



CRIMINAL AND JUVENILE JUSTICE INFORMATION POLICY GROUP

2013-2014 BIENNIAL REPORT TO THE GOVERNOR, SUPREME COURT AND LEGISLATURE ON CRIMINAL
JUSTICE INFORMATION INTEGRATION

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EXECUTIVE SUMMARY

Minnesota Statutes, section 299C.65 Subdivision 3(a) requires the Criminal and Juvenile Justice Information Policy Group to file a biennial report providing: 1) a status and review of current integration efforts and projects; 2) any recommendations concerning any legislative changes or appropriations that are needed to ensure that the criminal justice information systems operate accurately and efficiently; and 3) a summary of the activities of the Policy Group and Task Force. This report endeavors to fulfill that requirement.

BACKGROUND

More than 1,600 agencies and branches of local, state, and federal government oversee the justice and public safety services delivered in Minnesota, at a cost of nearly \$2.5 billion per year to the public, according to census estimates and auditor's reports. Each of these agencies needs timely and accurate information at key decision points throughout the criminal justice process. To assure that information is accessible and managed from a statewide perspective, the legislature created the Criminal and Juvenile Justice Information Policy Group and Task Force (Policy Group and Task Force), in Minnesota Statutes, section 299C.65.

The Policy Group gathers a wide-range of state and local criminal justice stakeholders and policymakers to address issues related to the statewide integration of criminal justice information from a broad-based perspective. The Task Force assists the Policy Group in these duties. Since 2001, these efforts have been coordinated by the CriMNet Program Office - now part of the Minnesota Justice Information Services (MNJIS) section at the Minnesota Bureau of Criminal Apprehension (BCA). Together, the Policy Group, Task Force, and MNJIS executive director provide key leadership in managing the direction of criminal justice integration activities statewide.

Early integration-related activities focused on filling significant gaps in statewide criminal and juvenile justice data such as statewide predatory offender data, electronic booking photos, and complete criminal history information. Systems to collect that information from agencies statewide are now in place, but that was really just the beginning. Integration work will always be needed to improve criminal justice information systems. This work must rise to the challenges of changing criminal activities, business processes, technologies, and integration capabilities of systems which age or become obsolete.

CORE PRIORITIES

The Policy Group, Task Force, and BCA work with constituents to prioritize information integration needs and related initiatives. In 2013, the Policy Group removed the Comprehensive Incident-Based Reporting System, or CIBRS, as a core priority and added two new priorities: a new criminal history system and a new crime reporting system.

- **New Crime Reporting System (CRS)** – In 2013, the Minnesota Legislature fully funded the development and implementation of a new system for all state crime reporting and statistical data. The funding also covers the cost of local agency adaptors but does not include other possible deployment costs for local agencies. The new system will collect more detailed and accurate crime data than the current system is capable of collecting. System deployment is planned starting in 2016.
- **New Criminal History System (CHS)** – The Legislature in 2013 fully funded the development and implementation of a new criminal history system. The new system will improve security controls for data access, will be easier to integrate with other systems, and will reduce manual processes and the risk of data entry errors. Full deployment of the new system is planned for 2017.

- **eCharging** – This is a secure, electronic method for creating criminal complaints, incident referrals, DWI forms and citations. The service replaces the paper process, eliminates redundant data entry, reduces incidents of human error, and saves a significant amount of staff time, particularly for law enforcement. eCharging complaints have been deployed in nearly 90 percent of Minnesota counties with full statewide use of eCharging expected by the end of 2015.
- **Single Sign-On (SSO)** – This is a secure, single access point and password for entry into state criminal justice systems by authorized personnel. Work to bring systems into the SSO domain is underway.
- **New Orders for Protection (OFP) system** – This new system will replace the outdated current system. It will standardize case processing forms and provide real-time access to OFP data. System deployment is planned in 2015.

CONCLUSION

We are pleased to report significant progress in the efforts to integrate information within Minnesota criminal justice agency systems, as well as progress in efforts to make providing and obtaining that information more efficient. The Office of the Legislative Auditor (OLA) looked at law enforcement use of state databases and determined the state has a “reasonable” approach to balancing law enforcement’s need for information with privacy laws. Minnesota Driver and Vehicle Services (DVS) and the BCA augmented training and auditing practices to meet OLA concerns in those two areas. Two significant new projects doubled the number of Core Priorities and redoubled Policy Group, Task Force and BCA efforts and commitment to making integration efforts real to constituencies and to being responsive to their needs.

LIST OF MEMBERS AS OF DECEMBER 2014

POLICY GROUP MEMBERS

Dept. of Public Safety Commissioner Ramona Dohman, Chair
Dept. of Corrections Commissioner Tom Roy
Minnesota Court of Appeals Judge John R. Rodenberg
10th Judicial District Judge Richard C. Ilkka
4th Judicial District Judge Peter Cahill
State Court Administrator Jeff Shorba
Dept. of Corrections Director of Planning and Performance Deb Kerschner, Task Force Chair
Chisago County Sheriff Rick Duncan, Task Force 1st Vice Chair
MN.IT Services Commissioner & Minnesota Chief Information Officer - vacant

TASK FORCE MEMBERS

Dept. of Corrections Director of Planning and Performance Deb Kerschner, Chair
Chisago County Sheriff Rick Duncan, 1st Vice Chair
Bloomington Associate City Attorney Amy K.L. Schmidt, 2nd Vice Chair
Sentencing Guidelines Commission Executive Director Nate Reitz
4th Judicial District Judge Kerry Meyer
Fillmore County Commissioner Tom Kaase
Ramsey County Community Corrections Deputy Director Andy Erickson
Senator Ron Latz
1st Judicial District Chief Public Defender Steve Holmgren
MNJIS Information Systems Director Oded Galili
Representative Joe Mullery
Citizen representative Richard Neumeister
Dept. of Administration Community Services Divisions Director Laurie Beyer-Kropuenske
White Bear Lake City Council member Doug Biehn
8th Judicial District Judge Randall Slieter
Washington County Chief Deputy Court Administrator Wayne Minske
Olmsted County Attorney Mark Ostrem
Board of Public Defense Information Systems Director Robert Sykora
Minnesota Attorney General's Office representative Bob Plesha
Hennepin County Sheriff's Office Lieutenant Spencer Bakke
Plymouth Police Department Chief Michael Goldstein
Dept. of Corrections Office of Special Investigations Director Cari Gerlicher
Washington County Community Corrections Supervisor Rick Smith
Rock Nobles Community Corrections Director Jon Ramlo
Minnesota Judicial Branch Information Technology Division Director Mark Moore
Minnesota Coalition for Battered Women representative Safia Lovett
Dakota County Assistant County Attorney Paul Beaumaster
Member recommended by the League of Minnesota Cities – vacant
Member recommended by the League of Minnesota Cities (from greater Minnesota) - vacant
Member recommended by Minnesota Association of Counties (from metro area) – vacant

Member appointed by the Minnesota Chief Information Officer – vacant

Court administrator member - vacant

Probation officer member – vacant

Public member – vacant

Public member – vacant

EXECUTIVE DIRECTOR

Dana Gotz, MNJIS Executive Director

LEGISLATIVE RECOMMENDATIONS

Pursuant to Minnesota Statutes, section 299C.65, subdivision 2, the Policy Group must provide a report to the Legislature by January 15 every other year detailing the statutory changes and/or appropriations necessary to ensure the efficient and effective operation of criminal justice information systems. The Policy Group adopted the following recommendations for the Legislature's consideration during the 2013 and 2014 legislative sessions.

2013 RECOMMENDATIONS

1. Several recommendations were made regarding background checks for firearms permits.
 - The Legislature should amend Minnesota Statutes, section 624.7131 to require an accurate copy of the applicant's current driver's license, state identification card, or the photo page of the applicant's passport as part of the application for a permit to transfer. No action was taken.
 - The Legislature should amend Minnesota Statutes, section 171.07, subdivision 1a so that the photograph at Driver and Vehicle Services can be used as part of the permitting process. No action was taken.
 - The new criminal history system should require address information at the time of booking. Not a law change.
 - The Legislature should amend Minnesota Statutes, section 299C.40 to allow the data in the CIBRS database to be used for firearms background checks. No action was taken.
 - The BCA should determine the feasibility and cost for law enforcement agencies to submit the applicant's fingerprints to be used to query the Minnesota criminal history file. Not a law change.
 - While no legislation is needed, each participant should verify that an individual has been fingerprinted during each step in the criminal justice process.
 - While no legislation is needed, chief law enforcement officers are encouraged to make suspense file reduction a priority for their agency and to make use of the tools provided by the BCA to assist them with these efforts.
 - Amend Minnesota Statutes, section 260B.171, subdivision 1(b), Minnesota Statutes, section 609.165, subdivision 1(d) and Minnesota Statutes, section 253B.24 to provide for timely transmittal of data. Specific statute language recommendations are provided in the report. No action was taken.
 - Repeal Minnesota Statutes, section 624.713, subdivision 5 and amend Minnesota Statutes, section 299C.095, subdivision 2. Specific statute language recommendations are provided in the report. No action was taken.
2. The Policy Group recommended a technical change be made to Minnesota Statutes, section 609.344, which relates to third degree criminal sexual conduct. The change would move penalty language from subd. 1(b) to subd. 2(b). The statute was changed (2014 Minn. Laws Ch. 259, §5 & 6).

2014 RECOMMENDATIONS

The Policy Group made no recommendations to the legislature in 2014.

The Department of Public Safety recommended to the legislature that Minnesota Statutes, section 299C.65, subdivision 1(b) be changed to give the Bureau of Criminal Apprehension final hiring authority for the CrIMNet Executive Director position. No action was taken.

ACTIVITIES OF THE CRIMINAL AND JUVENILE JUSTICE INFORMATION POLICY GROUP AND TASK FORCE

Significant progress was made in 2013-2014 in the development and implementation of several key systems. The Policy Group reviewed and acted on recommendations made by the Task Force, monitored progress of the Core Priorities, reviewed other projects, conducted annual evaluations of the MNJIS executive director, and reviewed budget and policy issues/implications. The Policy Group and Task Force also spent considerable effort on the following activities.

LEGISLATIVE AUDITOR'S REPORT ON LAW ENFORCEMENT'S USE OF STATE DATABASES

The Office of the Legislative Auditor (OLA) in 2013 conducted an audit of law enforcement's use of state databases, focusing on CIBRS and DVS' license database. Auditors found the state had a "reasonable" approach to balancing law enforcement's need for information with privacy laws. However, auditors made recommendations related to appropriate use training for local law enforcement agencies and strengthening the processes for accessing, monitoring, and auditing data. Several changes were made to meet that goal.

- Access to data in DVS' license database – In February 2014, authorized law enforcement wishing to access DVS license data were routed through the BCA's MyBCA application, which employs stronger security access and auditing tools.
- New training – Training materials for BCA classroom and online courses were updated in 2013 to reinforce examples of proper and improper use of criminal justice data. Also in 2013, DVS strengthened training and auditing practices.
- New auditing – The BCA in 2013 purchased a pattern analysis tool to be used in addition to random audits currently performed.
- Test records – Local law enforcement agencies were urged to use existing test records in DVS and BCA systems rather than running queries for test purposes which may be improper. Additional records were created to meet agency requests.
- Appropriate Use Policy – In October, 2013, the BCA implemented a new Appropriate Use Policy which pulled into a single document BCA information on appropriate use, auditing processes and sanctions.

NEW CRIMINAL HISTORY SYSTEM

The Legislature in 2013 fully funded the development and implementation of a new criminal history system. The new system will improve security controls for data access, will be easier to integrate with other systems, and will reduce manual processes and the risk of data entry errors. Full deployment of the new system is planned for 2017. The current system has been in place for more than two decades, won't integrate with other key systems -- such as the Judicial Branch's Minnesota Court Information System (MNCIS) -- and does not easily perform many of its basic business needs.

NEW CRIME REPORTING SYSTEM

The new system will collect more detailed and accurate crime data than the current system is capable of collecting. The Minnesota Legislature fully funded its development and implementation in 2013. System deployment is planned starting in 2016 with statewide reporting changes phased in over five years. The funding also covers the cost of local agency adaptors but does not include other possible deployment costs for local agencies. The existing system has been in use since 1972, is built on outdated technology that cannot be integrated with other systems, and can no longer be repaired.

CRIMINAL SEXUAL CONDUCT STATUTE CHANGE

The Policy Group voted unanimously to recommend that the Legislature make a technical change to Minnesota statutes, section 609.344, which relates to third degree criminal sexual conduct. The change would add clarity to the penalty language by moving it from subdivision 1(b) to subdivision 2(b).

ELECTRONIC WORKSHEET SYSTEM

The Legislature provided funding to the Sentencing Guidelines Commission for the development of an Electronic Worksheet System (EWS). The application helps probation agents complete sentencing worksheets investigations. Electronic worksheets are created for each person scheduled to be sentenced for a felony crime in Minnesota. The worksheets include information about the convicted individual and their criminal past and are used to help determine appropriate sentencing recommendations. The new application automatically calculates presumptive sentences, integrates with MNCIS to pull case information and reduce data entry errors, allows data from previous worksheets to be copied into new ones and allows the prior version of the Statewide Supervision System (S3) to be retired.

ECHARGING IMPLEMENTATION

The electronic charging, citation, DWI form and incident referral service gained incredible momentum in 2013-2014. It is being deployed mostly county-by-county, with 77 counties completed and statewide deployment expected by the end of 2015. eCitation allows citations to be transmitted directly to the court and law enforcement agency from the field. DWI eCharging forms reduce the average time to process a DWI arrest from 75 minutes to 16 minutes and in many cases as quickly as nine minutes. It eliminates the need to re-enter data on multiple forms, reducing a 34% paper error rate to zero. DWI Forms Manager deployment is being completed by agency rather than by county. A fingerprint flag added to eCharging in 2013 alerts users when a subject needs to be fingerprinted and helps agencies reduce instances of arrests going into suspense.

ECOURTSMN

Testing began in 2014 on a new Minnesota Government Access (MGA) component of the Minnesota Judicial Branch's eCourts application. The MGA component includes electronic access to case records and document images for authorized government users. Statewide rollout is scheduled to begin in late 2015.

COMPREHENSIVE INCIDENT-BASED REPORTING SYSTEM (CIBRS)

In 2013, CIBRS participation began to decline. Only 50 agencies continue to submit and only a small portion of those agencies access data for investigative purposes. The Policy Group and Task Force supported analysis underway to determine why the decrease in participation occurred and how the BCA should move forward with providing incident data.

DATABASES REPORT

At the request of the Legislature, the Policy Group in 2013 drafted a report on possible room for improvement of BCA databases that are used to conduct background checks for firearms permits. Based on the report's findings, the Policy Group developed a list of recommendations for the legislature (see page 7 Legislative Recommendations for details). The report is available in the Minnesota Legislative Reference Library.

EXAMINING ROADBLOCKS TO STATEWIDE IMPLEMENTATION OF THE STANDARD CITATION

The Policy Group passed a motion to support a plan by the Minnesota Judicial Branch and the BCA to study the prospect of statewide electronic submission of citations. About 60-percent of citations issued in Minnesota are electronic and 40-percent are paper. While electronic citations improve workflow and reduce suspense, the BCA and the courts have encountered several technology and financial roadblocks to reaching their goal of 100-percent electronic participation by local agencies.

NEW ORDERS FOR PROTECTION SYSTEM (OFP)

A new Orders for Protection system is being built to standardize case processing and forms. The new system will make it easier to manage and move information and will provide real-time access to OFP data. The system was completed in 2014 and pilot deployment, training and full system deployment is planned in 2015.

MYBCA / SINGLE SIGN-ON

The FBI's National Data Exchange, or N-DEx, was added to the MyBCA Single Sign-On portal in 2014. The single sign-on infrastructure will eventually provide a single access (one password and entry point) to all state criminal justice systems (with appropriate security and user identification protocols). MyBCA shows each individual user what systems they're allowed to access and includes security components and technology to ensure appropriate access limits.

STATUTE SERVICE

An enhanced version of the Minnesota Criminal Justice Statute Service Web Service was launched in February 2013. The enhancement makes it possible for users to search by statute ID numbers or by statute reason (e.g., offenses that must be reported to the DNR).

ELECTRONIC EXCHANGE TASK FORCE DELIVERY TEAM

In 2013, the Task Force established a delivery team to help develop a new electronic method for exchanging court-related documents between prosecutors and public defenders. This would include discovery materials and possibly additional court data in document, video, audio and other forms. Currently prosecutors and public defenders exchange information using email attachments, CD's and FTP sites. The goal is to develop a more consistent, electronic approach which doesn't interfere with other systems already in place. The Minnesota Board of Public Defense is building a new system. The Judicial Branch will build a data exchange between the courts and the public defense system.

STRATEGIC THINKING RETREAT

In 2014, the Policy Group and the Task Force participated in strategic thinking retreats to examine their future role in the development of criminal justice information integration policy, direction and laws. Because many of the specific tasks identified in the statute have been completed, the Policy Group and Task Force decided to develop a new strategic plan with input from stakeholders, examine how that plan would align with existing statutory language regarding the two groups, and if needed, propose updates to the statute. This work will continue into 2015.