justice information sharing. Each state agency director signed an action plan for this effort. The participating agencies include:

- Department of Public Safety,
- Department of Criminal Justice,
- Office of Court Administration,
- Juvenile Probation Department,
- Texas Youth Commission, and
- Office of the Attorney General.

Advisory agencies include: Criminal Justice Policy Council, Department of Information Resources, State Auditor's Office, Criminal Justice Division of the Governor's Office, and Legislative Budget Board.

The Criminal Justice Policy Council is an agency of the state. TEX. GOV'T CODE §413.002. The policy council is under the direction of an executive director who is appointed by the Governor with the advice and consent of the Senate. TEX. GOV'T CODE §413.004. The Governor may establish other advisory councils, task forces, or commissions the Governor considers necessary to advise the policy

²⁰⁴ Current through the 1999 Regular Session (no 2000 session).

council or to accomplish the purposes of TEX. GOV'T CODE §§413.001 – 413.022. TEX. GOV'T CODE § 413.007.

The nine-member Texas Board of Criminal Justice is appointed by the Governor to oversee the Texas Department of Criminal Justice, which operates state prisons, state jails, parole, and provides funding and certain oversight of community supervision. TEX. GOV'T CODE §§491.001 et seq.

There is a Bureau of Identification and Records in the Department of Public Safety. TEX. GOV'T CODE §411.042. The Department of Public Safety is responsible for recording data and maintaining a database for a computerized criminal history system that serves as the record creation point for criminal history information maintained by the state. The Texas Department of Criminal Justice is responsible for recording data and establishing and maintaining a database for a corrections tracking system. The computerized criminal history and the corrections tracking systems are required to be linked. The Department of Public Safety and the Texas Department of Criminal Justice, with advice from the Criminal Justice Policy Council and the Department of Information Resources, must develop biennial plans to improve the reporting and accuracy of the criminal justice information system and to develop and maintain monitoring systems capable of identifying missing information. TEX. CRIM. PROC. CODE §60.02.

 **Authority:**

The Department of Information Resources:

- provides the leadership in and coordination of information resources²⁰⁵ management within state government;
- monitors national and international standards relating to information resources technologies²⁰⁶, develops and publishes policies, procedures, and standards relating to information resources management by state agencies²⁰⁷, and ensures compliance with those policies, procedures, and standards;
- provides for all interagency use of information resources technologies by state agencies, except for telecommunications services provided by the General Services Commission; and
- adopts rules as necessary to implement its responsibilities.

TEX. GOV'T CODE §§2054.051 & 2054.052. The department's executive director prepares a state strategic plan for information resources management for the board's review and approval. TEX. GOV'T CODE §2054.091. Each state agency is required to prepare an agency strategic plan for information resources management. TEX. GOV'T CODE §2054.095. Each agency strategic plan must be consistent with the state strategic plan. TEX. GOV'T CODE §2054.096. State agencies send their strategic plans to

²⁰⁵ "Information resources" means the procedures, equipment, and software that are employed, designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit information, and associated personnel including consultants and contractors. TEX. GOV'T CODE §2054.003(6).

²⁰⁶ "Information resources technologies" means data processing and telecommunications hardware, software, services, supplies, personnel, facility resources, maintenance, and training. TEX. GOV'T CODE §2054.003(7). "Data processing" means information technology equipment and related services designed for the automated storage, manipulation, and retrieval of data by electronic or mechanical means. The term includes: (1) central processing units, front-end processing units, miniprocessors, microprocessors, and related peripheral equipment such as data storage devices, document scanners, data entry equipment, terminal controllers, data terminal equipment, computer-based word processing systems other than memory typewriters, and equipment and systems for computer networks; (2) all related services, including feasibility studies, systems design, software development, and time-sharing services, provided by state employees or others; and (3) the programs and routines used to employ and control the capabilities of data processing hardware, including operating systems, compilers, assemblers, utilities, library routines, maintenance routines, applications, and computer networking programs. TEX. GOV'T CODE §2054.003(3).

²⁰⁷ "State agency" means a department, commission, board, office, council, or other agency in the executive or judicial branch of state government that is created by the constitution or a statute of this state, including a university system or institution of higher education. TEX. GOV'T CODE §2054.003(9).

the department for review and approval. TEX. GOV'T CODE §2054.097. Each state agency must send a copy of its biennial operating plan and of any amendments to the plan, as approved by the department, to the Governor, the Legislative Budget Board, and the State Auditor. TEX. GOV'T CODE §2054.103. If a state agency fails to do so, the Governor may direct the Comptroller to deny the agency access to the agency's appropriations that relate to the management of information resources. TEX. GOV'T CODE §2054.104. A state agency may not spend appropriated funds for a major information resources project unless the project has been approved by the department in the agency's biennial operating plan. The department is required to develop rules or guidelines for its review of major information resources projects. TEX. GOV'T CODE §2054.118. The department by rule establishes model guidelines for state agencies to use in developing their own internal quality assurance procedures²⁰⁸. TEX. GOV'T CODE §2054.153.

The Criminal Justice Policy Council is required to develop means to promote a more effective and cohesive state criminal justice system. TEX. GOV'T CODE §413.008. The policy council:

- conducts in-depth analyses of the criminal justice system;
- determines the long-range needs of the criminal justice system and recommends policy priorities for the system;
- identifies critical problems in the criminal justice system, and recommends strategies to solve those problems;
- assesses the cost-effectiveness of the use of state and local funds in the criminal justice system; and
- determines long-range information needs of the criminal justice system and acquires that information.

TEX. GOV'T CODE §413.009. The policy council submits biennially to the legislature a plan detailing the actions necessary to promote an effective and cohesive criminal justice system. TEX. GOV'T CODE §413.013.

The Department of Public Safety may adopt reasonable rules relating to: (1) law enforcement information systems maintained by the department; (2) the collection, maintenance, and correction of records; (3) reports of criminal history information²⁰⁹ submitted to the department; and (4) active protective orders. TEX. GOV'T CODE §411.042(g).

Each criminal justice agency²¹⁰ is required to cooperate with the Department of Public Safety and the Texas Department of Criminal Justice and to compile and maintain records needed for reporting data required by those two departments. The same duties are also imposed on district court and county

²⁰⁸ "Internal quality assurance procedures" includes methods that an agency employs to identify and mitigate risks on its projects, to ensure that it follows established state technology standards, and to provide accountability for the money spent on its projects. TEX. GOV'T CODE §2054.152.

²⁰⁹ "Criminal history record information" means information collected about a person by a criminal justice agency that consists of identifiable descriptions and notations of arrests, detentions, indictments, informations, and other formal criminal charges and their dispositions. The term does not include identification information, including fingerprint records, to the extent that the identification information does not indicate involvement of the person in the criminal justice system or driving record information. TEX. GOV'T CODE §411.082(2). "Criminal justice agency" means a federal or state agency that is engaged in the administration of criminal justice under a statute or executive order and that allocates a substantial portion of its annual budget to the administration of criminal justice; or a nongovernmental railroad or campus police department that has obtained an originating agency identifier from the Federal Bureau of Investigation. TEX. GOV'T CODE §411.082(3).

²¹⁰ "Criminal justice agency" means a federal or state agency that is engaged in the administration of criminal justice under a statute or executive order and allocates a substantial part of its annual budget to the administration of criminal justice. TEX. CRIM. PROC. CODE §60.01(6). "Administration of criminal justice" means the performance of any of the following activities: detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of an offender. The term includes criminal identification activities and the collection, storage, and dissemination of criminal history record information. TEX. CRIM. PROC. CODE §60.01(1).

court clerks. TEX. CRIM. PROC. CODE §60.06. The Department of Public Safety and the Texas Department of Criminal Justice are required to adopt by rule reporting procedures for the system. TEX. CRIM. PROC. CODE §60.08.

 **Scope of Records Included:**

The criminal justice information system²¹¹ must contain, but is not limited to, the information for each arrest for a felony or a misdemeanor (not punishable by fine only) relating to: (1) offenders; (2) arrests; (3) prosecutions; (4) the disposition of cases by courts; (5) sentencing; and (6) the handling of offenders received by a correctional agency, facility, or other institution. TEX. CRIM. PROC. CODE §60.05. The system requirements are:

- providing law enforcement officers with an accurate criminal history record depository;
- providing criminal justice agencies with an accurate criminal history record depository for operational decision making;
- accurate criminal justice system modeling;
- improving the quality of data used to conduct impact analyses of proposed legislative changes in the criminal justice system; and
- improving the ability of interested parties to analyze the functioning of the criminal justice system.

TEX. CRIM. PROC. CODE §60.02(c).

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The handling of criminal history record information is governed by TEX. GOV'T CODE §§411.081 – 411.136.

Criminal justice agencies and the Criminal Justice Policy Council are entitled to access to the data bases of the Department of Public Safety and the Texas Department of Criminal Justice in accordance with applicable state or federal law or regulations. Neither a criminal justice agency nor the council may disclose to the public information in an individual's criminal history record if the record is protected by state or federal law or regulation. TEX. CRIM. PROC. CODE §60.03. At least once every five years the Criminal Justice Policy Council must coordinate an examination of the records and operations of the criminal justice information system to ensure the accuracy and completeness of information in the system and to ensure the promptness of information reporting. TEX. CRIM. PROC. CODE §60.02(j).

²¹¹ "Criminal justice information system" means the computerized criminal history system and the corrections tracking system. TEX. CRIM. PROC. CODE §60.01(7). "Computerized criminal history system" means the data base containing arrest, disposition, and other criminal history maintained by the Department of Public Safety. TEX. CRIM. PROC. CODE §60.01(3). "Disposition" means an action that results in the termination, transfer to another jurisdiction, or indeterminate suspension of the prosecution of a criminal charge. TEX. CRIM. PROC. CODE §60.01(8). "Corrections tracking system" means the data base maintained by the Texas Department of Criminal Justice on all offenders under its supervision. TEX. CRIM. PROC. CODE §60.01(4).

State: UTAH

Synopsis: There is an independent commission called the Utah Information Technology Commission. The Chief Information Officer (CIO) is housed in the Office of Planning and Budget, Office of the Governor. The CIO is required to create an Information Technology Policy and Strategy Committee, which is directed by its Executive Committee. Executive branch agencies are required to comply with the policies, procedures, and standards established by the CIO and approved by the committee. Within the Department of Administrative Services, there is a Division of Information Technology Services, which manages the delivery of data processing and telecommunication services for state agencies. The Commission on Criminal and Juvenile Justice within the Governor's Office is responsible for promoting the development of criminal and juvenile justice information systems that are capable of appropriately sharing information with other criminal justice information systems. The Bureau of Criminal Identification is part of the Criminal Investigations and Technical Services Division in the Department of Public Safety.

STATUTES²¹² 3/4 UTAH CODE §§

53-10-201 to 53-10-212, Bureau of Criminal Identification, Department of Public Safety

63-25a-101 et seq., State Commission on Criminal and Juvenile Justice

63A-6-101 to 63A-6-204, Division of Information Technology Services, Dept. of Administrative Services

63D-1-101 to 63D-1-304, Utah Information Technology Commission, Chief Information Officer, et al.



Organization/Structure:

The Utah Information Technology Commission is an independent commission composed of up to 21 members appointed as follows:

- (a) 3 members of the House of Representatives, appointed by the Speaker of the House, not more than two of whom shall be from the same political party,
- (b) 3 members of the Senate, appointed by the President of the Senate, not more than two of whom shall be from the same political party,
- (c) 2 members, one of which is the Chief Information Officer, appointed by the Governor in consultation with the President of the Senate and the Speaker of the House,
- (d) a member appointed by the Judicial Council,
- (e) a member appointed by the State Board of Education,
- (f) a member appointed by the State Board of Regents,
- (g) a member appointed by the Public Service Commission, and
- (h) up to 9 members of the public selected by the nine members appointed in subsections (a), (b), (c), and (d), above, with the approval of the President of the Senate and the Speaker of the House (the members selected represent, in the judgment of the selecting members, the principal interests of: (i) providers, developers, and consumers of information technology products and services; (ii) local government; and (iii) the general public).

The Speaker of the House and President of the Senate each appoint a legislator to serve as a cochair of the commission. UTAH CODE §63D-1-202.

The Chief Information Officer (CIO) is appointed by the Governor and is housed in the Office of Planning and Budget, Office of the Governor. UTAH CODE §63D-1-301. The CIO is required to create an Information Technology Policy and Strategy Committee composed of:

- a representative of each executive branch agency appointed by the director of that agency,
- a representative of the legislative branch appointed by the Information Technology Commission,
- a representative of the judicial branch appointed by the Judicial Council,
- a representative of the cities appointed by the Utah League of Cities and Towns,
- a representative of the counties appointed by the Utah Association of Counties,
- a representative of the federal government appointed by the CIO,

²¹² Current through the 2000 General Session.

- a representative of public education appointed by the Board of Education,
- a representative of higher education appointed by the Board of Regents, and
- the members of the Executive Committee.

The CIO acts as the committee's chair. The representatives of the executive branch are the only voting members on policies binding the executive branch. No action taken by the committee is binding upon the other branches of government, but is considered a recommendation for coordination purposes.

UTAH CODE §63D-1-302. The Executive Committee of the Information Technology Policy and Strategy Committee is composed of:

- CIO who is also the chair,
 - Deputy for Policy of the Governor's Office,
 - Director of the Governor's Office of Planning and Budget,
 - Director of the Division of Information Technology Services,
 - Executive Director of the Department of Administrative Services,
 - Chair of the Public Service Commission (nonvoting),
 - Director of the Utah Education Network Steering Committee (nonvoting), and
- if the judicial branch or legislative branch choose to participate –
- a representative from the judicial branch appointed by the Judicial Council, and
 - a representative from the legislative branch appointed by the Information Technology Commission with the approval of the President of the Senate and the Speaker of the House.

UTAH CODE §63D-1-303.

Within the Department of Administrative Services, there is a Division of Information Technology Services. UTAH CODE §63A-6-101.

Within the Governor's Office, there is a State Commission on Criminal and Juvenile Justice. UTAH CODE §63-25a-101. The commission is composed of 20 voting members:

- Chief Justice of the Supreme Court, as the presiding officer of the Judicial Council, or a judge designated by the Chief Justice,
- State Court Administrator,
- a juvenile court judge appointed by the Chief Justice as the presiding officer of the Judicial Council,
- Executive Director of the Department of Corrections,
- Director of the Division of Youth Corrections,
- Commissioner of the Department of Public Safety,
- Attorney General,
- a representative of the statewide association of public attorneys designated by the association's officers,
- the president of the chief of police association or a chief of police designated by the association's president,
- the president of the sheriff's association or a sheriff designated by the association's president,
- Chair of the Board of Pardons and Parole designee,
- Chair of the Utah Sentencing Commission,
- Chair of the Utah Substance Abuse and Anti-Violence Coordinating Council,
- Chair of the Utah Board of Juvenile Justice,
- Chair of the Utah Council on Victims of Crime or designee, and

5 members appointed by the Governor, with the advice and consent of the Senate, as follows:

- a criminal defense attorney appointed from a list of three nominees submitted by the Utah State Bar Association,
- a state senator,
- a state representative,
- a representative of public education, and
- a citizen representative.

The United States Attorney for the District of Utah may serve as a nonvoting member. UTAH CODE §63-25a-102.

The Bureau of Criminal Identification is part of the Criminal Investigations and Technical Services Division in the Department of Public Safety. UTAH CODE §§53-10-201 & 53-10-103.

 **Authority:**

The Utah Information Technology Commission:

- studies the state's present and future information technology²¹³ needs;
- makes recommendations regarding the coordination and governance of the information technology needs for the Executive, Legislative, and Judicial Departments;
- solicits and considers recommendations made by the Governor, Judiciary, Legislature, and the public regarding information technology;
- considers the scope of the Public Service Commission's authority to regulate information technology;
- considers issues of economic development with regard to information technology;
- receives reports concerning expenditures for information technology and appropriation requests from Executive, Judicial and Legislative Departments, and makes recommendations to Executive Appropriations and the appropriate appropriations subcommittees of the Legislature;
- reviews, analyzes, and studies any issue concerning or related to information technology or practice that is of interest to the commission;
- submits to the Legislature before the annual general session its reports and recommendations for information technology projects or legislation; and
- prepares, if needed, legislation concerning information technology for submission to the Legislature in its annual general session.

UTAH CODE §63D-1-204.

The Chief Information Officer (CIO):

- develops specific information technology objectives, policies, procedures, and standards to guide the development of information systems²¹⁴ within state government to achieve maximum economy and quality while preserving optimum user flexibility;
- coordinate the preparation of agency information technology plans within state government, encompassing both short-term and long-term needs that support the agency's and the state's strategic plans;
- requires each state agency²¹⁵ to submit semiannually an agency information technology plan (providing a copy to the Director of the Division of Information Technology Services, Department of Administrative Services) for the CIO's review and approval;
- facilitates the implementation of agency plans;
- establishes priorities in terms of both importance and time sequencing for the development and implementation of information systems;
- monitors information systems development to promote maximum use of existing state information resources;

²¹³ "Information technology" means all computerized and auxiliary automated information handling, including: (1) systems design and analysis; (2) conversion of data; (3) computer programming; (4) information storage and retrieval; (5) voice, radio, video, and data communications; (6) requisite systems controls; (7) simulation; and (8) all related interactions between people and machines. UTAH CODE §63D-1-104(2).

²¹⁴ "Information systems" means a collection of people, procedures, and equipment designed, built, operated, and maintained to collect, record, process, store, retrieve, and display information.

²¹⁵ "State agency" means every agency or administrative subunit of state government except the legislative and judicial branches, the State Board of Education, the Board of Regents, and institutions of higher education. UTAH CODE §63D-1-104(3).

- advises the Governor on information technology policy and make recommendations to the Governor regarding requests for appropriations for information technology equipment and personnel;
- maintains liaison with the legislative and judicial branches, the Board of Regents, the State Board of Education, local government, federal government, business and industry, and consumers to promote cooperation and makes recommendations regarding information resources;
- conducts performance audits of state information technology management, planning, and the use of information technology resources and distributes copies of the audit reports; and
- prepares an annual report to the Governor and to the Legislature's Public Utilities and Technology Interim Committee and the Information Technology Commission.

The CIO also receives reports for review and approval from the Director of the Division of Information Technology Services regarding the division's budget, strategic plans (including services the division is or plans to offer agencies), and major expenditure plans. UTAH CODE §63D-1-301.5.

The Executive Committee of the Information Technology Policy and Strategy Committee determines the information policies, procedures, and standards to be reviewed by the Information Technology Policy and Strategy Committee, which:

- is directed by its Executive Committee;
- evaluates and approves or disapproves recommended information technology policies, procedures, and standards to govern the operation of information technology in the executive branch;
- acts as a high-level forum for information technology issues;
- acts as an advisory committee for the CIO, Division of Information Technology Services, and state agencies; and
- creates, and receives recommendations from, multiagency work groups on specific information technology issues.

The CIO, at the request of the Information Technology Commission, reports on the approval or disapproval of operational policy recommendations relating to information technology made by the committee. Executive branch agencies are required to comply with the policies, procedures, and standards established by the CIO and approved by the committee. UTAH CODE §§63D-1-302 & 63D-1-303.

The Director of the Division of Information Technology Services manages the delivery of efficient and cost-effective data processing and telecommunication services for all state agencies at the lowest practical cost, giving priority service to public safety agencies. The director provides the Chief Information Officer and the state information technology review committee a written analysis of each state agency's annual information technology plan. UTAH CODE §63A-6-105; see also §63A-6-103. The operation of the Department of Public Safety's dispatch services is excluded from the management of the Division of Information Technology Services. However, the Department of Administrative Services and the Department of Public Safety are required to meet on a regular basis to formulate contracts, establish priorities, and develop funding mechanisms for dispatch and telecommunication operations. UTAH CODE §63A-6-107.

The Commission on Criminal and Juvenile Justice:

- promotes broad philosophical agreement concerning the objectives of the criminal and juvenile justice system in Utah;
- provides a mechanism for coordinating the functions of the various branches and levels of government concerned with criminal and juvenile justice to achieve those objectives;
- coordinates statewide efforts to reduce crime and victimization in Utah;
- promotes the communication and coordination of all criminal and juvenile justice agencies;
- provides analysis and recommendations on all criminal and juvenile justice legislation, state budget, and facility requests, including program and fiscal impact on all components of the criminal and juvenile justice system;

- provides analysis, accountability, recommendations, and supervision for state and federal criminal justice grant monies;
- provides a comprehensive criminal justice plan annually; and
- promotes the development of criminal and juvenile justice information systems that are consistent with common standards for data storage and are capable of appropriately sharing information with other criminal justice information systems.

The commission has rulemaking authority for annual criminal justice planning and for the criminal and juvenile justice information systems. UTAH CODE §§63-25a-101 & 63-25a-104.

The Criminal Investigations and Technical Services Division:

- maintains and provides access to criminal records for use by law enforcement agencies;
- publishes law enforcement and statistical data; and
- collects and provides intelligence information to criminal justice agencies.

The division has rulemaking authority to carry out its duties. UTAH CODE §§53-10-201 & 53-10-103.

State officials are required to supply the division with the requisite information. UTAH CODE §§53-10-206, 53-10-207 (peace officers, prosecutors, and magistrates), 53-10-208.1 (magistrates and court clerks), and 53-10-209 (penal institutions and state hospital).

Scope of Records Included:

The Commission on Criminal and Juvenile Justice promotes “ the development of criminal and juvenile justice information systems that are consistent with common standards for data storage and are capable of appropriately sharing information with other criminal justice information systems.” UTAH CODE §63-25a-104(12).

The Criminal Investigations and Technical Services Division is responsible for the statewide warrant system, a portion of the state court computer system that is accessible by modem from the state mainframe computer and contains records of criminal warrant information and records of protective orders issued. UTAH CODE §53-10-208. The Bureau of Criminal Identification maintains criminal identification and statewide uniform crime reporting systems. UTAH CODE §§53-10-202.

Accessibility/Accuracy/Privacy/Security of the Information:

The Chief Information Officer develops policies to ensure the protection of individual privacy and to guarantee the exclusive control to a user of its own data. UTAH CODE §63D-1-301.5(1)(a)(iv).

The Commission on Criminal and Juvenile Justice annually performs audits of criminal history record information maintained by state criminal justice agencies to assess their accuracy, completeness, and adherence to standards. UTAH CODE §63-25a-104(12)(b).

Restrictions on access, use, and contents of criminal history record²¹⁶ and warrant information from the files of the Criminal Investigations and Technical Services Division are set forth in UTAH CODE §53-10-108. The Bureau of Criminal Identification establishes policy concerning the use and dissemination of its data. UTAH CODE §53-10-202(4). The data acquired under the statewide uniform crime reporting system may be used only for research or statistical purposes and may not contain any information that may reveal the identity of an individual victim of a crime. UTAH CODE §53-10-205. The Criminal Investigations and Technical Services Division ensures quality control of warrants of arrest or commitment and protective orders contained in the statewide warrant system by conducting regular validation checks with clerks of court responsible for entering the information on the system. UTAH CODE §53-10-208(3)(a).

²¹⁶ “Criminal history record information” means information on individuals consisting of identifiable descriptions and notations of: (a) arrests, detentions, indictments, informations, or other formal criminal charges, and any disposition arising from any of them; and (b) sentencing, correctional supervision, and release. UTAH CODE §53-10-102(7).

State: VERMONT

Synopsis: Within the Department of Buildings and General Services is the Division of Communications and Information Technology. The Vermont Criminal Information Center is an agency within the Department of Public Safety and is responsible for the state's criminal records.

STATUTES²¹⁷ 3/4 VT. STAT. tit.
3, §2283a, Department of Buildings and General Services
20, §§1811 et seq., Department of Public Safety
20, §§2051-2063, Vermont Criminal Information Center

 **Organization/Structure:**

There is a Department of Buildings and General Services. VT. STAT. tit. 3, §2283a. Within the department is a Division of Communications and Information Technology whose mission is to work with state agencies to provide integrated services to the people of Vermont through an environment in which information is shared for the benefit of government and the public.

Within the Department of Public Safety, the Vermont Criminal Information Center is the official state repository for all criminal records, records of the commission of crimes, arrests, convictions, photographs, descriptions, fingerprints, and such other information as the department's commissioner deems pertinent to criminal activity. VT. STAT. tit. 20, §2051.

 **Authority:**

The Department of Buildings and General Services is responsible for the provision of support services to state government, including public record storage and central data processing. VT. STAT. tit. 3, §2283a.

All state departments and agencies, municipal police departments, sheriffs, and other law enforcement officers are required to cooperate with and assist the Vermont Criminal Information Center in the establishment of a complete and uniform system of criminal records. VT. STAT. tit. 20, §2053(b). The Commissioner of Public Safety issues regulations relating to the use, completion, and filing of the uniform forms and to the operation of the center. VT. STAT. tit. 20, §2054(a).

 **Scope of Records Included:**

"[A] complete and uniform system of records relating to the commission of crimes, arrests, convictions, imprisonment, probation, parole, fingerprints, photographs, stolen property and other matters relating to the identification and records of persons who have or who are alleged to have committed a crime, who are missing persons or who are fugitives from justice." VT. STAT. tit. 20, §2053(b).

 **Accessibility/Accuracy/Privacy/Security of the Information:**

Dissemination of criminal history records²¹⁸ is covered in VT. STAT. tit. 20, §§2056a (to criminal justice agencies), 2056b (to persons conducting research), and 2056c (to employers). Statewide criminal history records must be released only by the Vermont Criminal Information Center. VT. STAT. tit. 20, §§2056d; see also §2060.

²¹⁷ Current through the 2000 Legislative Session, including 2000 Vt. Laws 151 (S. 200).

²¹⁸ "Criminal history record" means all information documenting an individual's contact with the criminal justice system, including data regarding identification, arrest or citation, arraignment, judicial disposition, custody and supervision. VT. STAT. tit. 20, §§2056(a)(1).

State: VIRGINIA

Synopsis: The Secretary of Technology is a cabinet-level post reporting directly to the Governor with statutory responsibilities as the state's Chief Information Officer. Two state agencies, the Department of Technology Planning and the Department of Information Technology, report to the Secretary of Technology. The Department of Technology Planning functions as the Secretary of Technology's staff in developing statewide technology plans, policies, and standards, and serves as the Secretary's agent in reviewing state agency technology plans, budget requests, procurements, and major projects. The Council on Technology Services advises and assists the Secretary of Technology. The Department of Criminal Justice Services is one of 12 agencies within the Secretariat of Public Safety. The Criminal Justice Services Board is the department's policy board, with representation from all aspects of the criminal justice system on both state and local levels of government. The Integrated Criminal Justice Information System (ICJIS) project is being managed out of the Department of Criminal Justice Services by the Technical Services Division, which also provides staff and technical support for the Criminal Justice Services Board's Criminal Justice Information Systems committee. Also within the Secretariat of Public Safety is the Department of State Police, which handles the Central Criminal Records Exchange and Uniform Crime Reporting Program through its Bureau of Administrative and Support Services, Criminal Justice Information Services Division.

STATUTES²¹⁹ et al. ¾ VA. CODE §§

2.1-51.16 to 2.1-51.18, Secretary of Public Safety

2.1-51.44 to 2.1-51.50, Secretary of Technology, Council on Technology Services, Chief Information Officer Advisory Board, and CIO advisory committees

2.1-563.13 to 2.1-563.44, Department of Information Technology & Department of Technology Planning
9-125 to 9-138, Virginia State Crime Commission

9-167 to 9-196.12, Department of Criminal Justice Services & Criminal Justice Services Board

19.2-387 to 19.2-392.02, Central Criminal Records Exchange, Department of State Police

30-85 to 30-89, Joint Commission on Technology and Science, General Assembly

52-25 to 52.30, Uniform Crime Reporting Program, Department of State Police

E.O. 65 (00), Implementing Electronic Government in the Commonwealth of Virginia (May 24, 2000)

E.O. 51 (99), Implementing Certain Recommendations by the Governor's Commission on Information Technology (July 23, 1999)

 **Organization/Structure:**

The Secretary of Technology is a cabinet-level post reporting directly to the Governor with statutory responsibilities as the state's Chief Information Officer. VA. CODE §§2.1-51.44 & 2.1-51.47. Two state agencies, the Department of Technology Planning and the Department of Information Technology, report to the Secretary of Technology. VA. CODE §2.1-51.46. The Council on Technology Services (COTS), chaired by the Secretary of Technology, consists of no more than 26 nor fewer than 20 members:

- at least 1 representative from the Secretariats of Administration, Commerce and Trade, Education, Finance, Health and Human Resources, Natural Resources, Public Safety, and Transportation,
- at least 4 representatives from state-supported institutions of higher education,
- at least 1 representative from an independent agency of state government,
- at least 3 representatives from public bodies other than the commonwealth selected from a list of names submitted by the Virginia Local Government Information Technology Executives,
- Director of the Department of Information Technology,
- Director of the Department of Technology Planning,
- Director of Information Systems of the Supreme Court of Virginia, and
- Director of the Division of Legislative Automated Systems.

²¹⁹ Current through the 2000 Regular Session.

In making appointments, the Governor should include not only information systems and telecommunications professionals, but also managers and directors in agencies who are responsible for business and strategic planning. VA. CODE §2.1-51.48.

The Department of Criminal Justice Services is within the Secretariat of Public Safety. VA. CODE §§2.1-53.18, 9-167 & 9-174. The department's policy board is Criminal Justice Services Board composed of 27 members:

- 4 members of the General Assembly,
 - Chief Justice of the Supreme Court of Virginia or designee,
 - Attorney General of Virginia or designee,
 - Superintendent of the Department of State Police,
 - Director of the Department of Corrections,
 - Director of the Department of Juvenile Justice,
 - Superintendent of the Department of Correctional Education,
 - Chairman of the Parole Board,
 - Executive Secretary of the Supreme Court of Virginia, and
- 15 members appointed by the Governor including –
- at least 1 must be a representative of a crime victims' organization or a victim of crime,
 - 2 sheriffs representing the Virginia State Sheriffs Association,
 - 2 representatives of the Chiefs of Police Association,
 - an attorney from among names submitted by the Association for Commonwealth's Attorneys,
 - a person who is a mayor, city or town manager, or member of a city or town council representing the Virginia Municipal League,
 - a person who is a county executive, manager, or member of a county board of supervisors representing the Virginia Association of Counties,
 - a member representing the Virginia Crime Prevention Association,
 - a member of the Private Security Services Advisory Board, and
 - a representative of the Virginia Association of Regional Jail Superintendents.
- VA. CODE §9-168(A).

The Central Criminal Records Exchange operates as a separate division within the Department of State Police. VA. CODE §19.2-387. The department's superintendent is required to establish and maintain within the Department of State Police a uniform crime reporting system for the purpose of receiving, compiling, classifying, analyzing and publishing crime statistics of offenses known, persons arrested, and persons charged and other information pertaining to the investigation of crime and the apprehension of criminals. VA. CODE §52-25.

 **Authority:**

The Council on Technology Services (COTS) advises and assists the Secretary of Technology in exercising the powers and performing the duties of that office. VA. CODE §2.1-51.48.

The Secretary of Technology/Chief Information Officer (CIO):

- directs and approves a comprehensive, statewide, four-year planning process, and plans for the acquisition, management, and use of information technology²²⁰ (in developing and updating such plans, the CIO must consider the advice and recommendations of the Council on Technology Services);
- approves and recommends amendments to information technology plans submitted by state agencies and institutions of higher education, upon review and recommendation by the

²²⁰ "Information technology" includes telecommunications, automated data processing, word processing, the global information system known as the Internet, management information systems, and related information, equipment, goods, and services. VA. CODE §§2.1-51.47(C).

Department of Technology Planning (all state agencies and institutions of higher education are required to maintain current information technology plans that have been approved by the CIO);

- directs the formulation and promulgation of policies, standards, specifications, and guidelines for information technology in the commonwealth;
- directs the development of policies and procedures, in consultation with the Department of Planning and Budget, which are integrated into the commonwealth's strategic planning and performance budgeting processes, and which state agencies and institutions of higher education shall follow in developing information technology plans and technology-related budget requests;
- reviews budget requests for information technology from state agencies and institutions of higher education, and recommends budget priorities to the Department of Planning and Budget;
- develops policies and procedures for review by the Department of Technology Planning of technology procurements, agreements, or contracts for amounts exceeding \$100,000;
- disapproves procurements that, on the recommendation of the Department of Technology Planning, do not conform to the statewide information technology plan or to the individual plans of state agencies or institutions of higher education;
- directs the development of policies and procedures for the effective management of technology investments throughout their entire life cycle;
- directs the establishment of statewide standards for the efficient exchange of electronic information and technology, including infrastructure, between the public and private sectors in the commonwealth;
- undertakes or causes to be undertaken a periodic benchmarking analysis of data center and telecommunications resources and services performed at or provided by agencies and institutions; and
- reports annually to the Joint Commission on Technology and Science, a legislative agency, on the use and application of information technology by state agencies and institutions of higher education.

VA. CODE §§2.1-51.45(7) & 2.1-51.47.

The Department of Criminal Justice Services, under the direction of the Criminal Justice Services Board which is the department's policy-making body:

- may promulgate necessary rules;
- conducts and stimulates research by public and private agencies designed to improve police administration and law enforcement;
- conducts inquiries and investigations it deems appropriate to carry out its functions, and in conducting such inquiries and investigations, has the authority to require any criminal justice agency to submit information, reports, and statistical data with respect to its policy and operation of information systems or with respect to its collection, storage, dissemination, and usage of criminal history record information and correctional status information;
- operates a statewide criminal justice statistical analysis center, which shall maintain a unified criminal justice data system, produce reports, provide technical assistance to state and local criminal justice data system users, and provide analysis and interpretation of criminal justice statistical information; and
- develops and periodically updates a comprehensive, statewide, long-range plan for strengthening and improving law enforcement and the administration of criminal justice throughout the commonwealth.

VA. CODE §9-170. The board is required to provide for the coordination of the operation of a statewide comprehensive criminal justice information system for the exchange of criminal history record information among the criminal justice agencies of the state and its political subdivisions. The board develops standards and goals for such system, defines the requirements of such system, defines system objectives, recommends development priorities and plans, reviews development efforts, coordinates the needs and interests of the criminal justice community, outlines agency responsibilities, appoints ad hoc advisory committees, and provides for the participation of the statewide

comprehensive criminal justice information system in interstate criminal justice systems. The board may request technical assistance of any state agency, board, or other body, and such state entities must render such assistance as is reasonably required. VA. CODE §9-185

 **Scope of Records Included:**

“Criminal justice information system” means a system including the equipment, facilities, procedures, agreements, and organizations thereof, for the collection, processing, preservation, or dissemination of criminal history record information. The operations of the system may be performed manually or by using electronic computers or other automated data processing equipment. VA. CODE §9-169(6).

“Criminal history record information” means records and data collected by criminal justice agencies on adult individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal charges, and any disposition arising therefrom. The term does not include juvenile record information, which is controlled by VA. CODE §§ 16.1-226 et seq., criminal justice intelligence information, criminal justice investigative information, or correctional status information. VA. CODE §9-169(4). “Criminal justice agency” means a court or any other governmental agency or subunit thereof which as its principal function performs the administration of criminal justice and any other agency or subunit thereof which performs criminal justice activities, but only to the extent that it does so. VA. CODE §9-169(3). “Administration of criminal justice” means performance of any activity directly involving the detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders or the collection, storage, and dissemination of criminal history record information. VA. CODE §9-169(1).

 **Accessibility/Accuracy/Privacy/Security of the Information:**

To ensure the security of state government databases and data communications from unauthorized uses, intrusions, or other security threats, the Governor must direct an appropriate government entity to be responsible for conducting security audits. VA. CODE §2.1-563.42

The Department of Criminal Justice Services, under the direction of the Criminal Justice Services Board:

- conducts a continuing study and review of questions of individual privacy and confidentiality of criminal history record information and correctional status information;
- advises criminal justice agencies, and initiates educational programs for such agencies with respect to matters of privacy, confidentiality, and security as they pertain to criminal history record information and correctional status information;
- maintains a liaison with any board, commission, committee, or other body which may be established by law, executive order, or resolution to regulate the privacy and security of information collected by the commonwealth or any political subdivision thereof;
- issues regulations establishing guidelines and standards for the collection, storage, and dissemination of criminal history record information and correctional status information, and the privacy, confidentiality, and security thereof necessary to implement state and federal statutes, regulations, and court orders.

VA. CODE §9-170. The Criminal Justice Services Board ensures that annual audits are conducted of a representative sample of state and local criminal justice agencies to ensure compliance with the law and the regulations of the board. The board issues such regulations as may be necessary for the conduct of audits, the retention of records to facilitate such audits, the determination of necessary corrective actions, and the reporting of corrective actions taken. VA. CODE §9-186. Criminal history record information may be disseminated, whether directly or through an intermediary, only in accordance with VA. CODE §19.2-389. VA. CODE §9-187; see also §9-191.

State: WASHINGTON

Synopsis: The Information Services Board oversees the Department of Information Services. The Justice Information Committee, which is a subcommittee of the Information Services Board, is responsible for setting policy for the Justice Information Network (JIN). The Criminal Justice Information Act (CJIA) Executive Committee provides operational oversight for Justice Information Committee initiatives and has responsibility for developing and implementing recommendations regarding justice information system improvements. The Washington State Patrol is the official repository of criminal history information for the state. The Office of Financial Management in the Office of the Governor collects criminal justice information for analysis.

STATUTES²²¹ ¾ WA. REV. CODE §§

10.97.010 – 10.97.140, Washington State Criminal Records Privacy Act

10.98.010 – 10.98.160, Criminal Justice Information Act

43.43.010 et seq., Washington State Patrol

43.43.500 – 43.43.530, Crime information center, Washington State Patrol

43.43.560 – 43.43.570, Automatic fingerprint information system, Washington State Patrol

43.43.700 et seq., Section on identification, child abuse, vulnerable adult abuse, and criminal history, Washington State Patrol

43.43.785 – 43.43.800, Criminal justice services, Washington State Patrol

43.105.005 – 43.105.904, Department of Information Services & Information Services Board



Organization/Structure:

The Information Services Board (ISB) is a 15-member board made up of:

- 8 members appointed by the Governor, including a representative of higher education, a representative of an agency under a state-wide elected official other than the Governor, and 2 representatives of the private sector,
- a member representing the judicial branch appointed by the Chief Justice of the Supreme Court,
- Superintendent of Public Instruction or designee,
- 2 members of the House of Representatives selected by its Speaker,
- 2 members of the Senate appointed by its President, and
- Director, Department of Information Services.

WA. REV. CODE §43.105.032.

The Justice Information Committee is a subcommittee of the Information Services Board. The Justice Information Network (JIN) is coordinated by committee. The committee's membership is composed of state justice agency directors and local justice officials.

The Criminal Justice Information Act (CJIA) Executive Committee is comprised of members appointed by the heads of the Washington State Patrol, Office of Financial Management, and Department of Corrections. WA. REV. CODE §10.98.160. The Criminal Justice Information Act's purpose is to provide a system for reporting and disseminating felony criminal justice information. WA. REV. CODE §10.98.010.



Authority:

The Information Services Board with regard to information services²²²:

- develops standards governing the acquisition and disposition of equipment, proprietary software, and purchased services, and the confidentiality of computerized data;

²²¹ Current through the 2000 Second Special Session.

²²² "Information services" means data processing, telecommunications, and office automation. WA. REV. CODE §43.105.020(9).

- approves information technology acquisitions or sets rules that delegate acquisition authority (except with respect to the legislative branch);
- develops statewide or interagency technical policies, standards, and procedures;
- reviews and approves the statewide information technology strategic plans;
- provides oversight on large information technology projects.

WA. REV. CODE §43.105.041. The Department of Information Services performs those duties and responsibilities that the board delegates to it. WA. REV. CODE §43.105.052. The department and the board adopt rules as necessary. WA. REV. CODE §43.105.057. Under the direction of the board, the department develops policies and procedures to implement a management and oversight structure based on the use of information technology portfolios²²³; the policies and procedures are to support and conform to the state strategic information technology plan and technology standards established by the board. WA. REV. CODE §43.105.095. An agency information technology portfolio serves as the basis for making information technology decisions and plans. WA. REV. CODE §43.105.105.

Under the Information Services Board, the Justice Information Committee provides policy oversight and approves all data and information standards implemented under the Justice Information Network (JIN).

The Criminal Justice Information Act (CJIA) Executive Committee reviews and provides recommendations for the development and modification of the felony criminal information systems of the Washington State Patrol, Office of Financial Management, and Department of Corrections. WA. REV. CODE §10.98.160. The CJIA Executive Committee provides operational oversight for the Justice Information Committee.

Scope of Records Included:

The Criminal Justice Information Act encompasses the felony criminal information systems of the Washington State Patrol, Department of Corrections, and Office of Financial Management. WA. REV. CODE §10.98.160. The purpose of the act is “to provide a system of reporting and disseminating felony criminal justice information that provides: (1) timely and accurate criminal histories for filing and sentencing ..., (2) identification and tracking of felons, and (3) data for state-wide planning and forecasting of the felon population.” WA. REV. CODE §10.98.010.

Accessibility/Accuracy/Privacy/Security of the Information:

The Information Services Board develops standards governing the confidentiality of computerized data. WA. REV. CODE §43.105.041(1)(a).

Electronic access to public records and their accuracy, integrity and privacy are addressed in WA. REV. CODE §§43.105.250 – 43.105.310.

Completeness, accuracy, confidentiality, and security of criminal history record information²²⁴ and victim, witness, and complainant record information is covered by WA. REV. CODE §§10.97.010 – 10.97.140. The Washington State Patrol is the state agency designated to administer these provisions and may adopt necessary rules and regulations. WA. REV. CODE §10.97.090.

²²³ “Information technology portfolio” means a strategic management process documenting relationships between agency missions and information technology investments. WA. REV. CODE §43.105.020(11); see also §§43.105.170 & 43.105.172.

²²⁴ Criminal history record information is extensively defined in WA. REV. CODE §10.97.010(1).

State: WEST VIRGINIA

Synopsis: The Information Technology Council, created by executive order, develops and assists in the implementation of a “Technology Master Plan.” The Office of Chief Technology Officer is within the Office of the Governor. The Division of Information Services and Communications is in the Department of Administration. There is a criminal identification bureau in the West Virginia State Police.

STATUTES²²⁵ et al. ¾ W.VA. CODE §§

5-1B-1 to 5-1B-8, Office of Chief Technology Officer, Office of the Governor

5-1C-1 to 5-1C-5, Science and Technology Advisory Council, Office of the Governor

5A-7-1 to 5A-7-11, Division of Information Services and Communications, Department of Administration

15-2-24, Criminal Identification Bureau, West Virginia State Police

E.O. 3-96 (June 19, 1996), Information Technology Council

 **Organization/Structure:**

The Information Technology Council is comprised of:

- Governor’s Chief of Operations or other designated representative,
- Director of the Division of Information Services and Communications, Department of Administration, and

Chief information officers from –

- Department of Administration,
- Department of the Education and Arts,
- Department of Health and Human Resources,
- Department of Military Affairs and Public Safety,
- Department of Tax and Revenue,
- Department of Transportation,
- Bureau of Employment Programs, and
- Bureau of Environment.

Also invited to be members are the chief information officers from the Department of Education, Department of Agriculture, Office of the Secretary of State, Office of Treasurer, Office of the Auditor, Office of the Attorney General, and the West Virginia Legislature. The Office of the Governor provides the administrative support required by the council. E.O. 3-96.

The Office of Chief Technology Officer is within the Office of the Governor. W.VA. CODE §5-1B-3.

The Division of Information Services and Communications is in the Department of Administration. W.VA. CODE §5A-7-2.

There is a criminal identification bureau in the West Virginia State Police. W.VA. CODE § 15-2-24(a).

 **Authority:**

The Information Technology Council develops, and assists the Governor in the implementation of, a “Technology Master Plan” for the equipping of the state and its branches and agencies with compatible networked state-of-the-art information systems and other telecommunications technology. The council advises the Division of Information Services and Communications on the development and implementation of policies necessary to meet the objectives of E.O. 3-96 and the master plan. The council communicates with state agencies and encourages the accessibility to, and the sharing of, information and other data between the agencies and further encourages the agencies’ coordinated aggregation of telecommunication services. It prepares an annual report to the Governor outlining

²²⁵ Current through the 2000 Legislative Session.

initiatives of the state agencies in the development and use of information systems and setting forth revisions to the master plan. E.O. 3-96.

The Chief Technology Officer may,

With respect to all state spending units:

- develop an organized approach to information resource management for the state;
- provide, with the assistance of the Information Services and Communications Division of the Department of Administration, technical assistance in the design and management of information systems²²⁶;
- evaluate, in conjunction with the Information Services and Communications Division, the economic justification, system design and suitability of information equipment and related services, and review and make recommendations on the purchase, lease or acquisition of information equipment and contracts for related services by the state spending units;
- develop a mechanism for identifying those instances where information systems should be linked and information shared; and
- create new technologies to be used in government, convene conferences, and develop incentive packages to encourage the utilization of technology; and

With respect to executive agencies only:

- develop a unified and integrated structure for information systems for all executive agencies;
- establish, based on need and opportunity, priorities and time lines for addressing the information technology requirements of the various executive agencies of state government;
- exercise such authority inherent to the chief executive of the state as the Governor may, by executive order, delegate, to overrule and supersede decisions made by the administrators of the various executive agencies of government with respect to the design and management of information systems and the purchase, lease or acquisition of information equipment and contracts for related services;
- draw upon staff of other executive agencies for advice and assistance in the formulation and implementation of administrative and operational plans and policies; and
- recommend to the Governor transfers of equipment and human resources from any executive agency and the most effective and efficient uses of the fiscal resources of executive agencies, to consolidate or centralize information-processing operations.

W.VA. CODE §5A-1B-4. (The legislature and the judiciary are exempt from the authority of the Chief Technology Officer and the Division of Information Services and Communications. W.VA. CODE §§5-1B-8 & 5A-7-4(f).)

The Division of Information Services and Communications in the Department of Administration is responsible for providing technical services and assistance to state spending units with respect to developing and improving data processing and telecommunications functions. The division, upon request of the Chief Technology Officer, provides technical assistance in evaluating the economic justification, system design, and suitability of equipment and systems used in state government.

W.VA. CODE §5A-7-4.

Law enforcement and corrections officials are required to provide the necessary information to the criminal identification bureau of the West Virginia State Police. W.VA. CODE § 15-2-24(f) – (j).

²²⁶ “Information systems” means computer-based information equipment and related services designed for the automated transmission, storage, manipulation and retrieval of data by electronic or mechanical means. “Information equipment” includes central processing units, front-end processing units, miniprocessors, microprocessors and related peripheral equipment such as data storage devices, networking equipment, services, routers, document scanners, data entry equipment, terminal controllers, data terminal equipment, computer-based word processing systems other than memory typewriters and equipment and systems for computer networks. “Related services” include feasibility studies, systems design, software development and time-sharing services whether provided by state employees or others. W.VA. CODE §5-1B-2(a), (c) & (d).

☐☐☐ **Scope of Records Included:**

A criminal identification bureau in the West Virginia State Police was established for the purpose of receiving and filing fingerprints, photographs, records and other information pertaining to the investigation of crime and the apprehension of criminals. W.VA. CODE §15-2-24(a).

☐☐☐ **Accessibility/Accuracy/Privacy/Security of the Information:**

The Chief Technology Officer may develop a mechanism for identifying those instances where information systems should be linked and information shared, while providing for appropriate limitations on access and the security of information. W.VA. CODE §5A-1B-4(a)(5). The criminal identification bureau of the West Virginia State Police may furnish information in accordance with W.VA. CODE §15-2-24(c) – (e).

State: WISCONSIN

Synopsis: The Bureau of Justice Information Systems within the Division of Technology Management, a part of the Department of Administration, was formed to facilitate the sharing of information among state justice agencies. The bureau oversees the Inter-agency Justice Information Sharing (IJIS) project. The Department of Justice acts as a center for the clearance of information between law enforcement officers.

STATUTES²²⁷ ¾ WIS. STAT. §§

15.10 – 15.107, Department of Administration

15.25 – 15.257, Department of Justice

16.001 et seq., Department of Administration

16.964, Office of Justice Assistance, Department of Administration

16.97 – 16.979, Information Technology, Department of Administration

165.015 et seq., Department of Justice

165.78, Information center, Department of Justice

165.825 – 165.8285, Transaction information for management of enforcement system, Dept. of Justice

165.83 – 165.84, Criminal history, Department of Justice

 **Organization/Structure:**

Within the Department of Administration are the Divisions of Information Technology Services and of Technology Management. WIS. STAT. §15.103(3) & (5). Within the Division of Technology Management, the Bureau of Justice Information Systems oversees the Inter-agency Justice Information Sharing (IJIS) project. See WIS. STAT. §16.971(9).

The Department of Justice acts as a center for the clearance of information between law enforcement officers. WIS. STAT. §165.78.

 **Authority:**

The Department of Administration ensures that an adequate level of information technology²²⁸ services is made available to all agencies by providing systems analysis and application programming services to augment agency resources, as requested. The department also ensures that executive branch agencies²²⁹ make effective and efficient use of the state's information technology resources. The department, in cooperation with agencies, establishes policies, procedures, and planning processes, for the administration of information technology services, which executive branch agencies are required to follow. WIS. STAT. §16.971(1m).

The Division of Information Technology Services provides supercomputer and computer services²³⁰ to state agencies. WIS. STAT. §§16.973 & 16.974.

The Division of Technology Management provides a business and information technology planning model for use by state agencies. The division also assists agencies in data processing and telecommunications planning, coordinates information technology procurement, operates statewide telecommunication networks, and establishes statewide technology standards and guidelines. WIS.

²²⁷ Current through the 2000 Legislative Session.

²²⁸ “Information technology” means the electronic processing, storage and transmission of information including data processing and telecommunications. WIS. STAT. §16.97(6). “Data processing” means the delivery of information processing services. WIS. STAT. §16.97(4).

²²⁹ “Executive branch agency” means an agency in the executive branch but does not include the Building Commission. WIS. STAT. §§16.97(5m) & 16.70(4).

²³⁰ “Computer services” means any services in which a computer is utilized other than for personal computing purposes. WIS. STAT. §16.97(3). “Supercomputer” means a special purpose computer that performs in a scientific environment and that is characterized by a very high processing speed and power. WIS. STAT. §16.97(9).

STAT. §16.971. In conjunction with the Public Defender Board, the Director of State Courts, the Departments of Corrections and Justice, and district attorneys, the Division of Technology Management may maintain, promote, and coordinate automated justice information systems that are compatible among counties and the agencies. WIS. STAT. §16.971(9).

 **Scope of Records Included:**

In conjunction with the Public Defender Board, the Director of State Courts, the Departments of Corrections and Justice, and district attorneys, the Division of Technology Management may maintain and coordinate “automated justice information systems”. WIS. STAT. §16.971(9).

The Department of Justice acts as a center for the clearance of information between law enforcement officers. WIS. STAT. §165.78. The department administers “a transaction information for the management of enforcement system to provide access to information concerning law enforcement.” WIS. STAT. §165.827. The department maintains criminal identification and other records and statistics. WIS. STAT. §165.83.

 **Accessibility/Accuracy/Privacy/Security of the Information:**

The Division of Technology Management ensures that all state data processing facilities develop proper privacy and security procedures and safeguards. WIS. STAT. § 16.971(2)(k).

State: WYOMING

Synopsis: The Governor appoints the Director of the Department of Administration and Information and two additional directors of state departments or separate operating agencies to act as an Information Technology Oversight Panel to oversee the Information Technology Division in the Department of Administration and Information. The Attorney General administers and controls the operation and conduct of the criminal law enforcement system and coordinates statewide telecommunications network services under this system through the Information Technology Division. The Division of Criminal Investigation within the Office of the Attorney General is responsible for maintaining criminal history records. The Wyoming Supreme Court, acting on recommendations of the Judicial Planning Commission, established a Judicial Technology Task Force.

STATUTES²³¹ ¾ WYO. STAT. §§

7-19-101 to 7-19-109, Criminal history records

9-1-623 to 9-1-627, Criminal identification, Division of Criminal Investigation, Office of the Attorney General

9-2-1018 & 9-2-1026.1, Information Technology Division, Department of Administration and Information

9-2-1026.2, State Telecommunications Council

9-2-1101 to 9-2-1106, Law Enforcement Communications Commission

9-2-2008, Department of Administration and Information

9-2-2401, Court reorganization and Judicial Planning Commission

9-2-2501, Wyoming On-Line Government Commission²³²

 **Organization/Structure:**

Within the Department of Administration and Information, there is an Information Technology Division. WYO. STAT. §9-2-1002(d). The Governor appoints the Director of the Department of Administration and Information and two additional directors of state departments or separate operating agencies to act as an Information Technology Oversight Panel to oversee the division. WYO. STAT. §9-2-1018(c). Also within the department is the newly created Office of Information Planning and Coordinating under the department's director.

The Attorney General administers and controls the operation and conduct of the criminal law enforcement system and coordinates statewide telecommunications network services under this system through the Information Technology Division. WYO. STAT. §9-1026.1(b)(ii).

The Division of Criminal Investigation, within the Office of the Attorney General, is designated as the central repository for criminal history record information. WYO. STAT. §§7-19-107(a) & 9-1-623.

In 1999, the Wyoming Supreme Court acted on recommendations of the Judicial Planning Commission and established a Judicial Technology Task Force, comprised of judges, court clerks, law enforcement representatives, attorneys, individuals from the public sector, and information technology managers.

 **Authority:**

The Department of Administration and Information through its Information Technology Division, subject to review and approval by Information Technology Oversight Panel:

- develops and provides computer and data processing services to the judiciary, the legislature, and agencies, excluding the University of Wyoming and community colleges;

²³¹ Current through the 2000 Budget Session.

²³² The Wyoming On-Line Government Commission consists of the Governor, Secretary of State, State Auditor, State Treasurer and State Superintendent of Public Instruction or their designees. No state agency may be required by the commission to conduct business electronically. However, any state agency desiring to conduct business electronically must adopt the procedures contained in rules of the commission.

- provides uniform standards for the economical, efficient and coordinated utilization of all data processing equipment²³³, software, techniques, and services by executive agencies, the judiciary, and the legislature; all state agencies (and to the extent feasible the University of Wyoming and the state community colleges) are required to adhere to the uniform standards; and
- upon request of a state agency, provides information and recommendations regarding the installation and acquisition of computer and data processing equipment, the qualifications of data processing personnel, and software systems required by the agency.

WYO. STAT. §9-2-1018(a). No agency of state government, excluding the University of Wyoming and community colleges, may purchase computer hardware or software or contract for hardware or software services on behalf of the state without previously notifying the Administrator of the Information Technology Division. Upon receiving notification, the administrator may suggest alternatives to the proposed purchase. Prior notification is not required when purchasing items on a list of compatible hardware and software²³⁴ preapproved by the administrator. WYO. STAT. §9-2-1018(b).

All law enforcement agencies are required to cooperate with the Division of Criminal Investigation in establishing and maintaining an efficient and coordinated system of criminal identification. WYO. STAT. §9-1-624(b). All city, county and state law enforcement agencies, district courts, courts of limited jurisdiction, district attorneys, the Department of Corrections, state juvenile correctional institutions, probation and parole agencies are required to submit criminal history record information to the division. WYO. STAT. §§7-19-107(b) & 9-1-625. The division promulgates rules and regulations establishing uniform procedures and forms for collecting and disseminating criminal identification data and history. WYO. STAT. §§ 9-1-624(a) & 7-19-105.

Scope of Records Included:

Criminal history record information is compiled for all felonies, high misdemeanors, and other misdemeanors determined by the division, but not violations of municipal ordinances. WYO. STAT. §7-19-102. Criminal history record information includes information, records and data compiled by criminal justice agencies on individuals for the purpose of identifying criminal offenders consisting of identifiable descriptions of the offenders and notations or a summary of arrests, detentions, indictments, information, pre-trial proceedings, nature and disposition of criminal charges, sentencing, rehabilitation, incarceration, correctional supervision and release. Criminal history record information is limited to information recorded as the result of the initiation of criminal proceedings. It does not include intelligence data, analytical prosecutorial files, investigative reports and files or statistical records and reports in which individual identities are not ascertainable. WYO. STAT. §7-19-103(ii).

Accessibility/Accuracy/Privacy/Security of the Information:

Access to, and dissemination of, criminal identification and history information is available to criminal justice agencies, other agencies, and individuals as specified in the statute. WYO. STAT. §§9-1-626(c) & 7-19-106. The Division of Criminal Investigation is to ensure that the collection, storage, dissemination and use of criminal history record information is kept current, accurate, and complete through regular audits and to evaluate procedures and facilities to determine the effectiveness of measures relating to the privacy and security of criminal history record information. WYO. STAT. §§7-19-104 & 7-19-107(h).

²³³ “Data processing equipment” means all mainframe computers, all minicomputers, all personal computers and all related peripheral equipment. “Data processing software” means all purchased or developed software for any mainframe computer, any minicomputer or any personal computer. WYO. STAT. §9-2-1018(f)(ii) & (iii).

²³⁴ “Compatible data processing equipment and software” means the capability of direct interconnection which for hardware may be achieved by the basic hardware design and for software by modification. WYO. STAT. §9-2-1018(f)(i).

TABLES

TABLE II-1
Integration in Responding States

Q: Is your state currently engaged in activities related to the planning and implementation of a statewide or state-level integrated justice information system?²³⁵

State	Yes	No
Alabama	X	
Alaska	X	
Arizona	X	
Arkansas		
California	X	
Colorado		
Connecticut	X	
Delaware		
District of Columbia	X	
Florida		
Georgia	X	
Hawaii	X	
Idaho		X
Illinois	X	
Indiana	X	
Iowa		
Kansas	X	
Kentucky	X	
Louisiana		
Maine		
Maryland		
Massachusetts		
Michigan	No Response	No Response
Minnesota	X	
Mississippi		
Missouri	X	
Montana		
Nebraska	X	
Nevada	X	
New Hampshire	X	
New Jersey	X	
New Mexico	X	
New York	X	
North Carolina		
North Dakota		X
Ohio	X	
Oklahoma	X	
Oregon	X	
Pennsylvania	X	
Rhode Island	X	
South Carolina		

²³⁵ Shading indicates the 36 states from which governance structures survey responses were received.

South Dakota		X
Tennessee		X
Texas		
Utah		
Vermont	X	
Virginia	X	
Washington	X	
West Virginia	X	
Wisconsin	X	
Wyoming	X	

TABLE II-2
Scope of Integration in Responding States

Q: What, generally, is the *scope* of your state’s integration initiative?

State	Criminal Justice	Civil Justice	Non-justice Agencies
Alabama	X		
Alaska	X	X	X
Arizona	X		
California	X		X
Connecticut ²³⁶	X		
District of Columbia	X		
Georgia	X		
Hawaii	X		
Illinois	X		
Indiana ²³⁷	X		X
Kansas	X		X
Kentucky	X		X
Michigan	X	X	X
Minnesota	X		X
Missouri	X	X	X
Nebraska	X		
Nevada	X		
New Hampshire	X	X	X
New Jersey	X		
New Mexico	X	X	
New York	X	X	X
Ohio	X		
Oklahoma	X	X	X
Oregon	X		X
Pennsylvania	X		
Rhode Island	X		
Vermont	X		
Virginia	X		
Washington	X		
West Virginia	X		
Wisconsin	X	X	X
Wyoming	X		

²³⁶ The Connecticut respondent reported that “currently” criminal justice is the focus of that state’s integration initiative, but added that the initiative will be expanded to encompass non-justice agencies “with the adoption of the [Triple] III Compact.”

²³⁷ The Indiana respondent reported that “at this time, the focus is” criminal justice and non-justice agencies, indicating that state’s intention to expand the scope of its integration efforts at some point in the future.

TABLE II-3
Focus of Integration in Responding States

Q: What, generally, is the *focus* of your state’s integrated justice information systems initiative?

State	State Systems Sharing	Local Systems Sharing	Federal Systems Sharing
Alabama	X	X	
Alaska	X	X	X
Arizona	X	X	
California	X	X	X
Connecticut	X	X	
District of Columbia	X		X
Georgia	X	X	X
Hawaii	X	X	
Illinois	X	X	
Indiana	X	X	X ²³⁸
Kansas	X	X	
Kentucky	X	X	X
Michigan	X	X	X
Minnesota	X	X	X
Missouri	X	X	X
Nebraska	X	X	
Nevada	X	X	X
New Hampshire	X	X	
New Jersey	X		X
New Mexico	X		
New York	X	X	X
Ohio	X	X	X
Oklahoma	X	X	X
Oregon	X	X	
Pennsylvania	X	X	
Rhode Island	X	X	
Vermont	X	X	
Virginia	X	X	
Washington	X	X	
West Virginia	X	X	X
Wisconsin	X	X	X
Wyoming	X		

²³⁸ The Indiana respondent described that state’s goals with respect to federal systems sharing as “enhanced access to NCIC [the U. S. Department of Justice, Federal Bureau of Investigation’s National Crime Information Center], etc.”

TABLE II-4
Principal Integration Tasks

Q: If your state **has completed preparation of a statewide or state-level integrated justice information system plan or strategy, but has not begun implementation of that plan**, what, in general, are the principal tasks to be accomplished under that plan? On a scale of 1-10, what priority has been assigned to each task to be accomplished, with 1 having the *lowest* priority, and 10 the *highest* priority?²³⁹

State	InfoLaws	InfoCap	TechArch	Eng/ReE	DataEx	OffTrans	PubAcces
AL	8	10	9	6	8	8	7
CT	9	10	10	10	10	10	4
DC	7	8	9	3	8	9	5
IN	5	10	10	7	8	5	5
KY	10	8	9	9	9	10	4
MI	5	10	10	10	10	10	10
MN	6	7	10	10	10	10	8
OK	5	7	10	9	8	9	8
OR	8	4	6	8	10	8	4
VA	9	3	9	3	5	9	8
WV	10	4	10	8	10	7	5
WY	8	8	10	7	10	10	8

State	TechSup	UserReq	StratImp	EvalPerf	Other		
AL	5	8	5	7			
CT	8	10	9	9			
DC	4	10	6	3			
IN	5	8	9	9			
KY	6	9	5	5			
MI	10	10	10	10			
MN	7	7	8	10			
OK	7	8	9	9	X ²⁴⁰		
OR	6	8	5	7			
VA	4	4	6	3			
WV	8	10	10	7			
WY	6	7	6	8			

²³⁹ Of the 36 states from which governance structures survey responses were received, 12 (Ala., Conn., D.C., Ind., Ky., Mich., Minn., Okla., Ore., Va., W.Va., and Wyo.) indicated that they have completed preparation of a statewide or state-level integrated justice information system plan or strategy, but have not begun implementation of that plan or strategy.

²⁴⁰ According to the Oklahoma respondent, principal tasks under that state’s integration plan also include “identify[ing] the most efficient approach for current and future systems, considering available resources,” to which task the respondent assigned a priority ranking of “10.”

TABLE II-5
Agencies Involved in Integration

Q: If your state **has completed preparation of a statewide or state-level integrated justice information system plan or strategy, but has not begun implementation of that plan**, which offices, departments, and levels of government will be involved in the implementation of your state’s statewide or state-level integrated justice information system initiative?²⁴¹

State	DPS	BCIn	BCId	AG	Jud	CtAd	DoC	PreD	Prob	Parole
AL	X	X	X	X		X	X		X ²⁴²	X
CT	X	X ²⁴³	X	* ²⁴⁴	X	X	X	X	X	X
DC		X	X	X	X	X	X	X	X	X
IN		X	X				X			
KY	X	X	X	X	X	X	X	X	X	X
MI ²⁴⁵	X			X			X			
MN	X	X	X		X	X	X	X	X	X
OK	X	X	X	X	X	X	X	X	X	X
OR			X		X	X	X		X	X
VA	X			X		X	X			
WV	X	X	X		X	X	X	X	X	X
WY		X	X	X			X		X	X

²⁴¹ Of the 36 states from which governance structures survey responses were received, 12 (Ala., Conn., D.C., Ind., Ky., Mich., Minn., Okla., Ore., Va., W.Va., and Wyo.) indicated that they have completed preparation of a statewide or state-level integrated justice information system plan or strategy, but have not begun implementation of that plan or strategy.

²⁴² The Alabama respondent indicated that probation and parole functions are combined under the jurisdiction of a single agency in that state.

²⁴³ The Connecticut respondent noted that the state’s bureaus of criminal investigation and criminal identification are “a part of public safety.”

²⁴⁴ The Connecticut respondent explained that the state attorney general has jurisdiction over “civil [matters] only.”

²⁴⁵ According to the Michigan respondent, that state’s integration initiative involves “state, county, and local government.” In an attachment provided with the Michigan survey response, state agencies involved in integration were identified as the following: “Agriculture, Attorney General, Career Development, Civil Rights, Civil Services, Community Health, Consumer and Industry Services, Corrections, Education, Environmental Quality, Executive Office, Family Independence Agency, Lottery, Management and Budget, Michigan Economic Development Corporation, Michigan Gaming Board, Military and Veteran Affairs, Natural Resources, State, State Police, Transportation, Treasury.”

TABLE II-5 (cont'd)

State	DJS	JuProb	StcJpa	LcJpa	H/SS	MH	DAdm	StCIO	M/B	MV
AL			X		X			X		
CT			X					X	X	X
DC	X	X	X					X		
IN							X	X	X	
KY	X	X	X	X				X		X
MI						X			X	
MN	X	X	X	X	X		X	X	X	X
OK	X	X	X	X		X		X	X	X
OR	X	X	X	X			X	X	X	X
VA	X		X	X				X	X	X
WV	X	X	X					X		
WY		X								X

State	CW/P	MuLE	StPros	LoPros	StPuD	LoPuD	ViCom	F&G	LiqCt	Other
AL		X	X						X	
CT		X	X		X					
DC			X		X					
IN		X		X				X	X	X ²⁴⁶
KY		X	X	X	X	X				
MI										
MN	X	X	X	X	X	X	X			
OK		X	X	X	X	X				
OR		X		X				X	X	X ²⁴⁷
VA		X	X							
WV		X		X		X				
WY		X		X				X		

²⁴⁶ The Indiana respondent explained that the “legal body” that oversees integration implementation is the Integrated Public Safety Commission (IPSC), which body involves the participation of “state and local law enforcement, fire, emergency medical services, State Emergency Management Agency, Indiana Fire Marshall and the FBI.”

²⁴⁷ According to the Oregon respondent, that state’s integration initiative also involves the participation of: “Board on Public Safety Standards and Training; State Commission on Children and Families.”

**TABLE II-6
Integration Obstacles**

Q: If your state **has completed preparation of a statewide or state-level integrated justice information system plan or strategy, but has not begun implementation of that plan**, how likely, on a scale of 1-10, will the following conditions and/or factors present obstacles to completing tasks to be accomplished under that plan, with 1 being the *least likely* to present an obstacle, 10 being *most likely* to present an obstacle?²⁴⁸

State	Need	Turf	Discp	LoGov	Prom	GovO	Leg	M/B	CIO	Scope
AL	3	10	2	2	8	7	5	5	3	9
CT	1	3	1	1	4	2	2	2	2	1
DC	3	9	1	1	6	1	5	7	3	3
IN	5	4	5	5	6	1	7	8	3	5
KY	3	5	5	4	6	1	5	4	1	3
MI	5	5	4	4	5	1	2	1	1	1
MN	1	2	2	2	3	1	1	1	1	4
OK	4	7	7	6	9	5	4	4	4	7
OR	2	7	7	3	7	1	1	1	1	5
VA	9	6	3	4	8	2	4	3	1	6
WV	3	5	5	6	3	3	9	9	1	3
WY	3	3	4	3	4	2	3	3	2	3

State	GStruc	Hardw	Softwa	\$\$\$\$\$	Staff	QStaff				
AL	10	2	7	9	9	9				
CT	3	5	5	3	9	9				
DC	9	8	6	10	7	7				
IN	1	8	4	10	7	7				
KY	2	3	6	8	7	8				
MI	1	4	4	9	5	8				
MN	4	5	5	6	7	8				
OK	8	7	7	9	10	10	* ²⁴⁹			
OR	3	2	2	10	8	8				
VA	3	2	4	5	6	5				
WV	5	3	3	10	9	9				
WY	3	2	4	4	5	5				

²⁴⁸ Of the 36 states from which governance structures survey responses were received, 12 (Ala., Conn., D.C., Ind., Ky., Mich., Minn., Okla., Ore., Va., W.Va., and Wyo.) indicated that they have completed preparation of a statewide or state-level integrated justice information system plan or strategy, but have not begun implementation of that plan or strategy.

²⁴⁹ According to the Oklahoma respondent, implementation of that state’s integration initiative “currently [is] limited more by time and [lack of] qualified people, than money.”

**TABLE II-7
Integration Assets**

Q: If your state **has completed preparation of a statewide or state-level integrated justice information system plan or strategy, but has not begun implementation of that plan**, how likely, on a scale of 1-10, will the following conditions and/or factors prove to be assets in efforts, with 1 being *least likely* to be an asset, 10 being *most likely* to be an asset?²⁵⁰

State	Need	Turf	Discp	LoGov	Prom	GovO	Leg	M/B	CIO	Scope
AL	5	10	7	8	6	7	7	7	8	9
CT	10	8	7	8	7	8	8	9	9	10
DC	9	6	1	1	7	9	5	3	8	9
IN	5	6	5	9	5	10	3	3	7	5
KY	10	8	5	7	5	10	7	7	10	9
MI	10	10	10	10	10	10	10	10	10	10
MN	9	8	6	10	10	10	10	9	8	10
OK	8	5	4	4	5	10	10	10	10	10
OR	8	6	3	9	3	10	10	10	10	7
VA	8	5	3	4	6	9	7	7	10	4
WV	9	9	3	5	9	9	3	3	9	10
WY	8	8	7	7	7	8	7	7	8	N/R ²⁵¹

State	GStruc	Hardw	Softwa	\$\$\$\$\$	Staff	QStaff				
AL	9	3	7	10	10	10				
CT	10	6	6	7	7	7				
DC	9	8	8	9	9	9				
IN	9	3	8	3	5	5				
KY	10	7	8	3	7	8				
MI	10	10	10	10	10	10				
MN	6	6	6	8	8	8				
OK	10	8	8	8	8	10				
OR	9	8	8	2	2	2				
VA	6	2	4	6	6	6				
WV	7	7	7	1	1	1				
WY	8	7	7	7	7	7				

²⁵⁰ Of the 36 states from which governance structures survey responses were received, 12 (Ala., Conn., D.C., Ind., Ky., Mich., Minn., Okla., Ore., Va., W.Va., and Wyo.) indicated that they have completed preparation of a statewide or state-level integrated justice information system plan or strategy, but have not begun implementation of that plan or strategy.

²⁵¹ The Wyoming Respondent did not rank-order this condition/factor.

**TABLE II-8
Integration Financing**

Q: If your state **has completed preparation of a statewide or state-level integrated justice information system plan or strategy, but has not begun implementation** of that plan or strategy, to date, how have activities related to your state’s statewide or state-level integrated justice information system initiative been funded? Which source is the largest contributor to integration financing, the second largest, etc.?²⁵²

State	LegApp	AgencyB	LoGovBu	FedFunds	Fines	Forfeiture	SpePenAs
AL		2	3	1		4	
CT		3		2			
DC	2			1			
IN	1	3		2			
KY	2	1	4	3			
MI		2	3	1			
MN	4	1	2	3			
OK		4	5	1	3	6	2
OR	9	2	5	1	4	3	6
VA	1	2		3			
WV		2		1			
WY	3	2		1		4	

State	SpecTaxes	BondIssue	PrivSector				
AL							
CT		1					
DC							
IN							
KY			5				
MI							
MN				5 ²⁵³			
OK		7					
OR	8	7	10				
VA							
WV							
WY							

²⁵² Of the 36 states from which governance structures survey responses were received, 12 (Ala., Conn., D.C., Ind., Ky., Mich., Minn. Okla., Ore., Va., W.Va., and Wyo.) indicated that they have completed preparation of a statewide or state-level integrated justice information system plan or strategy, but have not begun implementation of that plan or strategy.

²⁵³ The Minnesota responded reported that the fifth largest source of funding for its integration initiative is “fees related to information”.

TABLE II-9
Agencies Involved in Integration

Q: If your state **has begun implementation** of an integrated justice information system plan or strategy, which offices, departments, and levels of government are involved in the implementation of that plan or strategy?²⁵⁴

State	DPS	BCIn	BCId	AG	Jud	CtAd	DoC	PreD	Prob	Parole
AK	X	X	X	X	X	X	X	X	X	X
CA		X	X							
HI ²⁵⁵				X	X					
KS	X ²⁵⁶	X ²⁵⁷	X	X	X	X	X	X	X	X
MO	X			X		X	X		X	X
NE	X	X ²⁵⁸	X ²⁵⁹	X	X	X	X		X	X
NV	X	X	X	X	X	X	X		X	X
NH	X		X	X	X	X	X		X	X
NJ	X ²⁶⁰			X	X	X	X			
NM	X			X	X	X	X			
OH	X	X	X	X	X	X	X	X	X	X
PA	X	X	X	X	X	X	X		X	X
RI	X ²⁶¹		X	X	X	X	X	X	X	X
WA	X	X	X	X	X	X	X			

²⁵⁴ Of the 36 states from which governance structures survey responses were received, 14 (Alaska, Calif., Hawaii, Kan., Mo., Neb., Nev., N.H., N.J., N.M., Ohio, Pa., R.I., and Wash.) indicated that they have completed preparation of a statewide or state-level integrated justice information system plan or strategy, and have begun implementation of that plan or strategy.

²⁵⁵ According to the Hawaii respondent, that state has completed preparation of an integration plan; however, the respondent noted that the state’s integration plan “applies only to the juvenile justice portion of the State of Hawaii.”

²⁵⁶ The state public safety agency represented by this response is the Kansas Highway Patrol.

²⁵⁷ The Kansas respondent noted that criminal investigation and criminal identification are functions of the Kansas Bureau of Investigation.

²⁵⁸ The Nebraska respondent substituted the Nebraska Crime Commission for “Department of Public Safety.”

²⁵⁹ The Nebraska respondent noted that criminal investigation and criminal identification are functions of the Nebraska State Patrol.

²⁶⁰ The New Jersey respondent added “state police,” in parentheses, beside the listing, “Department of Public Safety.”

²⁶¹ The state public safety agency represented by this response is the Rhode Island State Police.

TABLE II-9 (cont'd)

State	DJS	JuProb	Stcjpa	Lcjpa	H/SS	MH	DAdm	StCIO	M/B	MV
AK	X	X	X		X		X	X		X
CA			X							
HI	X	X								
KS	X	X	X		X ²⁶²	X	X	X	X	X
MO			X	X	X			X		X
NE	X ²⁶³	X	X	X	X			X	X	X
NV	X	X								X
NH	X	X								
NJ	X							X	X	
NM			X					X		
OH	X ²⁶⁴	X	X	X	X		X			X
PA	X	X	X	X	X	X	X	X	X	X
RI	X	X	X	X						
WA			X	X				X	X	X

²⁶² The Kansas respondent indicated that health, mental health and social services, and child welfare/protection are responsibilities of the state’s social and rehabilitative services agency.

²⁶³ The Nebraska respondent indicated that juvenile services and health and social services are administered by the same state agency.

²⁶⁴ The Ohio respondent noted that the proper appellation for the state’s department of juvenile services is “Department of Youth Services.”

TABLE II-9 (cont'd)

State	CW/P	MuLE	StPros	LoPros	StPuD	LoPuD	ViCom	F&G	LiqCt	Other
AK	X	X	X		X					
CA		X								X ²⁶⁵
HI		X		X						X ²⁶⁶
KS	X	X	X	X			X			X ²⁶⁷
MO		X	X	X						
NE		X		X	X	X	X			
NV		X	X	X						X ²⁶⁸
NH			X	X	X		X			
NJ		X ²⁶⁹	X				X			
NM					X	X				X ²⁷⁰
OH		X	X	X	X	X				
PA	X	X	X	X			X			X ²⁷¹
RI		X	X		X					
WA		X		X						

²⁶⁵ According to the California respondent, that state’s integration initiative also involves the participation of the FBI.

²⁶⁶ According to the Hawaii respondent, that state’s integration initiative also involves the participation of the juvenile corrections agency.

²⁶⁷ According to the Kansas respondent, that state’s integration initiative also involves the participation of the Kansas Sentencing Commission.

²⁶⁸ The Nevada respondent noted that “others may be added [to the universe of agencies participating in that state’s integration initiative] as projects direct.”

²⁶⁹ The New Jersey respondent added “State Chief of Police,” in parentheses, beside the listing, “Municipal Law Enforcement Agencies.” Presumably, this notation indicates the participation of the chiefs of police association in the state’s integrated justice information system implementation effort.

²⁷⁰ The New Mexico respondent noted that the state’s “Children, Youth and Family Department” and the “Administrative Office of District Attorney” also are involved in that state’s integration initiative.

²⁷¹ According to the Pennsylvania respondent, the “Inspector General”; the “Governor’s Policy Office”; the “Board of Pardons”; the “Office of General Counsel”; and the “Department of State” also are involved in that state’s integration initiative.

TABLE II-10
Integration Tasks Completed

Q: If your state **has begun implementation** of an integrated justice information system plan or strategy, what tasks have been completed to date? In what order were the applicable tasks completed?²⁷²

State	InfoLaws	InfoCap	TechArch	DataEx	OffTrans	Eng/ReE	UserReq
AK	1	4	5	6	X ²⁷³	2	3
CA	X ²⁷⁴	X ²⁷⁵	3	6	4	2	1
HI ²⁷⁶	4	5	3	7	6	1	2
KS	1	4	3	7	8	5	2
MO	3	6	4	8	2	5	1
NE	3	3	1				2
NV ²⁷⁷							
NH		1			2		3
NJ		1	3	2	4		
NM		2	1				3
OH	2	3		4			1
PA		3	2	5	4		1
RI		1	2	3	4		5
WA	4	1	2			3	

²⁷² Of the 36 states from which governance structures survey responses were received, 14 (Alaska, Calif., Hawaii, Kan., Mo., Neb., Nev., N.H., N.J., N.M., Ohio, Pa., R.I., and Wash.) indicated that they have completed preparation of a statewide or state-level integrated justice information system plan or strategy, and have begun implementation of that plan or strategy.

²⁷³ The Alaska respondent noted that this integration task is “ongoing.”

²⁷⁴ The California respondent noted that this implementation activity is “ongoing.”

²⁷⁵ The California respondent noted that this implementation activity is “ongoing.”

²⁷⁶ According to the Hawaii respondent, that state has completed preparation of an integration plan; however, the respondent noted that the state’s integration plan “applies only to the juvenile justice portion of the State of Hawaii.”

²⁷⁷ Nevada did not respond to this survey question.

TABLE II-10 (cont'd)

State	TechSup	StratImp	EvalPerf	Other			
AK	7	X ²⁷⁸	8				
CA	5	7	8				
HI	9	8	10				
KS	6	9	10				
MO	7	10	9				
NE	3	3	3				
NV							
NH							
NJ	6	5					
NM							
OH							
PA	6	7	8				
RI	6	7	8	X ²⁷⁹			
WA							

²⁷⁸ The Alaska respondent noted that this integration task is “ongoing.”

²⁷⁹ The Rhode Island respondent explained that “some [of that state’s integration] tasks [have been] completed and/or [are] ongoing at the same time.”

TABLE II-11
Integration Tasks in Progress

Q: If your state **has begun implementation** of an integrated justice information system plan or strategy, what tasks currently are in progress?²⁸⁰

State	InfoLaws	InfoCap	TechArch	DataEx	OffTrans	Eng/ReE	UserReq
AK		X		X	X	X	X
CA	X	X	X	X	X	X	X
HI ²⁸¹	X	X		X			
KS			X ²⁸²	X	X	X	
MO	X	X	X	X		X	
NE	X	X	X	X	X	X	X
NV	X	X	X	X	X	X	X
NH	X		X	X		X	
NJ		X	X	X	X		
NM		X	X	X			
OH			X		X	X	
PA	X						
RI		X		X	X		
WA	X	X	X	X		X	

State	TechSup	StratImp	EvalPerf				
AK	X	X	X				
CA	X	X	X				
HI	X	X	X				
KS							
MO	X	X	X				
NE	X	X	X				
NV	X	X	X				
NH							
NJ	X	X					
NM	X	X					
OH	X	X	X				
PA	X	X	X				
RI							
WA							

²⁸⁰ Of the 36 states from which governance structures survey responses were received, 14 (Alaska, Calif., Hawaii, Kan., Mo., Neb., Nev., N.H., N.J., N.M., Ohio, Pa., R.I., and Wash.) indicated that they have completed preparation of a statewide or state-level integrated justice information system plan or strategy, and have begun implementation of that plan or strategy.

²⁸¹ According to the Hawaii respondent, that state has completed preparation of an integration plan; however, the respondent noted that the state's integration plan "applies only to the juvenile justice portion of the State of Hawaii."

²⁸² The Kansas respondent noted that this implementation activity is a "continuous process."

TABLE II-12
Integration Obstacles

Q: If your state **has begun implementation** of an integrated justice information system plan or strategy, how likely, on a scale of 1-10, will the following conditions and/or factors present obstacles to completing tasks to be accomplished under that plan, with 1 being *least likely* to present an obstacle, 10 being *most likely* to present an obstacle?²⁸³

State	Need	Turf	Discp	LoGov	Prom	GovO	Leg	M/B	CIO	Scope
AK	1	2	2	4	8	5	5	5	5	7
CA	1	8	1	1	8	1	5	1	1	8
HI ²⁸⁴	1	2	2	1	1	1	3	3	3	1
KS	2	9	3	5	7	1	2	4	2	5
MO	1	3	3	5	6	3	4	7	1	1
NE	1	3	4	2	8 ²⁸⁵	5 ²⁸⁶	5 ²⁸⁷	5	2	2
NV	7	8	5	3	5	1	1	3	1	5
NH	1	3	2	5	2	1	1	5	5	3
NJ	1	3	2	2	4	1	2	2	1	1
NM	2	3	3	4	2	2	2	2	2	2
OH	2	8	5	3	7	8	8	7	10	7
PA	1	2	2	2	1	1	1	1	1	2
RI	1	1	3	1	3	1	1	1	1	1
WA	1	5	2	2	10	1	2	2	1	2

²⁸³ Of the 36 states from which governance structures survey responses were received, 14 (Alaska, Calif., Hawaii, Kan., Mo., Neb., Nev., N.H., N.J., N.M., Ohio, Pa., R.I., and Wash.) indicated that they have completed preparation of a statewide or state-level integrated justice information system plan or strategy, and have begun implementation of that plan or strategy.

²⁸⁴ According to the Hawaii respondent, that state has completed preparation of an integration plan; however, the respondent noted that the state’s integration plan “applies only to the juvenile justice portion of the State of Hawaii.”

²⁸⁵ The Nebraska respondent added “funding” at the end of this listed factor, indicating that funding issues may be at the center of competition concerning priorities and needs. The respondent also noted that “even competing systems must be integrated.”

²⁸⁶ The Nebraska respondent added “funding” at the end of this listed factor, indicating that funding issues may be at the center of any problems encountered in garnering the interest and support of the governor’s office.

²⁸⁷ The Nebraska respondent added “funding” at the end of this listed factor, indicating that funding issues may be at the center of any problems encountered in garnering the interest and support of the state legislature.

TABLE II-12 (cont'd)

State	GStruc	Hardw	Softwa	\$\$\$\$	Staff	QStaff	Other			
AK										
CA	1	6	8	1	7	9	X ²⁸⁸			
HI	2	4	3	9	9	10				
KS	5	3	5	7	9	9				
MO	2	1	3	9	9	1				
NE	2	3	4	9	7	7				
NV	2	2	7	5	7	7				
NH	2	4	3	7	5	5				
NJ	1	2	7	5	7	4				
NM	2	2	2	8	6	8				
OH	3	3	3	8	10	10				
PA	1	1	1	2	1	1				
RI	1	3	3	3	2	2				
WA	2	2	3	8	4	4				

²⁸⁸ The California respondent reported that “lack of competition among vendors” and “lack of vendor support” also are likely to present obstacles to integration implementation.

TABLE II-13
Integration Assets

Q: If your state **has begun implementation** of an integrated justice information system plan or strategy, how likely, on a scale of 1-10, will the following conditions and/or factors prove to be assets in efforts to implement an integrated justice information system initiative, with 1 being *least likely* to be an asset, 10 being *most likely* to be an asset?²⁸⁹

State	Need	Turf	Discp	LoGov	Prom	GovO	Leg	M/B	CIO	Scope
AK	10	9	8	6	4	5	5	5	5	4
CA	10	2	5	7	2	2	2	2	2	8
HI ²⁹⁰	10	10	2	10	8	9	6	7	5	9
KS	10	2	5	7	7	8	8	4	8	6
MO	10	7	6	5	3	6	4	2	10	9
NE	10	8	8	9	10	8	8	8	8	6
NV	7	6	5	8	5	9	9	6	8	5
NH	8	8	4	3	2	8	8	5	5	9
NJ	10	5	8	5	10	10	8	8	10	10
NM	9	8	5	6	8	5	8	5	8	9
OH	9	3	8	9	7	7	7	7	2 ²⁹¹	8
PA	10	9	9	N/R ²⁹²	10	10	10	10	10	9
RI	10	10	8	10	9	10	10	10	10	10
WA	10	7	8	10	9	9	9	9	10	10

²⁸⁹ Of the 36 states from which governance structures survey responses were received, 14 (Alaska, Calif., Hawaii, Kan., Mo., Neb., Nev., N.H., N.J., N.M., Ohio, Pa., R.I., and Wash.) indicated that they have completed preparation of a statewide or state-level integrated justice information system plan or strategy, and have begun implementation of that plan or strategy.

²⁹⁰ According to the Hawaii respondent, that state has completed preparation of an integration plan; however, the respondent noted that the state’s integration plan “applies only to the juvenile justice portion of the State of Hawaii.”

²⁹¹ The Ohio respondent noted that “Ohio does not have” a chief information officer.

²⁹² Pennsylvania did not include this factor in its ranking of factors and conditions that might prove to be assets in efforts to implement an integrated justice information system.

TABLE II-13 (cont'd)

State	GStruc	Hardw	Softwa	\$\$\$\$	Staff	QStaff				
AK	8	5	5	3	1	1				
CA	8	2	2	8	N/R ²⁹³	N/R ²⁹⁴				
HI	9	6	6	9	9	10				
KS	3	6	4	2	2	2				
MO	7	9	7	2	2	9				
NE	8	3	3	10	7	7				
NV	5	7	4	4	3	4				
NH	8	6	6	4	4	4				
NJ	10	7	4	7	6	7				
NM	9	9	9	2	2	2				
OH	8	7	5	3	2	2				
PA	10	10	10	10	8	8				
RI	10	10	10	10	10	10				
WA	10	8	8	3	5	5				

²⁹³ California did not include this factor in its ranking of factors and conditions that might prove to be assets in efforts to implement an integrated justice information system.

²⁹⁴ California did not include this factor in its ranking of factors and conditions that might prove to be assets in efforts to implement an integrated justice information system.

TABLE II-14
Integration Financing

Q: If your state **has begun implementation** of an integrated justice information system plan or strategy, to date, how have activities related to your state’s statewide or state-level integrated justice information system initiative been funded? Which source is the largest contributor to integration financing, the second largest, etc.?²⁹⁵

State	LegApp	AgencyB	LoGovBu	FedFunds	Fines	Forfeiture	SpePenAs
AK	2	3	4	1			
CA	4	1		3			
HI ²⁹⁶	2	1		3			
KS	2	3	4	1		5	
MO	1	3	4	2			
NE	2	3		1			
NV		1	2	3			
NH		2		1			
NJ		2		1		3	
NM		2		1			
OH	1	2		3			
PA		3		2			
RI	2	3	4	1			
WA		2		1			

²⁹⁵ Of the 36 states from which governance structures survey responses were received, 14 (Alaska, Calif., Hawaii, Kan., Mo., Neb., Nev., N.H., N.J., N.M., Ohio, Pa., R.I., and Wash.) indicated that they have completed preparation of a statewide or state-level integrated justice information system plan or strategy, and have begun implementation of that plan or strategy.

²⁹⁶ According to the Hawaii respondent, that state has completed preparation of an integration plan; however, the respondent noted that the state’s integration plan “applies only to the juvenile justice portion of the State of Hawaii.”

TABLE II-14 (cont'd)

State	SpecTaxes	BondIssue	PrivSector	StReserv\$	GovXBud		
AK							
CA				2 ²⁹⁷			
HI							
KS							
MO							
NE							
NV							
NH							
NJ							
NM							
OH							
PA					1 ²⁹⁸		
RI							
WA							

²⁹⁷ The California responded noted that the second largest source of funding for its integration initiative is “special appropriations” from state “reserve funds.”

²⁹⁸ The Pennsylvania responded noted that the largest source of funding for its integration initiative is a “budget item in the Governor’s Executive Budget.” Presumably, the source of these funds is a state legislative appropriation for the Governor’s Office.

TABLE V-1
Agency Representation on Governance Committees

Q: If your state’s governance structure includes a committee, board, commission, or council, what agencies and interests are represented on that entity?²⁹⁹

State	DPS	BCIn	BCId	AG	Jud	CtAd	DoC	PreD	Prob	Parole
AL ³⁰⁰	X	X	X	X		X	X		X	X
AK	X	X	X	X	X	X	X	X	X	
AZ	X			X	X		X		X ³⁰¹	
CA	X		X	X	X	X	X		X	
CT	X	X ³⁰²	X	³⁰³	X	X	X	X	X	X
DC		X	X	X	X		X	X	X	X
GA		X	X		X	X	X		X	X
HI				X	X					
ID										
IL ³⁰⁴										
IN		X	X							
KS ³⁰⁵		X	X	X	X		X			
KY	X	X	X	X	X	X	X	X	X	X
MI	X	X	X	X			X			
MN	X	X	X	X	X	X	X	X	X	X
MO	X			X	X	X	X			
NE ³⁰⁶		X	X	X	X	X	X	X	X	X
NV	X	X	X	X	X	X	X		X	X
NH	X			X	X	X	X		X	X

²⁹⁹Of the 36 states from which governance structures survey responses were received, 27 responded that governance structures are in place for their respective integrated justice information system initiatives: Alaska, Ariz., Calif., Conn., D.C., Ga., Hawaii, Ind., Kan., Ky., Mich., Minn., Mo., Neb., Nev., N.H., N.J., N.M., N.Y., Ohio, Okla., Ore., Pa., R.I., Va., Wash., and W.Va. Five states – Ala., Ill., Vt., Wis., and Wyo. – responded that they have not established governance structures. Of those five states, four – Ala., Ill., Wis., and Wyo.– responded that they anticipate establishing a governance structure for their integration initiatives. The fifth state, Vt., responded that it had not established a governance structure, but did not indicate whether it plans to do so.

³⁰⁰ Alabama responded that no governance structure is in place, but that the state anticipates establishing such a structure informally.

³⁰¹ The Arizona respondent noted that probation is a function of the state’s judicial branch.

³⁰² The Connecticut respondent noted that criminal investigation and criminal identification are functions of the state’s department of public safety.

³⁰³ The Connecticut respondent explained that the state’s attorney general handles “civil [matters] only.”

³⁰⁴ Illinois responded that no governance structure currently is in place, but that the state anticipates establishing such a structure informally. Illinois did not respond to this question.

³⁰⁵ Kansas noted that its response to this question “only pertains to the membership of the Kansas Criminal Justice Coordinating Council (KCJCC).” Kansas also explained that the Kansas Bureau of Investigation encompasses both the state’s bureau of criminal investigation and bureau of criminal identification; that the functions of a state department of juvenile services and juvenile probation both are carried out by the state’s juvenile justice agency; and that the responsibilities of a state department of social services and a mental health agency are administered by the state’s department of social and rehabilitative services.

³⁰⁶ Nebraska explained that the Nebraska State Patrol encompasses both the state’s bureau of criminal investigation and bureau of criminal identification.

NJ	X ³⁰⁷			X	X	X	X			
NM	X				X	X			X ³⁰⁸	X
NY	X	X	X		X	X	X		X	X
ND										
OH	X	X	X	X	X	X	X	X	X	X
OK	X	X	X		X	X	X	X	X	X
OR	X ³⁰⁹					X	X		X	X
PA	X	X	X	X		X	X		X	X
RI	X ³¹⁰		X	X	X	X	X	X	X	X
SD										
TN										
VT ³¹¹										
VA	X			X		X	X		X	
WA	X	X	X	X	X	X	X			X
WV	X		X		X	X	X	* ³¹²	*	*
WI ³¹³		X	X	X	X	X	X		X	X
WY ³¹⁴		X	X	X	X		X		X	X

³⁰⁷ New Jersey checked “Department of Public Safety,” but specified parenthetically “State Police.”

³⁰⁸ New Mexico checked “Probation” and “Parole,” but placed a question mark beside these two items.

³⁰⁹ The state public safety agency represented by this response is the Oregon Department of State Police.

³¹⁰ The state public safety agency represented by this response is the Rhode Island State Police.

³¹¹ In response to question 12, Vermont indicated that it had not established a governance structure. No responses were provided to subsequent survey questions by that state.

³¹² According to the West Virginia respondent, the asterisked agencies and organizations “are represented by one of the others at the table.”

³¹³ Wisconsin responded that no governance structure is in place, but that the state anticipates establishing such a structure formally. Here, Wisconsin indicates that the identified functions prospectively would be represented on its governance structure committee.

³¹⁴ Wyoming responded that no governance structure is in place, but indicated that the state anticipates establishing such a structure informally.

TABLE V-1 (cont'd)

State	DJS	JuProb	Stcjpa	Lcjpa	H/SS	MH	DAdm	StCIO	M/B	MV
AL	X		X		X			X		
AK	X	X	X		X		X	X		X
AZ								X		
CA			X							
CT			X					X	X	X
DC	X	X	X					X		
GA			X							
HI	X	X								
ID										
IL										
IN										
KS	X	X			X	X				
KY	X		X	X				X	X	
MI			X	X	X		X	X		X
MN										
MO			X							
NE	X	X	X		X			X		
NV	X	X								
NH	X	X			X					X
NJ	X		X					X		
NM										
NY			X						X	
ND										
OH	X ³¹⁵	X	X	X			X			X
OK	X	X								
OR	X							X		X
PA	X		X			X	X	X	X	X
RI	X	X	X	X	X	X				
SD										
TN										
VT										
VA	X	X	X	X			X	X	X	X
WA	X							X	X	X
WV	X	*	X					X		
WI	X	X	X		X		X	X	X	X
WY		X								X

³¹⁵ Ohio noted that the correct name of its state department of juvenile services is the “Department of Youth Services.”

TABLE V-1 (cont'd)

State	CW/P	MuLE	StPros	LoPros	StPuD	LoPuD	ViCom	F&G	LiqCt	Other
AL		X	X							
AK	X	X	X		X					
AZ		X	X	X						X ³¹⁶
CA		X	X		X					X ³¹⁷
CT		X	X		X					
DC			X		X					
GA			X	X						X ³¹⁸
HI		X		X						X ³¹⁹
ID										
IL										
IN		X		X				X		X ³²⁰
KS										X ³²¹
KY	X	X	X	X	X	X	X			
MI										X ³²²
MN		X	X	X	X	X	X			
MO		X	X	X						X ³²³
NE		X		X	X	X	X			

³¹⁶ The Arizona respondent noted that the “Board of Executive Clemency,” County Sheriff,” “Mayor,” and “County Board of Supervisors” also are represented on that state’s integration governance committee.

³¹⁷ The California respondent reported that its integration governance committee also includes representation from the “Senate Rules Committee,” “Speaker of the Assembly,” and “California Highway Patrol.”

³¹⁸ The Georgia respondent noted “Court Clerks” and Sheriffs also are represented on that state’s integration governance committee.

³¹⁹ The Hawaii respondent reported that its integration governance committee also includes representation of “Juvenile Corrections.”

³²⁰ In answering this question, the Indiana respondent referred to Indiana House Bill 1869, which authorizes creation of the Integrated Public Safety Commission (IPSC), and Executive Order 98-8, signed by the Indiana Governor on March 23, 1998, which establishes the Integrated Law Enforcement Council (ILEC). H.B. 1869 specifies that the IPSC will be comprised of 12 members: a sheriff; a chief of police; a fire chief; a head of an emergency medical services provider; a mayor; a county commissioner; a representative of campus law enforcement; a representative of the private sector; the superintendent of the state police department; the special agent in charge of the Indiana office of the FBI; a member of the state House of Representatives; and a member of the state Senate. Executive Order 98-8 specifies that the ILEC will include representatives from the Indiana Sheriffs Association; the Indiana Association of Chiefs of Police; the Indiana Fraternal Order of Police; the Indiana State Police Alliance; the Indiana Black Troopers Association; the Indiana Enforcement Training Board; and the FBI.

³²¹ The Kansas respondent reported that the “Governor” also is represented on that state’s integration governance committee.

³²² According to the Michigan respondent, the following state agencies also are represented on that state’s integration governance committee: “Agriculture, Career Development, Civil Rights, Civil Service, Community Health, Consumer and Industry Services, Education, Environmental Quality, Executive Office, Family Independence Agency, Lottery, Michigan Economic Development Corporation, Michigan Gaming Control Board, Military and Veterans Affairs, Natural Resources, State, Transportation, Treasury.” In addition, the Michigan respondent noted that the Michigan Sheriffs’ Association and the Michigan Association of Chiefs of Police also are represented on the governance committee.

³²³ The Missouri respondent reported that the “Missouri Police Chiefs Association” and the “Missouri Sheriffs Association” also are represented on that state’s integration governance committee.

NV		X		X						
NH			X	X	X		X			
NJ		X	X				X			X ³²⁴
NM					X					X ³²⁵
NY										
ND										
OH		X	X	X	X	X				
OK		X	X							X ³²⁶
OR		X		X				X	X	X ³²⁷
PA	X		X				X			X ³²⁸
RI	X	X	X		X					
SD										
TN										
VT										
VA										
WA		X	X	X						X ³²⁹
WV			X	*						
WI	X	X	X	X	X	X	X			X ³³⁰
WY		X		X				X		

³²⁴ The New Jersey respondent reported that “State Wardens” and the “Office of Victim Witness Advocacy” also are represented on that state’s integration governance committee.

³²⁵ The New Mexico respondent noted that the “Children, Youth and Family Department” and Administrative Office of District Attorney” also are represented on that state’s integration governance committee.

³²⁶ According to the Oklahoma respondent, that state’s integration governance committee also involves the participation of the “State Law Enforcement Telecommunications System.”

³²⁷ The Oregon respondent reported that that state’s integration governance committee also includes representation from the “Commission on Children and Families” and the “Department of Public Safety, Standards and Training.”

³²⁸ The Pennsylvania respondent explained that in that state, the integration governance structure is comprised of four entities: the JNET Executive Council; the JNET Senior Policy Team; the JNET Steering Committee; and the JNET Office.

³²⁹ According to the Washington respondent, the “Association of Cities” and the “Association of Counties” also are represented on that state’s integration governance committee.

³³⁰ The Wisconsin respondent reported that the following entities also are represented on that state’s integration governance structure: “Clerk of Courts,” “Educational and Social Services,” “Workforce Development,” “Welfare Agencies,” and “Natural Resources.”