
# 2003 Report to the Legislature

**Submitted by the Criminal and Juvenile Justice Information Policy Group**

# Criminal and Juvenile Information Policy Group
## Report to the Minnesota Legislature

## December 2003

## I. EXECUTIVE SUMMARY

In 1993, the Minnesota Legislature had profound foresight and enacted Minnesota Statute 299C.65 creating the Criminal and Juvenile Information Policy Group (Policy Group). The Policy Group was assigned responsibility for criminal justice systems integration and began the assessment and planning stages to develop a statewide integrated criminal justice solution. The required upgrading and readying of existing systems was initiated, as well as the development and implementation of necessary new systems. In 2001, CriMNet received its first funding and statewide "integration" work commenced.

CriMNet is the State's integration initiative that will allow criminal justice professionals throughout the state of Minnesota to share information among over 1,100 criminal justice agencies. Once complete, CriMNet will give Minnesota prosecutors, judges, law enforcement officers, and probation and correction officials' timely access to comprehensive criminal justice data. CriMNet's vision is to ensure that the right information will be in the hands of the right people at the right time and in the right place.

A common misperception is that CriMNet is a centralized database that will be created by permanently appropriating data from current state and local agency systems. Another is that CriMNet will completely replace existing criminal justice systems. Neither is true. Like the Internet, CriMNet will be a "system of systems," not a single database application or discrete development project. Just as the Web enables access to a vast range of independent sites via an Internet connection and standard browser (such as Netscape Navigator or Microsoft Explorer), CriMNet will provide its authorized users with access to an ever-growing quantity of data and applications that have been created—and are still owned and maintained—by the individual state and local agencies.

At the center of CriMNet is the "integration backbone," that supports two key functions. First, it provides the connections and interfaces that make previously standalone criminal justice applications available to authorized users throughout the Minnesota criminal justice community. Secondly, the backbone will act as a central index of shared data. Agencies retain ownership and control of their own systems and data—linking them to the CriMNet backbone will not change this.

Today CriMNet has 727 pilot users across the state using the CriMNet search functionality. This number is expected to grow to several thousand over the next year as the search functionality is rolled out into production. The users are criminal justice professionals including crime analysts, law enforcement investigators, dispatch personnel, patrol officers, court administrators, judges, corrections supervisors, probation officers, public defenders, prosecutors, county attorneys, state troopers, correctional deputies, and bailiffs. Specific repositories and even specific data fields are secured through the use of profiles and policies.

Some of the benefits of today's CriMNet search functionality include: Single sign-on for users to access authorized systems eliminating the need for multiple passwords and thus increasing security; users are able to search multiple systems with one search command increasing efficiency and productivity; time spent searching for relevant data is dramatically reduced; statewide information is quickly made available thru a single interface.

CriMNet currently encompasses six operating components or *source* systems (see Appendix A) enabling users to **perform searches**. Authorized persons are able to search and quickly locate selected information within the integrated systems. They are able to access data from source systems that contain much broader and richer quantities of specific information. For example, police officers or dispatchers can query CriMNet for any information based upon a particular name, date of birth or other key identifiers.

The CriMNet search capability is a big accomplishment. Pilot Users are already receiving results and solving crimes, most notably the Burnsville church arson case and the Chaska serial burglaries case. CriMNet has made great progress. However, there is much work to be done yet in Minnesota. CriMNet won't be complete until all jurisdictions are part of the entire enterprise and all component systems are integrated. Once fully operational, CriMNet will improve public safety and enable swifter and more effective criminal justice processes throughout Minnesota.

Future functionality will include:

- **Automated Workflow**. Authorized persons will be able to create business "rules" that automate the standard ways that integrated data will be used. For example, the name and address of anyone convicted of sexual crimes could automatically be sent from the courts system to the Predatory Offender Registry (POR). Another example could be the courts system at court filing checking the computerized criminal history system to see if an arrest record with fingerprints exists and if it doesn't then notifying the court at first appearance that the subject needs to be fingerprinted. Some of the benefits of Automated Workflow include: Data is only entered once, eliminating duplication of effort as well as data entry errors. Printing, copying, and distribution costs are dramatically reduced since criminal records can be shared electronically. Automated workflow will enable the seamless flow of data across multiple jurisdictions, eliminating the need for time-consuming manual processes and multiple data entries. The portal and query tools will transform the process by which criminal justice professionals' access information, effectively enabling consistency and efficiency of data gathering.

- **Subscription Request.** Authorized persons will have the option to be notified when certain records are updated. For example, probation officers could "subscribe" to any new or modified data about the offenders under their supervision, so that they are automatically notified via email of any new dispositions, charges, arrests or other criminal contacts.

An integrated justice system will enable the seamless flow of data across multiple jurisdictions, eliminating the need for time-consuming manual processes and multiple data entries. The portal and query tools will transform the process by which criminal justice professionals' access information, effectively enabling consistency and efficiency

of data gathering. By improving the quality and timeliness of information, such a system will enable criminal justice professionals to

adequately detain and prosecute criminals, and may even prevent future crimes by ensuring that offenders receive appropriate sentences.

The vision is for CriMNet to eventually be linked to justice systems in other states as well as at the federal level, contributing to a national network of shared data and business processes that will enable public safety and justice professionals to more easily and rapidly collaborate on a broad range of critical issues. CriMNet's architecture is aligned with guidelines that are coming out of the Department of Justice's Office of Justice Programs Global advisory process, and has been fundamental in developing standards for Law Enforcement and Intelligence Sharing with: Global - *National Justice Data Dictionary (XML) and Data Model*; U.S. Department for Justice, Attorney General's *LEIS Project*; Department of Homeland Security, *Enterprise Architecture Design*; FBI - *System of Services Project*; Global/RISSnet/LEO – *National Criminal Intelligence Sharing Plan.*

It has been recognized that this is the direction in which business process and technology is being re-engineered in every aspect of business and government today. From the Federal Enterprise Architecture initiatives in the White House Office of Management and Budget (OMB), to the National Association of State Chief Information Officers (NASCIO), integration and information sharing is becoming a major priority.

The Enterprise Approach that aligns business process and resources across multiple lines of business (or government) was at the inception and fundamental to the design of CriMNet. Now, these standards and business concepts are fast becoming requirements for many state and federal programs. We can anticipate that in future years many state and federal agencies will mandate these requirements, or make them stipulations of grant programs.

CriMNet is participating in state and national forums and is helping to develop and create emerging standards. It should be understood that Enterprise Integration is becoming the standard for business and government.

## II. RECOMMENDATIONS FOR STATUTORY CHANGES

Pursuant to Minnesota Statute 299C.65, Subdivision 2 the Criminal Justice Policy Group must provide a report to the Legislature on December 1 each year detailing the statutory changes and/or appropriations necessary to ensure the efficient and effective operation of criminal justice information systems. This same statute requires the Policy Group to appoint a task force consisting of its members or their designees to assist them in developing recommendations.

The Criminal and Juvenile Information Task Force (Task Force) due-diligence work groups have met to consider what should be included in the Policy Group's recommendations to the Legislature. At the November 21, 2003 meeting of the Task Force, the recommendations brought forward by the work groups were given consideration, and recommendations to the Policy Group were made accordingly.

The following recommendations are being made by the Policy Group:

- Revise and update Minnesota Statute 299C.65
  *See Attachment C*

- Revise Minnesota Statutes Statutes13, 299C.10, 299C.14, 299C.17, 299C.65, 611.272 related to Data Practices
  *See Attachment D*

## BUDGET OVERVIEW

### 2004/2005 CriMNet Biennial Budget

| Funds | Amount | Purpose |
|---|---|---|
| **State Funds** | | |
| CriMNet Policy Group | 1,566,000 | operating budget |
| CriMNet Backbone | 3,520,000 | operating budget, federal grant match funds |
| **Total State Funds for FY04/05:** | **5,086,000** | |
| | | |
| **Federal Funds** | | |
| Byrne Grant 01 (25% match) | 112,500 | salaries, equipment |
| Byrne Grant 02 & 03 (requires 25% match) | 2,577,077 | salaries, contractual services, equipment |
| COPS Grant | 915,945 | contractual services |
| Local Law Enforcement Block Grant 02 (10% match) | 660,000 | contractual services, equipment |
| NCHIP Year 7 (10% match by locals) | 926,708 | grants to locals* |
| NCHIP Year 8 (10% match by locals) | 502,000 | grants to locals* |
| NCHIP Year 9 (10% match by locals) | 600,000 | grants to locals* |
| BJA Earmark 03 | 993,000 | salaries, equipment* |
| CITA | 3,592,831 | grants to locals* |
| **Total Federal Funds for FY04/05:** | **10,880,061** | |
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| **Pending Federal Funds** | | |
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| Homeland Security | 1,432,000 | Equipment** |
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| **Department of Corrections** | 1,060,000 | Statewide Supervision System |
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| **Courts** | 11,640,000 | MNCIS |
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| **Bureau of Criminal Apprehension** | 1,215,000 | suspense file reduction |
| | | |

*Only $1,712,000 remains for additional grants to locals
**Initial application denied. CriMNet asked to resubmit focusing on authorized equipment.

### Current Implementation Grants

| Grantee | Amount | Purpose |
|---|---|---|
| Anoka County | 1,169,149 | Records Management System Integration, Detention Project, Anoka/Dakota Joint Case Management Project |
| Dakota County | 1,355,000 | CJIIN Web System |
| St. Louis County | 800,000 | Records Management System Project |
| Hennepin County | 420,000 | City of Minneapolis Attorney's Prosecution Case Management System, Hennepin County Workhouse Management System, Arrest and Booking Process Re-engineering |
| Minnesota Counties Computer Cooperative | 640,000 | Court Services Tracking System |
| LOGIS | 390,000 | Public Safety Information Systems Integration |
| **Total Grant Awards:** | **4,774,149** | |

## III. CRIMNET PLANNING FOR THE FUTURE

The CriMNet integration effort is not one single project, but incorporates many projects that are being developed by criminal justice organizations throughout Minnesota. The integration architecture is driven by local operational needs and uses standards that will support the exchange of data across existing and developing systems. CriMNet's strategic planning efforts have been critical to setting and communicating the future direction for CriMNet.

Ongoing success for CriMNet and its stakeholders requires continued involvement and dedicated resources from all facets of the criminal justice community in order to support the exchange of data across existing and developing criminal justice information systems.

The CriMNet Strategic Plan as approved by the Policy Group on September 24, 2003, provides two major goals:

**GOAL I. Develop a blueprint for the integration of criminal justice information statewide.**

*Create a design for statewide integration that encompasses state and local planning efforts. This blueprint would be used by agencies to plan and support their integration efforts.*

**Objectives:**

A. Develop and maintain a statewide integration plan that includes and incorporates local planning and implementation efforts, with particular emphasis on the collaborative reengineering of business practices.

B. Provide expertise and assistance to facilitate the development of state and local integration plans and services.

C. Develop technology standards.

D. Improve the efficiency and effectiveness of criminal justice processes.

E. Identify and remove barriers to data sharing within the criminal justice community.

**GOAL II. Make available consolidated, complete, and accurate records of an individual's interaction with the criminal justice system.**

*Provide accurate, comprehensive criminal justice information from all sources*

*statewide. As presented in the 2002 CriMNet Legislative Report, it is important that*
*data on individuals be available at critical decision points:*

- **"Who are they?"**
- **"At this decision point, what do we know about their record?"**
- **"At this decision point, what is their current status in the justice system statewide?"**

**Objectives:**

A. Integrate select state and local criminal justice information through collaboration with agencies.

B. Develop a statewide approach to accurately identify individuals and to link records based on the business need.

C. Comply with data practices laws and court rules of access.

D. Develop and monitor data quality standards.

E. Provide for appropriate security of information.

The Policy Group urges the Legislature to stay the course on CriMNet and recommends the continued criminal justice information sharing efforts as defined in the Strategic Plan attached.

## IV. ADDITIONAL LEGISLATIVE REPORTING REQUIREMENTS

In addition to the annual report required in Minnesota Statute 299C.65, Subd. 2, the Policy Group is also charged with studying and making recommendations to the governor, the supreme court and the legislature on the fifteen items listed below [Minnesota Statute 299C.65, Subd. 1(d)].

**Update and recommendation for continued reporting:**

| 299C.65, Subdivision 1d | Status/Comments |
|---|---|
| **1. 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 original Minnesota Data Model was developed in 1994-1995. The first full version of the Minnesota Criminal Justice Integration Architecture Models were delivered in October 2000. Ongoing efforts have centered on developing and maintaining a Data Dictionary and standards for integration efforts across and between agencies. CriMNet has actively participated with the Department of Justice in their development of a national model – the GJXDD 3.0 Justice Data Dictionary. CriMNet models and technical assistance were intrinsic in the development of this new national standard. In Minnesota, the new specification is currently being used for the testing of the electronic complaint (eComplaint) from the Carver County Attorney's Office through the CriMNet backbone to MNCIS. It is also the standard by which all "day-forward" CriMNet development and integration efforts will be based.<br><br>**Recommendation:** Continue to report annually on data standardization and integration efforts. CriMNet will continue to facilitate state and local stakeholders in the development of standards for integration processes. |
| **2. The responsibilities of each entity within the criminal and juvenile justice systems concerning the collection, maintenance, dissemination, and sharing of criminal justice information with one another** | CriMNet has developed an exchange-points model that identifies and documents current data responsibilities and needs for integration efforts across all criminal justice functions. This model will utilize the backbone to allow local data sharing while minimizing the cost impacts to local units of government through the use of shared function specific hubs. This will allow criminal justice agencies to share information dynamically regardless of the nature of their current software and hardware platforms. |

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| | **BCA**: The Suspense Team held at least one Suspense Workshop in each county with participants from all criminal justice agencies to analyze current business practices, identify problems and provide best business practices to ensure timely, complete and accurate data. Policies governing submission of data were also developed and disseminated in conjunction with required FBI policies. CJIS staff provides training and auditing on the collection, maintenance, dissemination, and sharing of criminal justice information with one another in accordance with established policies.<br><br>**Courts**: The Courts use the ongoing CriMNet Data Policy Subcommittee to review and address internal policies with respect to sharing information with criminal justice agencies. The Subcommittee is currently reviewing several issues that should result in streamlined processes to provide both public and confidential information to criminal justice agencies. In addition and in parallel with the criminal justice effort, the Courts have activated a Minnesota Supreme Court Advisory Committee on the Rules of Public Access to Records of the Judicial Branch, which is developing new rules to allow for public Internet access to certain court records, while protecting sensitive information of litigants, victims, witnesses, and other non-party participants.<br><br>**Recommendation:** Monitor and update ongoing responsibilities through the CriMNet strategic planning process. CriMNet should continue to work with state and local stakeholders in continuing documentation of events, exchange points and workflow standards. |
| **3. Actions necessary to ensure that information maintained in the criminal justice information systems is accurate and up-to-date** | The current CriMNet Strategic Plan contains several key objectives related to developing processes for maintaining accurate and up-to-date information. A first step in this process is the development of a set of web services via the CriMNet Backbone that will supply a centralized set of shared common data tables (e.g. the Statute Table, MOC Tables, and even local county/municipal codes) for use by all functions of criminal justice. A second step is the development of events, exchange points and workflow standards that will facilitate the availability of accurate and timeline information. |

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| | **BCA**: The Suspense Team worked with law enforcement agencies to resolve over 82, 000 suspended court records. In addition, enhancements were made to the Computerized Criminal History (CCH) Unit system which resolved an additional 320,000 records and greatly reduced the flow of records going into suspense. CJIS staff continues to work with local agencies to ensure quality data is entered and that all entries are processed on a timely basis. The CCH Unit eliminated various backlogs and has consistently entered incoming fingerprint cards into the CCH system in a timely manner.<br><br>**Recommendation:** Monitor and update ongoing responsibilities through the CriMNet strategic planning process. CriMNet should continue to facilitate the development of business requirements, standards for shared tables, workflow and other functionality necessary for accurate, up-to-date information. |
| **4. The development of an information system containing criminal justice information on gross misdemeanor-level and felony-level juvenile offenders that is part of the integrated criminal justice information system framework** | The Courts and BCA completed the development of this information system in early 1998, with a day-forward implementation.<br><br>The Court continues to pass felony and gross misdemeanor-level and Extended Jurisdiction Juvenile (EJJ) data to BCA's Computerized Criminal History system.<br><br>The CriMNet Backbone has the capability to continue this integration in a more effective manner in the future.<br><br>**Recommendation:** System implemented. Future reporting, as needed, through the CriMNet Strategic Plan. |
| **5. The development of an information system containing criminal justice information on misdemeanor arrests, prosecutions, and convictions that is part of the integrated criminal justice information system framework** | The CriMNet Backbone includes the functionality necessary for this development. Future implementation will be dependant upon state and local resources. The planned MNCIS integration to CCH includes targeted misdemeanors as new counties are implemented on MNCIS.<br><br>The CriMNet Strategic Plan also identifies the need to analyze the scope of integration efforts and determining priorities.<br><br>**Recommendation**: Continue to report annually. |

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| **6. Comprehensive training programs and requirements for all individuals in criminal justice agencies to ensure the quality and accuracy of information in those systems** | The current CriMNet Strategic Plan contains several key objectives related to developing processes for maintaining quality and accurate information systems. On the technical side, CriMNet, through the services of BCA/CJIS, is developing training curriculum to assist with these efforts. The new technology also allows CriMNet to validate exchanges of information at both the document and the data element level for completeness and validity through the use of standardized tables, workflow efficiencies and other functionalities contained in the CriMNet Backbone.<br><br>**BCA:** The Suspense Team provides ongoing customized training to all areas of the criminal justice community regarding complete and timely submission of criminal history data and the consequences of inaccurate data. The FBI requires that local agencies connected to the Criminal Justice Data Network (CJDN) be audited once every two years. For the time period of 2001-2003, CJIS Auditing staff visited the local agencies and conducted the required audits. During the summer of 2003, the FBI conducted audits of selected local agencies and the BCA. Beginning this next audit cycle, the FBI changed the requirement stating local agencies will now be audited once every three years.<br><br>**Recommendation**: Continue to report annually. CriMNet should continue to facilitate the development of data quality and other quality assurance standards. |
| **7. Continuing education requirements for individuals in criminal justice agencies who are responsible for the collection, maintenance, dissemination, and sharing of criminal justice data** | The BCA is developing a certification program for individuals who will submit or edit data through the CCH Agency Interface Records Maintenance System and through the Live Scan. FBI requirements state that new users that access the National Crime Information System (NCIC) via the Law Enforcement Message Switch (LEMS) must be trained and certified within the first six months of employment. All LEMS users are recertified every two years. Training classes include CJIS Basic, uniform crime reporting, fingerprinting, criminal history and other topics as requested.<br><br>**Recommendation**: Future education requirements should be identified and prioritized through |

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| | CriMNet strategic planning efforts. |
| **8. A periodic audit process to ensure the quality and accuracy of information contained in the criminal justice information systems** | The current CriMNet Strategic Plan contains several key objectives related to developing processes for auditing data quality and accuracy. The CriMNet Backbone infrastructure currently has audit capabilities that can be expanded as required for future needs. The Backbone will adapt to the current BCA CJIS audit requirements where applicable.<br>**BCA**: The Suspense Team has developed and is in the process of implementing a complete CCH audit to closely examine data submission. The BCA and the FBI currently audit selected systems accessed through LEMS.<br>**DOC**: The Department of Corrections has developed and implemented audit policies and procedures related to both access to data and quality of data contained in the Statewide Supervision System.<br><br>**Recommendation**: Monitor and update ongoing audit processes through the CriMNet Strategic Plan. |
| **9. The equipment, training, and funding needs of the state and local agencies that participate in the criminal justice information systems** | Priorities for equipment, training and other resource needs will be identified through ongoing involvement with stakeholders as integration efforts proceed. As CriMNet continues to develop integration standards and requirements, future funding and resource needs will be identified and submitted through the Strategic Plan and State Agency budget initiatives.<br><br>**Recommendation**: Through the development of an integration blueprint, CriMNet should work with state and local agencies to identify requirements and needs. CriMNet should continue to aggressively seek external grant funding. CriMNet should develop new local grant requirements in support of integration efforts. |
| **10. The impact of integrated criminal justice information systems on individual privacy rights** | The CriMNet Data Practice Subcommittee has developed recommendations for statutory changes to address the implications of statewide access and maintenance of data on individuals. These recommendations will be submitted for legislative consideration but are indicated in this report.<br>In order to provide effective security, CriMNet has developed role-based profiles based on the user's function within criminal justice. These profiles are rule-based and are configurable to meet the |

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| | requirements of the Legislature and Case Law.<br><br>**Recommendation**: Continue to report annually. Report should be completed as specified in proposed in legislative changes. |
| **11. The impact of proposed legislation on the criminal justice system, including any fiscal impact, need for training, changes in information systems, and changes in processes** | CriMNet is developing criminal justice-wide budget initiatives that include the complete range of criminal justice functional needs.<br><br>**Recommendation**: Ongoing monitoring of proposed legislation and fiscal impact as needed. |
| **12. The collection of data on race and ethnicity in criminal justice information systems** | The BCA assisted with the Racial Profiling study coordinated by the Office of Drug Policy and Violence Prevention. The Council on Crime and Justice completed a final report based on data collected through the BCA for report to the Minnesota Legislature.<br><br>**Recommendation**: Report completed. Future reporting as requested. |
| **13. The development of a tracking system for domestic abuse orders for protection** | A system for tracking orders for protection (OFP) was completed by the Courts. This system is operational and data is accessible to criminal justice agencies via LEMS.<br><br>**Recommendation**: System completed. Future reporting as requested. |
| **14. Processes for expungement, correction of inaccurate records, destruction of records, and other matters relating to the privacy interests of individuals** | The current CriMNet Strategic Plan contains several key objectives related to developing processes for maintaining accurate and up-to-date information. The identification and documentation of business requirements will include the development of standardized processes for expungement, correction and destruction of records, etc. The CriMNet Backbone contains necessary functionality for expediting data accuracy processes once established.<br><br>**BCA**: The BCA has made programming changes to ensure that sealed data is not improperly disseminated from CCH and has also established a Questions Identity Program to ensure that individual rights are not compromised.<br><br>**Recommendation:** Continue reporting annually. |

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| **15. The development of a database for extended jurisdiction juvenile records and whether the records should be public or private and how long they should be retained** | The Court passes felony and gross misdemeanor-level and Extended Jurisdiction Juvenile (EJJ) data to BCA's Computerized Criminal History system. The BCA is in the process of researching juvenile record privacy and dissemination issues. A comprehensive policy will be developed in accordance with statutory provisions.<br><br>**Recommendation**: Monitor and report as needed. |

## APPENDICES

A. Current Participating Source Systems

B. CriMNet Strategic Plan

C. Revisions to Minnesota Statute 299C.65

D. Revisions to Minnesota Statutes Statutes13, 299C.10, 299C.14, 299C.17, 299C.65, 611.272 related to Data Practices

## Appendix A:

## Current Participating Source Systems:

December 2003

**PREDATORY OFFENDER REGISTRATION (POR**) – The POR database has been fully implemented internally. The POR database is available, free of charge, to all agencies that have a secure CJDN connection. As of November 1, 2003, 299 agencies have requested access to the POR web site and a total of 2,837 user ids have been issued. Currently, 81 of the 87 county sheriff's offices and all nine state correctional facilities have applied for and received access to the POR database. The POR Unit is actively working to complete the access for the remaining sheriff's offices, police departments and probation offices that have CJDN access. Currently, the BCA is managing registration materials for over 14,500 offenders.

**MINNESOTA REPOSITORY OF ARREST PHOTOS (MRAP)** – The MRAP is a central database accepting digital photographs taken at the booking/arrest and the corresponding descriptive and demographic data collected. This database also may include images of scars, marks, or tattoos, photographed at the time of arrest or booking. The MRAP provides criminal justice agencies an opportunity to search arrest and booking photos from a variety of law enforcement agencies, to create lineups and witness viewing sessions from those photos and to enroll unidentified persons into the facial recognition component in an attempt to obtain an identity.

**STATEWIDE SUPERVISION SYSTEM ($S^3$)** – This system includes information regarding juveniles and adults who are or who have been on probation, in detention, imprisoned or jailed. The current status of the system includes adult probation data from all 87 counties, juvenile probation data from 86 counties, jail data from 77 counties, and booking information from 31 police departments.

**PRISON ADAPTER** – This adapter allows CriMNet users to include searches for over 50,000 unique records from the prison system maintained by the Department of Corrections. It includes a rich amount of information including demographics, aliases, offenses, and, most importantly, multiple photographs of over 25,000 individuals. This new adapter contains a rich source of information that has, in the past, only been available through the Law Enforcement Viewer provided by the Department of Corrections.

**MINNESOTA COURT WEB ACCESS (CWA)** – CWA contains non-confidential, adult criminal case and defendant information from court cases that are Open, Closed, or Archived (excluding Sealed, Expunged, and Deleted cases). The following data is available:

- Statewide data from all counties - including Hennepin & Scott.
- Adult criminal (K-case type) defendant and case information:
  *Cases that originated as felonies, gross misdemeanors (95%), and limited traffic and non-traffic misdemeanors.*
  *Also included are misdemeanor cases that originated as more serious offenses but were later reduced.*
- Cases with events in 1999 for all counties except Scott County and all cases with events in 2000 going forward for all counties including Scott County.
- Historical information is available on "charge" information only.
- Sentence information represents the current version of the sentence only.

**MINNESOTA COUNTY ATTORNEY PRACTICE SYSTEM (MCAPS)** – MCAPS is the prosecutor practice management system that is used by over 50 counties in the state of Minnesota. MCAPS tracks the information used by the county and city attorney's offices to prepare documentation for filing criminal cases to the courts. MCAPS has the ability to electronically file criminal complaints in CriMNet format directly to the CriMNet backbone. From the CriMNet backbone it can be transmitted directly to the Minnesota Courts system. The new MCAPS adapter allows qualified CriMNet users to perform person-based searches of all records in the MCAPS system. **For our initial phases these searches will be limited to users within Carver County.** In the future the MCAPS software in other counties could be upgraded to allow expanded CriMNet access. MCAPS also has the ability to transmit "Case Outcome Reports" to the CriMNet backbone and then to local record management systems. The feature will enable local law enforcement systems to automatically be updated with case outcomes as the county attorney closes out a file.

**Appendix B:**


# Strategic Plan

## September 2003

***Version 1.0***

# Strategic Plan Revision History

| Rev. Num. | Rev. Date | Description | Prepared by |
|---|---|---|---|
| 1.0 | 09-24-2003 | Approved by Policy Group | |
| | | | |
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# Strategic Plan Overview

## *Introduction*

The CriMNet strategic plan document consists of the following elements:

- **Mission Statement, Vision and Values:** The mission and vision are statements describing the desired "ideal world" or optimal state that will be achieved through CriMNet efforts. Clearly articulated mission, vision, and values are critical components to any organization.

- **Environmental Assessment:** A situation analysis including strengths and weaknesses, threats and opportunities. Completing this type of assessment is an important stage in effective planning and enables CriMNet to focus on key issues.

- **Strategies:**

  **Goals and Objectives:** Goals and objectives reflect specific results that the criminal justice community wants to achieve in three to five years; oftentimes they are incremental steps on the road toward achieving a certain goal.

  **Tactics:** Tactics should be measurable and state specific measurements of success. Tactics are the supporting, specific programs for carrying out or executing the strategies. The tactical plan will include who does what and when, how it will be managed, how it will be judged, etc.

  **Scope Statement:** The written scope statement identifies both the project deliverables and project objectives. It provides a basis for confirming or developing common understanding of project scope among the stakeholders.

# Mission, Vision and Values

*The Mission Statement and Goals are for the overall CriMNet effort, and represent a vision of where the criminal justice community would like to be. The Mission, Vision, and Values statements were approved by the Policy Group on March 28, 2003.*

## *CriMNet Mission Statement*

The mission of CriMNet is to create and maintain a statewide framework of people, processes, data, standards, and technology focused on providing accurate and comprehensive data to the criminal justice community.

## Vision

CriMNet will support the creation and maintenance of a criminal justice information framework that is accountable, credible, seamless, and responsive to the victim, the public, and the offender. As a result, the right information will be in the hands of the right people at the right time and in the right place.

- By the *right information*, we mean that information will be accurate and complete and expressed in a standardized way, so that it is reliable and understandable.
- By the *right people*, we have in mind that people with different roles in the criminal justice system will have role-based views of the information that they need to do their jobs, and that access to certain private information is properly restricted.
- By the *right time*, we mean that practitioners and the public are provided information when they need it – as events occur.
- By the *right place*, we mean wherever the information is needed.

The primary results we seek are:

- To accurately identify individuals
- To make sure that criminal justice records are complete, accurate, and readily available
- To ensure the availability of an individual's current status in the criminal justice system
- To provide standards for data sharing and analysis
- To maintain the security of information
- To accomplish our tasks in an efficient and effective manner.

## Values and Guiding Principles

We will collaborate and partner through meaningful involvement and partnerships.
We will respect each agency's autonomy.
We will act with integrity.
We will communicate honestly, openly, accurately, and in a timely manner.
We will deliver and celebrate incremental successes.
We will focus on cost-effective information sharing.
We will balance business and technical perspectives.
We're in this together.

CriMNet is a united effort between the executive, legislative, and judicial branches of government and also engages multiple autonomous units of government at the federal, state, and local level. The support of private partners is essential. This cross-jurisdictional effort requires participative and consultative methods of leadership.

# Environmental Assessment

*An environmental assessment is a framework for analyzing strengths and weaknesses as well as opportunities and threats faced. The assessment will enable CriMNet to focus on strengths, minimize weaknesses, and take the greatest possible advantage of opportunities available.*

CriMNet has undergone a number of environmental and risk assessments by both internal and external organizations.[1] The results of these assessments are on file and have been incorporated into ongoing planning efforts, including identification of the goals, objectives, and tactics contained in this strategic planning document.

[1] Target Technology Services Review, April 2002; Office of Technology Review, November 2002; Aeritae Risk Assessment, February 2003

# Strategies: *Goals and Objectives*

*The Goals and Objectives represent specific results that the criminal justice community would like the overall CriMNet effort to have achieved in the next two to five years.*

## GOAL I. Develop a blueprint for the integration of criminal justice information

*Create a design for statewide integration that encompasses state and local planning efforts. This blueprint would be used by agencies to plan and support their integration efforts.*

### Objectives:

A. Develop and maintain a statewide integration plan that includes and incorporates local planning and implementation efforts, paying particular attention to the collaborative reengineering of business practices.
B. Provide expertise and assistance to facilitate the development of state and local integration plans and services.
C. Develop technology standards.
D. Improve the efficiency and effectiveness of criminal justice processes.
E. Identify and remove barriers to data sharing within the criminal justice community.

## GOAL II. Make available consolidated, complete, and accurate records of an individual's interaction with criminal justice

*Provide accurate, comprehensive criminal justice information from all sources statewide. As presented in the 2002 CriMNet Legislative Report, it is important that information be available at critical decision points:*

- **"Who are they?"**
- **"At this decision point, what do we know about their record?"**
- **"At this decision point, what is their current status in the justice system statewide?"**

### Objectives:

A. Integrate select state and local criminal justice information through collaboration with agencies.

B. Develop a statewide approach to accurately identify individuals and to link records based on the business need.
C. Comply with data practices laws and court rules of access.[2]
D. Develop and monitor data quality standards.
E. Provide for appropriate security of information.

[2] A document that summarizes obligations under the Minnesota Government Data Practices Act (MGDPA) can be found at: http://www.ipad.state.mn.us/docs/checklist.doc.

# Strategies: *Tactics*

## Overview

*Specific project areas were identified and prioritized in order to work toward meeting the established goals and objectives. Tactics identified here are representative, but not presumed to be all-inclusive. Each tactical area requires further analysis and the development of a scope statement in order to identify and allocate appropriate resources.*

## Tactical Plan

### GOAL 1: Develop a blueprint for the integration of criminal justice information

**Objective A:** Develop and maintain a statewide integration plan that includes and incorporates local planning and implementation efforts, paying particular attention to the collaborative reengineering of business practices.

**Tactics:**

1. Set up a CriMNet Program Office structured and oriented to collaborate, communicate, and facilitate participation, in accordance with project management best practices
2. Identify user requirements by actively and continuously seeking the input, assistance, and participation of stakeholders
3. Analyze exchange points and determine priorities based on business need for sources of data, exchanges, and events
4. Develop process and mechanism for statewide services (for example, statute tables, Web services to existing repositories, etc.)
5. Develop and implement review process for grants and plans
6. Develop definitions for criminal justice processes
7. Review exchange points, plans, and implementations from pilot counties and grantees while setting priorities for integration, and develop process for ongoing consultation as exchanges are built
8. Determine opportunities and implications of statewide integration on homeland security, civil liberties and regional/national collaboration

## Strategies: *Tactics (continued)*

**Objective B:** Provide expertise and assistance to facilitate the development of state and local integration plans and services.

**Tactics:**

1. Identify software applications that meet standards and are adaptable to integration
2. Provide technical assistance to state and local agencies and vendors
3. Optimize funding and other resources

**Objective C:** Develop technology standards.

**Tactics:**

1. Confirm and validate the Minnesota data model and resulting XML, including identifying core data fields, standards for adapters, and compliance with Justice XML
2. Develop governance process for data model and XML
3. Develop definitions for data fields

**Objective D:** Improve the efficiency and effectiveness of criminal justice processes.

**Tactics:**

1. Develop workflow standards for identification and other essential criminal justice processes
2. Develop other workflow guidelines for use by state and local agencies

**Objective E:** Identify and remove barriers to data sharing within the criminal justice community.

**Tactics:**

1. Resolve data practice implications in order to roll out current search pilot
2. Facilitate, mediate and arbitrate issues related to integration between entities

## Strategies: *Tactics (continued)*

### GOAL II: Make available consolidated, complete, and accurate records of an individual's interaction with criminal justice.

**Objective A:** Integrate select state and local criminal justice information through collaboration with agencies.

**Tactics:**

1. Complete addition of DVS, COMS, and LEMS to search functionality
2. Complete prosecutor to MNCIS criminal complaint integration
3. Roll out Search
4. Identify opportunities and integrate with appropriate repositories of state and local criminal justice data

**Objective B:** Develop a statewide approach to accurately identify individuals and to link records based on the business need

**Tactics:**

1. Develop scope and plan for identification, including biometric or other methods of linking records from points in the criminal justice process
2. Determine scope and plan for set of biometric exchanges such as those identified in the 2002 Legislative Report. This would include determination of who should be biometrically identified, when, and why
3. Research identification technologies; identify possibilities and national direction
4. Determine scope of biometric identification as related to data for integration

**Objective C:** Comply with data practices laws and court rules of access.

**Tactics:**

1. Develop consistent definitions of data practice laws and applicability, including policy to ensure that CriMNet does not abet source systems' violations of the MGDPA
2. Develop CriMNet internal practices that comply with the Minnesota Government Data Practices Act (MGDPA) and related state and federal laws[3]
3. Fund CriMNet projects to include compliance with data practices laws
4. Identify approaches for individuals to discover and correct data about themselves

[3] A document that summarizes obligations under the Minnesota Government Data Practices Act (MGDPA) can be found at: http://www.ipad.state.mn.us/docs/checklist.doc.

5. Provide assistance to clarify roles and responsibilities with participating agencies
6. Revise current statute(s) as appropriate

## Strategies: *Tactics (continued)*

**Objective D:** Develop and monitor data quality standards

**Tactics:**

1. Audit timeliness, accuracy, completeness, and quality
2. Develop methods to identify and notify sources of data noncompliance to ensure accuracy at the time of entry and integration
3. Develop quality assurance standards and methods of evaluation

**Objective E:** Provide for appropriate security of information.

**Tactics:**

1. Determine security governance process
2. Determine security business requirements (for example, federated security, role-based security, security requirements for search, workflow/registry)

# Scope Statement

*The Scope Statement represents the common understanding of CriMNet and component projects among the stakeholders. Scope Statements will also be developed for each tactic identified. A Scope Statement Template is available on the Department of Administration, Office of Technology Website at:*
*http://www.state.mn.us/cgi-bin/portal/mn/jsp/content.do?subchannel=-536879888&programid=536879656&sc3=null&sc2=null&id=-8484&agency=OT*

## Appendix C:

## Revise and update Minnesota Statute 299C.65

### 299C.65 Criminal and juvenile information policy group.

Subdivision 1. **Membership, duties**. (a) The criminal and juvenile justice information policy group consists of the commissioner of corrections, the commissioner of public safety, the commissioner of administration, the commissioner of finance, and four members of the judicial branch appointed by the chief justice of the supreme court. The policy group may appoint additional, nonvoting members as necessary from time to time.

(b) The commissioner of public safety is designated as the chair of the policy group. The commissioner and the policy group have overall responsibility for the successful completion of statewide criminal justice information system integration (CriMNet). The policy group may hire a program manager to manage the CriMNet projects and to be responsible for the day-to-day operations of CriMNet. The program manager shall serve at the pleasure of the policy group in unclassified service. The policy group must ensure that generally accepted project management techniques are utilized for each CriMNet project, including:

(1) clear sponsorship;

(2) scope management;

(3) project planning, control, and execution;

(4) continuous risk assessment and mitigation;

(5) cost management;

(6) quality management reviews;

(7) communications management; ~~and~~

(8) proven methodology; and

(9) education and training.

(c) Products and services for CriMNet project management, system design, implementation, and application hosting must be acquired using an appropriate procurement process, which includes:

(1) a determination of required products and services;

(2) a request for proposal development and identification of potential sources;

(3) competitive bid solicitation, evaluation, and selection; and

(4) contract administration and close-out.

(d) The policy group shall study and make recommendations to the governor, the supreme court, and the legislature on:

1) 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;

2) the responsibilities of each entity within the criminal and juvenile justice systems concerning the collection, maintenance, dissemination, and sharing of criminal justice information with one another;

3) actions necessary to ensure that information maintained in the criminal justice information systems is accurate and up-to-date;

4) the development of an information system containing criminal justice information on gross misdemeanor-level and felony-level juvenile offenders that is part of the integrated criminal justice information system framework;

5) the development of an information system containing criminal justice information on misdemeanor arrests, prosecutions, and convictions that is part of the integrated criminal justice information system framework;

6) comprehensive training programs and requirements for all individuals in criminal justice agencies to ensure the quality and accuracy of information in those systems;

7) continuing education requirements for individuals in criminal justice agencies who are responsible for the collection, maintenance, dissemination, and sharing of criminal justice data;

8) a periodic audit process to ensure the quality and accuracy of information contained in the criminal justice information systems;

9) the equipment, training, and funding needs of the state and local agencies that participate in the criminal justice information systems;

10) the impact of integrated criminal justice information systems on individual privacy rights;

11) the impact of proposed legislation on the criminal justice system, including any fiscal impact, need for training, changes in information systems, and changes in processes;

12) the collection of data on race and ethnicity in criminal justice information systems;

13) the development of a tracking system for domestic abuse orders for protection;

14) processes for expungement, correction of inaccurate records, destruction of records, and other matters relating to the privacy interests of individuals; and

15) the development of a database for extended jurisdiction juvenile records and whether the records should be public or private and how long they should be retained.

Subd. 2. **Report, t Task force.** ~~(a) The policy group shall file an annual report with the governor, supreme court, and chairs and ranking minority members of the senate and house committees and divisions with jurisdiction over criminal justice funding and policy by December 1 of each year.~~

~~(b) The report must make recommendations concerning any legislative changes or appropriations that are needed to ensure that the criminal justice information systems operate accurately and efficiently. To assist them in developing their recommendations,~~ T~~t~~he policy group shall appoint a task force to assist them in their duties. The task force shall monitor, review and report to the policy group on CriMNet-related projects and provide oversight to ongoing operations as directed by the policy group. The task force shall consist~~ing~~ of its members or their designees and the following additional members:

~~the director of the office of strategic and long-range planning;~~

1) two sheriffs recommended by the Minnesota sheriffs association;

2) two police chiefs recommended by the Minnesota chiefs of police association;

3) two county attorneys recommended by the Minnesota county attorneys association;

4) two city attorneys recommended by the Minnesota league of cities;

5) two public defenders appointed by the board of public defense;

6) two district judges appointed by the conference of chief judges, one of whom is currently assigned to the juvenile court;

7) two community corrections administrators recommended by the Minnesota association of counties, one of whom represents a community corrections act county;

8) two probation officers;

9) four public members, one of whom has been a victim of crime, and two who are representatives of the private business community who have expertise in integrated information systems;

10) two court administrators;

11) one member of the house of representatives appointed by the speaker of the house;

12) one member of the senate appointed by the majority leader;

13) the attorney general or a designee;

14) the commissioner of administration or a designee;

15) an individual recommended by the Minnesota league of cities; and

16) an individual recommended by the Minnesota association of counties.

In making these appointments, the appointing authority shall select members with expertise in integrated data systems or best practices.

~~(c)~~ The commissioner of public safety may appoint additional, nonvoting members to the task force as necessary from time to time.

Subd. 3. **Report** The policy group, with the assistance of the task force, shall file an annual report with the governor, supreme court, and chairs and ranking minority members of the senate and house committees and divisions with jurisdiction over criminal justice funding and policy by December 1 of each year. The report must provide the following:

(a) status and review of current integration efforts and projects;
(b) recommendations concerning any legislative changes or appropriations that are needed to ensure that the criminal justice information systems operate accurately and efficiently; and

(c) summary of the activities of the policy group and task force.

~~Subd. 3. **Continuing education program.** The criminal and juvenile information policy group shall explore the feasibility of developing and implementing a continuing education program for state, county, and local criminal justice information agencies. The policy group shall consult with representatives of public and private post-secondary institutions in determining the most effective manner in which the training shall be provided. The policy group shall include recommendations in the 1994 report to the legislature.~~

~~Subd. 4. **Criminal Code numbering scheme.** The policy group shall study and make recommendations on a structured numbering scheme for the Criminal Code to facilitate identification of the offense and the elements of the crime and shall include recommendations in the 1994 report to the legislature.~~

Subd. 3~~5~~. **Review of funding and grant requests**. (a) The criminal and juvenile justice information policy group shall review the funding requests for criminal justice information systems from state, county, and municipal government agencies. The policy group shall review the requests for compatibility to statewide criminal justice information system standards. The review shall be forwarded to the chairs and ranking minority members of the house and senate committees and divisions with jurisdiction over criminal justice funding and policy.

(b) The policy group shall also review funding requests for criminal justice information systems grants to be made by the commissioner of public safety as provided in this section. Within the limits of available appropriations, the commissioner of public safety shall make grants for projects that have been approved by the policy group.

(c) If a funding request is for development of a comprehensive criminal justice information integration plan, the policy group shall ensure that the request contains the components specified in subdivision 6. If a funding request is for implementation of a plan or other criminal justice information systems project, the policy group shall ensure that:

(1) the government agency has adopted a comprehensive plan that complies with subdivision 6;

(2) the request contains the components specified in subdivision 7; and

(3) the request demonstrates that it is consistent with the government agency's comprehensive plan.

Subd. 4~~6~~**. Development of integration plan**. (a) If a funding request is for funds to develop a comprehensive criminal justice information integration plan to integrate all

systems within a jurisdiction, the requesting agency must submit to the policy group a request that contains the following components:

(1) the vision, mission, goals, objectives, and scope of the integration plan;

(2) a statement of need identifying problems, inefficiencies, gaps, overlaps, and barriers within the requesting agency's jurisdiction, including those related to current systems and interfaces, business practices, policies, laws, and rules;

(3) a list of agency heads and staff who will direct the effort and a statement demonstrating collaboration among all of the agencies involved;

(4) a statement that the integration plan would integrate all systems within the six major business functions of the criminal justice community, including incident reporting, investigation, arrest, detention, adjudication, and disposition, including postsentence supervision and treatment, and related civil, family, and human services proceedings, processes, and services, to the extent it was cost beneficial;

(5) a statement demonstrating that the requesting agency has consulted with individuals involved in day-to-day business practices, use, and operation of current criminal justice information systems so as to identify barriers and gaps;

(6) a planning methodology that will result in at least the following deliverables:

(i) an identification of problems in the state's criminal justice data model, where applicable, including data policy problems and proposed changes;

(ii) a function and process model that includes business process improvement and redesign opportunities, prioritized business change objectives, and short-term opportunities for improvement that can be pursued immediately while developing and implementing the long-range integration plan;

(iii) a technology model that includes network, communication, and security standards and guidelines;

(iv) an application architecture;

(v) a complete gap analysis that includes identification of gaps, omissions, and redundancies in the collection and dissemination of criminal justice information in the requesting agency's jurisdiction;

(vi) an assessment of current and alternative directions for business practices, applications, and technology, ranging from simple modifications to complete redesign;

(vii) a business process redesign model, showing existing and redesigned process and process vision, future performance targets, design principles, new process flow, and benefits; and

(viii) a long-range integration plan that includes time frames for the retirement, renewal, or redevelopment of systems and applications identified in clauses (i) to (vii) along with justification based on age, business processes not supported, and data deficiencies;

(7) projected timelines for developing and executing the plan;

(8) an estimate of the resources needed to develop, execute, operate, and maintain the integration plan;

(9) a statement that the final integration plan will contain all the components in this subdivision in final form;

(10) an identification of how the applicant will satisfy the match requirements of subdivision 8; and

(11) any other matters the policy group deems necessary for successful development or implementation of the integration plan and resulting systems.

(b) An agency may submit an interim integration plan to the policy group if it identifies high priority integration tasks during the development of the integration plan. The interim plan shall identify the tasks and the business case for completing these tasks in advance of completing the entire plan.

Subd. 5~~7~~. **Implementation of integration plan**. If the request is for funds to implement an integration plan, the requesting agency must submit the following to the policy group:

(1) an integration plan containing the components described in subdivision 6;

(2) a description of how implementation of the integration plan will improve operation of the criminal justice system in the requesting agency's jurisdiction;

(3) an identification of how the applicant will satisfy the match requirement in subdivision 8; and

(4) a means for evaluating outcomes of the plan's implementation.

Subd. 6~~8~~. **Local match**. (a) The policy group may approve grants only if the applicant provides an appropriate share of matching funds as determined by the policy group to help pay up to one-half of the costs of developing or implementing the integration plan. The matching requirement must be a constant for all counties. The policy group shall

adopt policies concerning the use of in-kind resources to satisfy the match requirement and the sources from which matching funds may be obtained. Local operational or technology staffing costs may be considered as meeting this match requirement.

(b) The policy group shall consult with the task force when carrying out its powers and duties under paragraph (a).

(c) Each grant recipient shall certify to the policy group that it has not reduced funds from local, county, federal, or other sources which, in the absence of the grant, would have been made available to the grant recipient to improve or integrate criminal justice technology.

Subd. 7~~8a~~. **Criminal justice technology infrastructure improvements**. (a) Within 30 days of the submission of the Hennepin county integration plan funded by a grant under Laws 1999, chapter 216, article 1, section 7, subdivision 6, or September 1, 2000, whichever is earlier, the policy group shall:

(1) assess the needs of state, county, and municipal government agencies for electronic fingerprint capture technology, electronic photographic identification technology, and additional bandwidth to transfer and access the data from electronic fingerprint capture technology and electronic photographic identification technology to the state's central database; and

(2) choose locations and agencies to receive this technology.

(b) Within the limits of available appropriations, the commissioner of public safety shall purchase and distribute the technology infrastructure improvements as directed by the policy group. The commissioner shall begin the purchasing process within 30 days of receiving notice of the policy group's decisions. The commissioner shall distribute the improvements as soon as practicable after beginning the purchasing process.

(c) If feasible, the policy group shall direct the commissioner to distribute the technology infrastructure improvements described in this subdivision in 100 locations. However, no more than 30 percent of the improvements may be distributed in one county.

Subd. 8~~9~~. **Documentation and reporting requirements**. Every recipient of matching funds to develop or implement an integration plan shall submit to the policy group all requested documentation, including final plans and a report evaluating whether and how the development or implementation of the integration plan improved the operation of the criminal justice system in the requesting agency's jurisdiction. The policy group shall establish the recipient's reporting dates at the time funds are awarded.

**Appendix D:**

**Revise Minnesota Statutes 13, 299C.10, 299C.14, 299C.17, 299C.65, 611.272 related to Data Practices**

# CriMNet Legislative Proposal Overview and Rationale December 19, 2003

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| **Section 1.** Provides a cross reference to MN Stat. Chapter 13 in the CriMNet's 299C section. | **A new subdivision is added to Minn. Stat. 299C.65 Subd. 1a as follows:**<br><br>299C.65 Subd. 1a. Data classification. Data held by and accessible through CriMNet is classified under section 13.873. |
| **Section 2.** Amends the MN Gov't Data Practices Act **(MGDPA)** traveling data provisions to provide that data coming from the judicial branch shall follow court rules of access when in the possession of government entities. Currently, there are no provisions that provide for judicial data that comes to gov't entities. | **Create a new paragraph to MN Stat. 13.03 Subd. 4 as follows:**<br><br>(e) To the extent that judicial branch data is disseminated to government entities by the judicial branch, the data disseminated shall have the same level of accessibility in the hands of the agency receiving it as it had in the hands of the judicial branch entity providing it. |
| **Section 3, Subd. 1**<br><br>Subd 1(a) defines "CriMNet" as a statewide system. Under the MGDPA, statewide systems have unique responsibilities.<br><br>Subd 1(b) defines "CriMNet data" as criminal justice data that is held or accessed by CriMNet.<br><br>Subd. 1(c) defines "audit trail data" | **Create a new section MN Stat Chapter 13:**<br><br>13.873 CriMNet data classification.<br><br>Subd. 1. Definitions.<br><br>(a)"CriMNet". For the purposes of this chapter, "CriMNet" is a statewide system as defined in section 13.02 Subd. 18, which integrates or interconnects data from multiple criminal justice agency information systems.<br><br>(b) "CriMNet data" are criminal justice agency data created, collected, used or maintained in the prevention, investigation and prosecution of crime and any resulting criminal justice system response, held or accessed by CriMNet.<br><br>(c) "audit trail data" are data created, used or maintained by CriMNet for the purposes of ensuring and verifying that CriMNet was only accessed by authorized persons for authorized purposes. |
| **Section 3, Subd. 2**<br>●MGDPA traveling data provision to apply to data accessed/maintained by CriMNet. | Subd. 2. Data classification. (a) Data accessed or maintained by CriMNet shall be subject to the provisions of section 13.03, subd. 4(c) and section 13.03, Subd. 4(e). Except for the exercise of rights by individuals under section 13.04, |

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| ●Limits access to CriMNet to data subjects and criminal justice agencies<br>(With this limitation, public access will not be available through CriMNet.<br>●Classifies 'audit trail data' as confidential/protected non-public and limits access for security. | access to CriMNet data is limited to criminal justice agencies as defined in section 299C.46, subdivision 2, public defenders as provided in section 611.272, federal criminal justice agencies as defined in 28 CFR20.3(g) and criminal justice agencies of other states. Audit trail data created and maintained by CriMNet is classified as protected non-public or confidential and shall be accessible by persons who require access to ensure the security of CriMNet. |
| **Section 3, Subd. 3**<br>●Data subjects can request list of agencies that have provided data about them to CriMNet from any state/local law enforcement agency w/ CriMNet access.<br><br>●Creates data subject initiated compliant/audit process.<br><br>●Requires Internet list of law enforcement agencies w/ CriMNet access. | Subd. 3. Requests by data subject. When individual subjects of data make a request for access to data about themselves under section 13.04, subdivision 3, state or local law enforcement agencies with CriMNet access shall only provide a list of the originating agencies that have provided data about that individual to CriMNet. In addition to other routine audits, CriMNet shall conduct audits of system use based on complaints made by data subjects who believe that unauthorized access to or use of CriMNet data about them has occurred, if after a review by CriMNet responsible authority, the complaint is found to have merit. CriMNet shall maintain an internet listing of all law enforcement agencies with CriMNet access. |
| **Section 4.**<br><br>Allows task force to continue to study the data practices implications of CriMNet. | **The following uncodified language is added:**<br><br>Report required. The Juvenile and Criminal Information Task Force established under section 299C.65 shall study and prepare recommendations for policy group consideration of the following:<br>(a) providing web-based access to CriMNet data by data subjects;<br>(b) use of CriMNet data for non-criminal justice background checks;<br>(c) establishing a process to coordinate data challenges by data subjects;<br>(d) direct data subject access to local source of data;<br>(e) advisability of providing public access;<br>(f) implementing Minnesota government data practices act and court rules of access requirements regarding disclosure of disputed data held by CriMNet; and<br>(g) other pertinent issues as determined by the task force.<br><br>The report must be submitted pursuant to section 299C.65 Subd. 3 and is due no later than December 1, 2004. |

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| **Section 5.**<br><br>Creates a requirement for those law enforcement and community correction agencies operating secure juvenile detention facilities to fingerprint current probationers whose court disposition in suspense. This is for those persons still on probation for the offense in suspense. | **A new paragraph is added to Minn. Stat. 299C.10 Subd. 1(a) as follows:**<br><br>(6) persons currently involved in the criminal justice process, on probation, parole, or in custody for the offenses in suspense whom the superintendent of the bureau identifies as being the subject of a court disposition record which cannot be linked to an arrest record, and whose fingerprints are necessary in order to maintain and ensure the accuracy of the bureau's criminal history files, to reduce the number of suspense files, or to comply with the mandates of MN Stat. 299C.111, relating to the reduction of the number of suspense files. This duty to obtain fingerprints for the offenses in suspense at the request of the bureau shall include the requirement that fingerprints be taken in post-arrest interviews, while making court appearances, while in custody or while on any form of probation, diversion or supervised release. |
| **Section 6.**<br><br>Creates a process where prosecutors can make a showing in district court to obtain fingerprints for persons involved in the CJS for a new offense who may also have an old conviction in suspense. | **Create a new subdivision in 299C.10 as follows:**<br><br>Subdivision 1a. The superintendent of the bureau shall inform a prosecuting authority that a person prosecuted by that authority is the subject of a court disposition record in suspense which requires fingerprinting under this section. Upon being notified by the superintendent or otherwise learning of the suspense status of a court disposition record, any prosecuting authority may bring a motion in district court to compel the taking of the person's fingerprints upon a showing to the court that the person is the subject of the court disposition record in suspense. |
| **Section 7.**<br>●Clarifies that the duty to fingerprint extends to agents, employees, subordinates of prosecutors, courts, probation.<br>●Allows taking of fingerprints of those currently on probation by law enforcement. | **Minn. Stat. 299c.10 Subd. 1(c) is amended to read as follows:**<br><br>(c) Prosecutors, courts, and probation officers and their agents, employees, and subordinates, shall attempt to ensure that the required identification data is taken on a person described in paragraph (a). Law enforcement may take fingerprints of an individual who is presently on probation. |
| **Section 8.**<br><br>Clarifies that penal institution officials must provide information necessary to ensure accuracy and reduce the number of suspense | **Minn. Stat. 299C.14 is amended to read as follows:**<br><br>299C.14 Information on released prisoner. It shall be the duty of the officials having charge of the penal institutions of the state or the release of prisoners therefrom to furnish to the bureau, as the superintendent may require, finger and thumb prints, |

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| files. | photographs, distinctive physical mark identification data, other identification data, modus operandi reports, and criminal records of prisoners heretofore, now, or hereafter confined in such penal institutions, together with the period of their service and the time, terms, and conditions of their discharge. This duty to furnish information includes but is not limited to requests for fingerprints as the superintendent of the bureau deems necessary to maintain and ensure the accuracy of the bureau's criminal history files, to reduce the number of suspense files, or to comply with the mandates of Minn. Stat. 299C.111, relating to the reduction of the number of suspense files where a disposition record is received that cannot be linked to an arrest record. |
| **Section 9.**<br><br>Brings this statutory provision in line with the provisions of Rule 9.01, Subd. 1 of the Minn. Rules of Criminal Procedure (requiring prosecutors to disclose witness conviction histories to defense counsel). Clarifies that CriMNet may be used to obtain authorized information. Also clarifies that prosecutors' data systems are unavailable to public defenders. | **Minn. Stat. 611.272, is amended to read as follows:**<br><br>**611.272 Access to government data**<br><br>The district public defender, the state public defender, or an attorney working for a public defense corporation under section 611.216 has access to the criminal justice data communications network described in section 299C.46, as provided in this section. Access to data under this section is limited to data ~~regarding the public defender's own client as~~ necessary to prepare criminal cases in which the public defender has been appointed, as follows: (1.) access to data about witnesses in a criminal case shall be limited to records of criminal convictions; (2.) access to data regarding the public defender's own client which includes ~~including~~, but is not limited to, criminal history data under section 13.87; juvenile offender data under section 299C.095; warrant information data under section 299C.115; incarceration data under section 299C.14; conditional release data under section 299C.147; and diversion program data under section 299C.46, subdivision 5. The public defender has access to data under this section whether accessed via CriMNet or other methods. The public defender does not have access to law enforcement active investigative data under section 13.82, subdivision 7; data protected under section 13.82, subdivision 17; or confidential arrest warrant indices data under section 13.82, subdivision 19, or to data systems maintained by a prosecuting attorney. The public defender has access to the data at no charge, except for the monthly network access charge under section 299C.46, subdivision 3, paragraph (b), and a reasonable installation charge for a terminal. Notwithstanding section 13.87, subdivision 3,; 299C.46, subdivision 3, paragraph (b); 299C.48, or any other law to the contrary, there shall be no charge to public defenders for Internet access to the criminal justice data communications network. |

Criminal – Juvenile Justice Information Policy Group and Task Force
2004 Data Practices Legislative Proposal
Rationale discussion

January 2004

BACKGROUND

The Criminal and Juvenile Justice Information Task Force asked its Data Practices Delivery Team in early 2003 to address data practice issues and develop legislative language necessary for the CriMNet project to move forward in a manner consistent with rules, statutes and common sense. At eight well-attended meetings between April and November 2003, the Delivery Team engaged in extensive discussions involving representatives from the following groups or organizations: county attorneys, public defenders, county corrections, Department of Corrections/S3, CriMNet, Department of Public Safety, district court administrators, appellate courts, MNCIS, Sentencing Guidelines Commission, county sheriffs, local law enforcement, Bureau of Criminal Apprehension, Information Policy & Analysis / Dept of Administration, media representatives, legislators and legislative staff, the Minnesota Civil Liberties Union, the Minnesota Attorney General's office, and the public.

Recommendations of the Delivery Team were considered at length by the full Task Force at its meetings in September, October, and November, and again were subject to extensive discussion and amendment by the entire body. The Criminal and Juvenile Justice Information Policy Group further considered and amended the recommendations at its December 2003 meeting.

As the recommendations were developed, the three groups deliberated on various and competing ideas before reaching a conclusion. The resulting proposed legislation reflects a number of policy decisions on which there was substantial discussion and balancing of interests. Primarily, the groups' work focused on two key components: 1. addressing the fact that the same data are classified differently when in the possession of different CriMNet users and 2. that court data are subject to Court Rules of Access rather than the Minnesota Government Data Practices Act (MGDPA).

RATIONALE

The issue of different classifications of the same data in the possession of different agencies raised a number of policy and practical considerations. Specifically, arrest data are public at the local court/police agency level but become private data when they are transferred to the BCA's computerized criminal history database. The current statutory scheme in Minnesota allows certain data to be mandated as public at the local level but protects the data as private once it is consolidated into a statewide database. This statutory scheme is in keeping with the U.S. Supreme Court decision in ***U.S. Dept. of Justice vs. Reporters Committee for Freedom of the Press*****,** 489 U.S. 749, 109, S.Ct. 1468 (1989). In *Reporters*, the Court espoused the doctrine of "practical obscurity",

which stands for the premise that citizens have a greater privacy interest in data that are consolidated electronically and easily accessed versus data that are difficult to find and scattered in a paper medium. The debate among members centered on the desire by some members to veer from this doctrine and increase public access to data currently available at the local level. While members acknowledged that local data are currently purchased by private entities and provided on the Internet, members believed that government should not compete with the private sector in this area. The recommendations balance the competing interests of the public's need for greater access to data and an individual citizen's privacy interest in preventing wider dissemination of data (such as arrests which did not result in a conviction). Increasing public access to data about unproven accusations could have dramatic impact on individuals in the areas of housing and employment.

The potential for greater public access also heightened concerns related to the security precautions taken by agencies in determining the actual identity of an individual data subject requesting access to his/her own records. CriMNet will draw together a variety of records which are not linked by a biometric identifier such as fingerprints. There was general consensus that the agency that originates a record is in the best position to determine whether the person requesting the data is the data subject of a particular record. Some agencies, such as the BCA, require that fingerprints be provided before a private criminal history record is released. The proposal also contains modifications that will help to reduce the number of criminal convictions which are held in suspense because they are not tied to a fingerprint. The proposal reflects the groups' support for providing the BCA and law enforcement with the tools necessary to reduce the suspense file.

While the proposal does not change or expand public access beyond what is currently available at state and local levels, the proposal significantly improves access for data subjects. Currently, data subjects must go to multiple state repositories and numerous local agencies to determine if agencies have any records about them. To streamline this process, this proposal provides that data subject will be given a listing of all of the agencies which have provided CriMNet with data about that person by going to any state/local law enforcement agency with CriMNet access. In addition, a data subject directed complaint and auditing process is proposed that will further hold the system accountable for inappropriate access or use of CriMNet.

The proposal provides an amendment to the traveling data provisions in the MGDPA which provides that data that comes from the judicial branch shall have the same level of accessibility when it goes to other governmental entities. The groups debated whether to address this issue as it relates to CriMNet only or to attempt to fix the problem more globally. Based on advice from the courts and Dept. of Administration, the proposal reflects the group's desire to address the situation of data traveling from the court to the other governmental entities in a generally applicable exception to traveling data provision.