

**CRIMINAL AND JUVENILE JUSTICE INFORMATION SYSTEMS
(CJJIS) COUNCIL
MINUTES of MEETING
THURSDAY, NOVEMBER 16, 1995**

The meeting was called to order by Chairman Kenneth Palmer at 10:00 a.m. on November 16, 1995, in the Florida Department of Law Enforcement Academy Classroom "A", 2331 Phillips Road, Tallahassee, Florida.

ROLL CALL

Members Present:

Chairman Kenneth Palmer, State Courts Administrator
Carolyn Snurkowski, Director, Division of Criminal Appeals, Office of the Attorney General
Randy Esser, Designee for Executive Director Dickinson, Department of Highway Safety and Motor Vehicles
Susanne Casey, Designee for Secretary Ross, Department of Juvenile Justice
Arnold A. Gibbs, Chief, Cape Coral Police Department
Earl Kellow, Designee for Secretary Singletary, Department of Corrections
Judith A. Wolson, Chairman, Florida Parole Commission
Nancy Daniels, Public Defender, Second Judicial Circuit
Lawson Lamar, State Attorney, Ninth Judicial Circuit
Karen Rushing, Clerk of the Court, Sarasota County
Sid Klein, Chief, Clearwater Police Department

OPENING REMARKS

Chairman Palmer opened with a brief explanation that the primary purpose of this meeting was to conduct a workshop to receive updates from the three work groups appointed by the Council and the statutorily created work group on information sharing operating under the leadership of the Department of Education.

The first action of the Council was unanimous approval of the minutes of the September 7, 1995 Council meeting.

PRESENTATION OF AGENDA ITEMS

ITEM 1.

Status Report from the Principles and Standards Work Group

Mr. Kenneth Palmer
State Courts Administrator

Chairman Palmer began his presentation with background information on the CJJIS Council's involvement in efforts to enhance information sharing among members of the criminal justice community. The 1995 Legislature issued a broad mandate to Council to develop standards and policies that will promote and enhance the sharing of criminal and juvenile justice information. In the absence of specific legislative direction, the Council formed three work groups to do in-depth development of recommendations for improved information sharing among all users and providers of criminal and juvenile justice information.

The Principles and Standards work group was initially constituted to include representatives of the Legislature, the Information Resource Commission (IRC) and CJJIS Council support staff and, as its name implies, is charged with responsibility for developing and recommending to the Council general guidelines, policies and standards for effective sharing of criminal and juvenile justice information. In its deliberations, the work group placed particular emphasis on the concerns of the Legislature regarding information sharing among agencies. The work group also reviewed existing rules promulgated by the IRC relating to the development, administration and security of data as background for its development of a draft conceptual model for effective information sharing. However, the final product of the work group will not be as detailed as the IRC rules, since it is not the purpose or intent of the Council to micro-manage the information data systems of the justice community.

The information sharing model includes the following **Basic Guiding Principles** that can serve as a general framework for planning and development:

- 1. Cooperative planning by criminal and juvenile justice entities is a prerequisite for the effective development of systems to enable the sharing of data.**
- 2. The planning process as well as coordination of development efforts should be as inclusive as possible. All principals should be at the table from the outset.**
- 3. Criminal and juvenile justice entities should be committed to maximizing information sharing and moving away from previous proprietary positions taken relative to data they capture and maintain.**
- 4. Criminal and juvenile justice entities should maximize public access to data.**

5. Public access necessarily must be balanced with legitimate security, privacy and confidentiality requirements.
6. Criminal and juvenile justice entities should strive for the electronic sharing of information versus a reliance on tapes and other media.
7. The practice of criminal and juvenile justice entities of charging one another for data should, insofar as possible, be eliminated. Moreover, where the capture of data for mutual benefit can be accomplished, the costs for the development, capture and transmission or access to such data should be shared.
8. The redundant capture of data should, insofar as possible, be eliminated. Where a particular entity is the official repository for such data or captures it the initial time, that data should be shared for the benefit of other users.
9. Insofar as statewide data bases are concerned:
 - Only data that can best be compiled, preserved and shared through a central data base should be captured at the state level.
 - Insofar as possible, remote access to distributed data bases should be explored and provided for, in lieu of central repositories.
 - Only data that must be captured and are indeed going to be used should be compiled at the state level. Other data that may be required infrequently or on a one time basis should be captured via sampling or other methods.
 - Only data that is auditable or otherwise can be determined to be accurate, valid and reliable should be maintained.
10. Methods of sharing data among different protocols must be developed without requiring major redesign or replacement of individual systems.

The work group also presented the following draft set of topics on which **Policies and Standards** should be developed to ensure effective information sharing:

1. Telecommunications and networking.
2. Confidentiality, privacy and security.
3. Data element definition.
4. Data administration.

- 5. Hardware and software compatibility.**
- 6. Cooperative licensing arrangements.**
- 7. Transmission standards for images, fingerprints, data, etc.**
- 8. Purging, expunging or sealing of records.**
- 9. Training.**

There was considerable discussion regarding the role of the Council in developing policies and standards for information sharing. Concerns were voiced regarding varying levels of resources and technology in different agencies throughout the state and the possibility that some may be unable to comply with standards set by the Council. Chairman Palmer noted that these developmental efforts must include thorough communication with everyone involved in the process. The Council must not dictate requirements to local agencies with which they cannot comply or force them to discard existing systems in which they have large investments. Their existing systems should be evaluated and the Council should assist them in getting needed resources for information sharing capabilities deemed essential.

Ms. Daniels commented that she thought the Council was doing a good job in its effort to enhance the sharing of information as intended by the Legislature.

There was final consensus on the proposed model and the concept that the Council should provide broad guiding principles which will accomplish the goal of institutionalizing effective information sharing throughout the criminal justice community, without placing undue demands on the agencies involved. Chairman Palmer asked Council members and agency representatives in the audience to review the proposed model and provide any comments by December 22, 1995. It is the goal of the Council to reach preliminary agreement on the information sharing principles and standards by the February 9, 1996, Council meeting and submit a report to the Legislature thereafter.

Chairman Palmer advised the Council that the Department of Health and Rehabilitative Services (HRS), the Department of Education (DOE), the Department of Revenue and the Florida Department of Law Enforcement are all presently involved in the planning for enhanced information sharing and may need representation on the Council or the work groups. Inclusion of these agencies should result in better planning and preclude potential objections. There was agreement that the agencies should be invited to participate in the work groups.

ITEM 2.
Status Report from the Juvenile Offender Based Transaction System Work Group

Mr. Ralph Sperling
Department of Juvenile Justice

Mr. Sperling reported that the work group has met two times, and HRS and DOE have been invited to participate. The first task of the work group was to develop a comprehensive inventory of users and providers of criminal and juvenile justice information throughout the state. The work group is now developing a survey that will identify the information needs and capabilities of those users and providers. The work group also reviewed the OBTS Data Element Dictionary and has distributed a draft to Juvenile Justice Advisory Board, Clerks of the Courts, State Attorneys and Public Defenders for review and comment.

Chairman Palmer asked if the work group was looking at successful information sharing programs currently in place such as SHOCAP. Mr. Sperling commented that the survey will be designed to collect information on those types of programs.

Mr. Lamar asked if the work group was looking at the new mandatory requirements for facilitation of sharing information on juveniles among prosecutors, law enforcement, HRS and the schools. Mr. Sperling stated that was a principal reason for adding DOE to the work group. Mr. Lamar said the new Juvenile Assessment Center in his area is working very efficiently and law enforcement personnel are enthusiastically using the program. He feels the centers will be generating a large amount of data on juveniles that will be useful entities responsible for dealing with juveniles.

Mr. Lamar also discussed the Florida statute that provides for the issuance of civil citations to juveniles for minor violations and awards community service hours for the offenses. This system is designed to get the attention of the juveniles short of arrest. However, since the civil citation is a "one time only" remedy, there is a need for law enforcement, when dealing with a juvenile, to know if the remedy has already been applied. This is another important piece of juvenile data that should be captured and made available. Mr. Sperling said the survey should reveal the need for this information.

Chief Klein expressed concern over the inaccessibility of the Department of Juvenile Justice Data System to local law enforcement agencies. Mr. Dave Kallenborn of DJJ stated that efforts are currently underway make the DJJ system available to authorized users.

Chairman Palmer stated that the focus of the survey will be to determine what information is needed and what information is available. If properly designed, the survey should surface these critical information sharing issues. The survey may be field tested on a limited basis and fine tuned before distribution to all information users and providers.

Chairman Palmer also said the Juvenile Assessment Centers (JAC) are good examples of partnerships among different agencies and the Council would benefit from more information, such as: the number of centers now open, how they operate, the types of services they offer, who are the partners, the types of information systems they have, how they are funded, etc. He requested DJJ to provide a report on the assessment centers at the next Council meeting.

Mr. Lamar advised that much of the information needed to construct a case file is located in the JAC database, and, if it can be shared with prosecutors and public defenders, a considerable amount of time and money could be saved through the elimination of duplicate data entry.

Dr. Sewell stated that model agreements for information sharing among participants in the juvenile justice system were distributed last summer and a number of jurisdictions have enacted them. He indicated that the Council would receive a report on the status of the SHOCAP program at the next Council meeting.

Dr. Sewell also advised that a primary focus in the planning and development of FCIC II is to ensure law enforcement officers are provided with the kind of information they need, accurately and quickly.

Mr. Palmer noted that some courts are connected to school computer systems, giving the judges on-line access to student information such as attendance and disciplinary records.

Chief Klein asked if private organizations that provide services for juveniles turned over to them by law enforcement agencies will have access to the juvenile information. Dr. Sewell said that is one of the issues that will be considered. There are FCIC and NCIC prohibitions on access to certain data. However, as various databases are identified as necessary, there will be discussions, especially at the federal level, regarding access to this information.

Chief Gibbs stated a concern that there is no common objective definition for “at risk” juveniles and the labeling of some juveniles could be unfair if different criteria are used to determine “at risk” status. A subsequent discussion revealed that considerable efforts have been made to develop a definition of “at risk” which everyone can agree on, and to date, those efforts have been unsuccessful. Mr. Lamar added that the kind of labels being considered here are SHOCAP labels which are specific and deal with juveniles who have a history of serious problems.

Mr. Palmer stated that the Council has a statutory responsibility for providing feedback on the development of DJJ’s information system and asked the work group to continue working with DJJ and the Council to fulfill that responsibility. He also requested that DJJ provide a status report on the development of their information system at the next Council meeting.

ITEM 3.
Status report on Department of Education Information Sharing Work Group

Ms. Clenteria Knight
Department of Education

Ms. Knight presented an update on the progress of the work group which was mandated by HB 2505. The full work group has met twice at the statewide level with representatives of several agencies, the Governor's office, the Legislature, the Clerks of the Courts and others. There have also been smaller meetings at the agency level. The work group developed a document (see attachment) that identifies information needs, information resources, barriers to information sharing and specific recommendations for enhancement of information sharing. The document will be refined and the information contained therein will be the basis for the report to the Legislature required by December 30, 1995.

One recommendation of the work group was the inclusion of representatives of the State Attorneys and Public Defenders on the Juvenile OBTS work group. The Council agreed, and Dr. Sewell indicated that would be done.

Mr. Palmer noted that there was considerable overlap in the information sharing efforts of this work group and the Council. He asked Ms. Knight if she foresees this work group continuing after the December report. She responded that the work group will continue to function if the Legislature accepts their recommendations.

Mr. Palmer expressed concern over the apparent duplication of efforts of the DOE work group and the Council work groups and asked Ms. Knight if she thought the groups should be consolidated. Her response was affirmative. Mr. Palmer believes the Council has clear statutory authority to continue its efforts to enhance information sharing and serious consideration should be given to combining the two groups to eliminate duplication.

Dr. Sewell advised the Council that the same FDLE staff is assigned to the DOE work group and the Council work group to assure continuity of FDLE representation. He also advised the Council that all recommendations by FDLE regarding criminal and juvenile justice information, whether part of a joint effort or not, would first be submitted to the Council for approval.

Mr. Gibbs expressed concern over the inability of the schools to access juvenile justice information. Dr. Sewell stated that there were two issues involved. Some information cannot be shared because of statutory prohibitions and some information is not shared because of agency operational policies. We are attempting in the work groups to identify which barriers are statutory and which are not. Recent actions of the Legislature clearly indicate an intent to remove unnecessary barriers to information sharing. There appear to be more people barriers now than legal barriers, but, if any unwarranted legal barriers are found to exist, they will be recommended to the Council for repeal.

Ms. Nancy Daniels stated that there are some good reasons for certain legal barriers to criminal justice information and expressed concern over the possibility of going too far in removing those barriers. Mr. Lamar responded that the sharing of information among all entities working with juveniles will allow each entity to have a complete view of the juveniles' backgrounds and histories. Such access will improve their ability to deal with and help those juveniles.

Mr. Palmer stated that a proper balance must be struck between legitimate public access to information and the privacy and security requirements of individuals. We must be able to identify that information which can be shared and that which cannot; e.g., minor offenses vs. serious offenses.

Dr. Sewell advised that the two types of offenses will be identified by the next Council meeting.

ITEM 4.
Status Report from the Telecommunications Work Group
Ms. Brenda Owens
Florida Department of Law Enforcement

Ms. Owens reported that the work group has held two meetings to date. The main focus of the work group has been implementation of the National Criminal History Improvement Program (NCHIP) grant. The first goal of the work group is to establish the physical connections for a statewide criminal justice telecommunications network that can be used by local and state criminal justice agencies to transport and share information. The grant includes funds to hire a network administrator and three data communications analysts. The network administrator will work for the Division of Communications in the Department of Management Services and will be dedicated solely to the design, development and establishment of the network. The position is being advertised as an OPS position and it appears that there will be funds to support the position for a minimum of two years. Members of the work group volunteered to serve as a selection committee. It is hoped that the administrator can be on board by January 1996. The data communications analysts will work at FDLE exclusively on the physical implementation, trouble shooting, maintenance of the network.

Six pilot counties have been selected to participate in the initial feasibility studies, design and testing of the network: Lafayette, Osceola, Brevard, Sarasota, Pinellas and Bay. These counties represent a good cross-section of Florida counties and should provide examples of the types of challenges we will encounter throughout the state. There are also funds to contract with consultants to visit the local criminal justice agencies in the pilot counties and do a thorough study of their information systems and information needs. The consultants will submit a plan to the network administrator for establishment of the network in the pilot counties.

The work group also concluded that minimum standards for the network must be established and members of the work group with technical expertise in the appropriate areas, along with some consultant help, are presently developing those standards.

Ms. Owens advised that the new FCIC II frame relay system will be the basis for this network. FCIC II will provide the infrastructure on which it will ride. As agencies are added to the system, they will probably be able to eliminate some of their circuits.

In response to questions from Mr. Palmer, Ms. Owens advised that the network administrator will be in charge of and coordinate the activities of the consultants and probably will travel with them to the counties to do the surveys.

Mr. Palmer requested a status report on the work group's progress at the next Council meeting.

ITEM 5.
Status Report on FCIC II

Ms. Brenda Owens
Florida Department of Law Enforcement

Ms. Owens began with a report on the status of the workstation software. FDLE received three best and final offers from MAXWELL S-CUBED, Vendata and DATAMAX. MAXWELL S-CUBED subsequently withdrew itself from consideration, and the other two proposals are being evaluated. It is estimated that a contract will be signed by mid-December '95. The term of the contract is five years and requires the vendor to include: future development and modifications at no additional cost; on-site installation, if requested; personnel to assist during installation; and specific dates for the vendor to complete various phases of the work. Distribution of the software to 740 local agencies will occur from March to September '96. Data circuits have been ordered for the first ten pilot agencies, and software will be distributed to them by mid January '96. Ten additional pilot agencies have been selected and will be notified in late November.

With regard to development of the new frame relay network, Ms. Owens reported that Orange County Sheriff's Office is communicating with and transmitting data to the FDLE test environment. Two of the interface agencies are almost ready to begin testing also. Ms. Owens praised Orange County for its fine cooperation in this testing project.

The RFP for replacement of the message switch and "hot" files is in final review and is scheduled for release by mid December '95. A vendor should be selected and a contract signed by the end of June '96. At that time FDLE will begin a detailed design stage with that vendor and the workstation vendor.

ITEM 6.
Status Report on the Integrated Criminal History Network (ICHN)

Mr. Tom Watkins
Florida Department of Law Enforcement

and
(after adjournment)
Demonstration of Livescan Technology
Mr. Carlo Basta and Mr. Gerald Brooks
Florida Department of Law Enforcement

Mr. Watkins explained that the first phase of the ICHN development is establishment of capabilities for electronic capture of fingerprint and arrest data. The major objective is to upgrade the central Automated Fingerprint Identification System (AFIS) and install a satellite AFIS site so all identifications can be made by fingerprint comparison in a real time fashion, rather than searching only demographic data. This will satisfy the need of criminal justice agencies for rapid identification by fingerprints on a continuous basis. Latent and ten print capabilities will be available at both sites. Installation of the two sites will enable FDLE to do a much better job of meeting the needs of our criminal justice customers throughout the state. The design characteristics of the system are:

- Ten print database size - 2.5 million
- Ten print volume - 3,000 per day
- Peak ten print workload - 400 per hour
- Required response time - less than 10 minutes
- Latent database size - 100,000
- Latent search volume - 500 per day
- Latent response time - less than 4 hours

Responsibilities of FDLE and the local agencies will be as follows:

FDLE

Overall system management
Communications to the local connections
Continuous fingerprint analyst support
Reverse latent search analysis

Local agencies

Acquisition of workstations
Unique local interfaces
Qualified fingerprint analysts for real time functions

As Mr. Watkins explained, when an identification is made by this system, there are three things automatically generated and returned to the originating agency: a "rap" sheet on the individual; a list of all outstanding wants and warrants; and all identification information currently in the CCH file. The format of the records transmitted to FDLE is defined by the National Institute of Standards and Technology (NIST), and the NIST record that is generated forms the basis for updating the AFIS system and the Computerized Criminal History File.

Regarding the schedule for this phase, a letter of intent to issue a purchase order was sent to Printrak in late September '95. FDLE is presently evaluating potential sites for the satellite, and it appears at this time that it will be placed in Orlando. There are new facilities available and the site is being considered as a potential alternate location for all FDLE processing, including AFIS and FCIC. Full acceptance testing is scheduled for late June '96, integration testing will run through July '96, and, by mid August '96, the system will be in full service.

Many meetings have been held with Printrak, FDLE personnel and local agencies to assure all needed features are included in the system.

Mr. Watkins said the FDLE facility in Orlando will probably not be ready for installation of the AFIS satellite for two years. However, the satellite will be brought up at FDLE headquarters in Tallahassee and fully tested prior to installation in Orlando. When the satellite is installed in Orlando, the final objective of geographic separation will be achieved, eliminating the threat of natural disasters or other catastrophic events.

FDLE has identified 20 Florida counties which collectively submit over 80% of the approximate 500,000 criminal fingerprint cards received each year. These counties are being invited and encouraged to participate in ICHN:

Dade	Orange	Broward	Hillsborough	Pinellas
Palm Beach	Duval	Volusia	Brevard	Escambia
Polk	Sarasota	Manatee	Marion	Alachua
Lee	Seminole	Pasco	Leon	Collier

After adjournment, a demonstration of the livescan technology was conducted for interested attendees.

CLOSING REMARKS

Chairman Palmer thanked everyone for their participation and the meeting was adjourned.