
Issue Brief



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Incorporating Local Justice Information in State Systems

Summary

To protect citizens and property, states need to utilize local criminal justice information effectively. However, integrating information from 13,000 police departments, 3,100 sheriff's offices, 2,300 prosecutors, 1,500 corrections agencies, and other justice-related entities poses formidable challenges. States must establish policies, relationships, and infrastructure that will enable sharing of local justice information across the entire justice system. Without taking this leadership role, state justice information will continue to be inaccurate, incomplete, and largely inaccessible.

The sharing of criminal justice information has become a major focus for states, especially since September 11, 2001. As states work toward this goal—whether as a component of an overall crime fighting strategy, as a component of state homeland security efforts, or as a component of an effort to streamline government services—they must engage local agencies and governments successfully. This means addressing key protocol issues, such as who controls information, who funds initiatives, who can access information, and who supports the technology.

Resolving these issues requires working across agencies, branches, and levels of government. Only Governors possess the political capital necessary to make this happen. There are a number of strategies that Governors can adopt to incorporate local justice information into statewide systems. Specifically, they can:

- provide opportunities for local agencies and governments to participate in the governance and design of statewide justice information sharing efforts;
- promote compatible systems by establishing and promoting technical standards and performance measures;
- provide training and other support for local agencies and governments; and
- provide incentives to encourage the use of compatible technology.

Justice Information is Local Information

Twelve million index crimes (e.g., murder, rape, robbery, burglary, etc.) were committed in 2001, and most of the information gathered in response to these crimes was generated by local law enforcement, local courts, and local jails.¹ To enable federal, state, and local law enforcement to work effectively, this information must be integrated upward into state and federal systems.

The integration of local justice information is critical to six key areas of law enforcement.

- **Monitoring and tracking sex offenders.** States are required to monitor and track convicted sex offenders. According to a recent report, however, many states cannot locate thousands of sex offenders despite laws requiring these offenders to register and to check-in regularly with local law enforcement.² States need to better utilize local justice information in tracking these offenders to improve the completeness and accuracy of sex offender registries and to improve the process by which this information is shared.
- **Background checks for gun purchases and employment.** Conducting background checks for handgun purchases and other non-criminal justice purposes (e.g., background checks for child care workers) is primarily a state function. It has also been an area of tremendous growth over the last decade. For states to perform these checks they must be able to access up-to-the-minute criminal history records, warrant status, correctional status, and restraining orders.³ This information, which is critical to ensuring that criminals can not purchase weapons, is generated and stored locally. For example, by improving the sharing of information related to protection orders, Connecticut blocked or retrieved handguns from 149 ineligible and potentially dangerous individuals.
- **Arrest, court, and warrant information.** State and local law enforcement need timely access to arrest, court, and warrant status information that is generated locally. There are examples of officers stopping individuals with active warrants from other jurisdictions, but because that information was inaccessible they did not apprehend wanted criminals who went on to commit additional crimes. There are also examples of judges and prosecutors being unaware that individuals appearing in court had pending charges or outstanding warrants for other crimes. As a result, dispositional decisions were based on incomplete or inaccurate information, and potentially dangerous criminals were either released outright or were given lighter sentences than warranted. To prevent these mishaps, states need to ensure that all arrest, court, and warrant information is accessible statewide.
- **Correctional status.** Correctional functions (e.g., jails, prisons, parole, etc.) are divided among state, local, and federal governments. As a result,

Tragic Consequences

In May 1999, 19-year old Katie Poirier was kidnapped and murdered in Moose Lake, Minn., by Donald Blom, a career felon who had just been released on probation. His mistaken release resulted from technology that prevented police from sharing case information. At the time, local police and prosecutors were unaware that Blom, who was appealing his conviction, had committed numerous prior offenses. He had various unconnected aliases in state and local databases, and because they could not match these fingerprints to each other, they let him go.

Tragic Consequences

In March 1998, Leonard Saldana was arrested by Austin, Texas, police for violating a stay-away order from his common-law wife, Sylvia Hernandez. Because the police department refused to allow municipal courts on-line access to criminal histories, the municipal judge was unaware of Saldana's extensive criminal history—he had been jailed 19 times in the prior 10 years. (Courts could obtain criminal history either orally in response to individual requests or on paper if the court's investigators retrieved them.) Without this information, the judge set a low bail and Saldana was released. Shortly after his release, on April 4, 1998, Saldana stabbed his wife to death.¹

correctional status information (e.g., a convict on parole, in jail or prison, on home detention, etc.) may not be easily accessible. When state and local law enforcement do not have current and accurate correctional information, they may not know that someone they arrested is on parole or probation, or that a suspect they are seeking is detained in a local jail on an unrelated charge. Similarly, parole and probation authorities need information on release dates for discharge planning. They also need to know when a parolee or probationer is charged with an additional crime.

- **Protection orders.** States that can not share information on protection orders can not adequately protect vulnerable individuals. Although the process for applying for protective orders varies by states, and in some cases by local jurisdictions, at each step in this process—petitioning the court, issuing the order, and enforcing the order—information must be collected and accessed through one or more local information systems. This information must be available statewide if protection orders are to have any effect.
- **Homeland security intelligence.** Local justice information is crucial to the intelligence capabilities of state and federal governments. To illustrate this point, consider the fact that immediately prior to September 11th, 2001, several terrorists had been stopped by local and state law enforcement for traffic violations and allowed to continue their travel. In response, a number of states are developing systems that gather intelligence reports at the local level and compile that information at the state level. For example, Massachusetts is supporting the development of the Statewide Anti-Terrorism Unified Response Network (SATURN) Web site. This Web site eventually will include public and secure areas where private citizens and law enforcement personnel can submit reports on suspicious activities. Another example is the Florida Department of Law Enforcement’s Multi-State Anti-Terrorism Information Exchange (MATRIX). MATRIX utilizes existing criminal justice databases and pairs that information with other non-criminal justice data (e.g., motor vehicle, drivers license, and credit information) to create a powerful investigative and intelligence tool.

Challenges to Engaging Local Justice Agencies and Governments

While the examples above illustrate the importance of local justice information, incorporating local information presents a number of challenges.

- **Multiple agencies.** The sheer number and unique needs of local agencies and governments presents a major hurdle to states’ information sharing initiatives. Without minimizing the role of any individual agency or department, states need to identify those local agencies and entities that are most important to their initiative, at least initially.⁴
- **Control of information.** States need to address a number of central questions related to control of information. Who owns the data? Who has access to it? How can information be used? Where will it be stored? Resolving these “turf issues” is central to gaining buy-in from local agencies and governments.⁵
- **Cost implications of information sharing.** While improved sharing of justice information may create efficiencies and long-term cost savings, there may also be initial start-up and ongoing maintenance or subscription costs. This can be particularly challenging considering that local law

enforcement and local court budgets must be approved by local executive governments (i.e., county councils, city councils, town councils). States must demonstrate to local agencies, as well as locally elected officials, the benefits of improved information sharing.

- ***Uneven access to technology at the local level.*** The level of technology available at the local level varies greatly. For example, in some jurisdictions—often smaller ones—local law enforcement agencies may have little or no access to computers, and records systems may be paper-based. Even in larger districts, technology may be obsolete, incompatible, or unserviceable, meaning that these districts may be unable to access technical support or upgrade their systems. States need to conduct a readiness assessment of local agencies to answer the question of how technologically prepared these jurisdictions are for justice information sharing.

Strategies to Engage and Support Local Agencies and Governments

There are four primary ways that states can improve access to local justice information as a component of statewide justice information sharing initiative. They can:

- provide opportunities for local agencies and governments to participate in the governance and design of statewide justice information sharing efforts;
- promote compatible systems by establishing and promoting technical standards and performance measures;
- provide training and other support for local agencies and governments; and
- provide incentives to encourage the use of compatible technology.

Provide opportunities for local agencies and governments to participate in the governance and design of statewide justice information sharing. To share justice information statewide requires the seamless exchange of information between state and local governments and agencies. However, local information systems are extremely diverse. A one-size-fits-all approach to justice information sharing will be ineffective. By including local representatives in the development and operation of statewide justice information sharing initiatives, states can ensure that local issues are identified early and regularly. Such an approach also helps ensure the active participation of local agencies and governments. A number of ways exist for states to promote this type of involvement.

- ***Include locals in the state justice integration governance structure.*** As states establish governance structures for justice information sharing, they should include local representatives as a way to ensure local participation, buy-in, and ongoing commitment. These governance structures are essential in defining the goals, policies, and practices of statewide information sharing and are also essential in sustaining state information sharing initiatives.

Given the sheer number of local agencies and governments, it is not feasible to include representatives from each local area. However, states can utilize key state associations (e.g., state police chiefs, sheriffs, prosecutors) to ensure a broad representation of local interests. These associations are important because they lobby states' legislatures, promote sharing and learning among their memberships, provide training, disseminate information, and can provide a collective voice on key issues. Examples of states that are including representatives of key state associations as full members on governance bodies are Maryland, New York, Wisconsin, and Washington.

- **Develop inter-county councils or local planning councils.** Another strategy to ensure that local needs are being met is to establish inter-county councils or local planning councils. Such an approach is important especially as different geographic regions in a state have different information needs and capabilities. These local entities would be in addition to statewide governance structures and would focus on local issues related to operations, technology, and funding.

An example of this approach is Pennsylvania's Justice Network (JNET). JNET is creating a system of county criminal justice policy boards that will be responsible for developing systems integration strategies and furthering justice network initiatives at the county level. Of 67 counties within the state, JNET is already working with 40 such councils—27 currently are connected to JNET and they expect to have all 40 connected by June 2003. The state is prepared to conduct technical and policy needs assessment of the remaining 27 counties. Connecting these counties will bring JNET to scale statewide.

- **Launch Local Pilot Projects.** Given the complexities of justice information sharing, states need to demonstrate “proof of concept” that an information schema is effective. Initiating local pilot projects at the city or county level that could later provide models for other areas within a state is one way to “beta test” information sharing solutions. Typically, these pilot projects target specific issues. For example, Wisconsin is working with two counties—Greenlake and Jefferson—to install a standard prosecutor system that links to the statewide court case management system and to law enforcement. The lessons learned in these two counties eventually will be applied statewide. An ancillary benefit of this approach is building “local champions” who can advocate at the local level on behalf of statewide justice sharing initiatives.

Promote compatible systems by establishing and promoting technical standards and performance measures. States' efforts around justice information sharing have focused largely on integrating diverse and often incompatible legacy systems. States now have the opportunity to promote future compatibility among local agencies and governments through levers that focus on policies related to information sharing.

- **Set statewide technical standards.** As one CIO stated, “local agencies and entities don't want to have to create standards. They just want to adopt them.” By setting statewide standards for technology and information sharing, states can improve greatly how information is accessed and shared by establishing common operating protocols.

States can establish standards in several ways, including the creating of data dictionaries and promoting use of common computer languages. Data dictionaries define the terms that form a basis for a common understanding for integration initiatives. These dictionaries are essential in promoting the interoperability of state systems because they articulate the parameters of crucial pieces of information.⁶ For example, Montana is working to identify data standards for the flow of information across the justice system. These standards have been presented to the Governor, Attorney General, and Chief Justice for adoption statewide. Although the primary benefit is to have statewide agencies adopt these standards, the ancillary benefit is to share these standards with local public safety agencies.

States also are articulating statewide standards by promoting the use of common computer languages. In the justice community this common language is Extensible Markup Language (XML), a computer language that enables information to be exchanged easily across various systems. Adopting XML standards has been a major focus nationally. States such as North Carolina and Illinois realized they could shorten considerably their integration implementation timeframe by using national XML standards instead of creating their own.

- **Utilize “plug and play” soft- and hardware, Internet technologies, and open-source codes.** The more easily local agencies and governments can participate in a justice information sharing initiative the more likely it is that a state’s initiative will succeed. However, technology often poses a barrier to local participation, especially for local agencies and governments with limited technical support.

States can make it easier technically for local agencies and governments to participate in justice information sharing initiatives. Utilizing “plug and play” software and hardware that does not need to be engineered specifically for a local police department helps to ensure that locals can contribute and access information. In addition to utilizing plug and play software, other states have developed programs and are giving the code to local agencies and entities. For example, North Carolina’s e-citation project provides open source codes for users.

States also are taking advantage of Internet technologies to host information sharing applications. For example, the “publish and subscribe” process of Pennsylvania’s JNET utilizes Internet technologies to share information via the Internet. Through this system, participating agencies “publish” or make available justice information as they see fit. Likewise, they can request or “subscribe” for information. Under JNET’s framework, local agencies and governments do not relinquish control over their own systems and can decide easily if they want to be part of this “virtual network.” Under such a system, states have the option to fund a network fully, or charge local agencies a fee for service. Such approaches greatly improve the likelihood that local agencies and governments will participate in an information sharing initiative.

- **Develop and disseminate performance metrics.** Issuing common performance measures helps ensure that local agencies share statewide goals. Development and application of common performance metrics will help drive progress toward justice information sharing by improving the planning process, identifying barriers, and informing resource allocation decisions.

States such as Colorado and Illinois are using common performance measures at the state and local levels to assess central elements of their information sharing initiative. Colorado is looking at four major areas: goals (broad statements of interest); project objectives (on time, on budget, within specifications); functional objectives (did it perform as designed?); and measurable business objectives (why did we pursue the program in the first place?). In developing its statewide performance measures, Illinois, through its governance body that includes local representation, followed by a consensus-building process to identify measurable business objectives for justice information integration.

Provide training and other support for local agencies and governments. States can promote justice information sharing initiatives by providing training for local agencies and governments. Trainings could focus on issues such as implementing and using key technologies, adopting common performance measures, and developing strategic plans. These opportunities can be especially important

as locals may not have the resources to convene trainings on their own. Training seminars also provide states the opportunity to communicate a message to a broader audience around information sharing objectives. Trainings can focus on specific technical issues or be used to educate locals on broader justice information sharing objectives. For example, Minnesota, through its statewide information sharing initiative, CriMNet, is supporting a series of technical trainings on XML standards. Similarly, Massachusetts is supporting training for local agencies and governments in XML standards. One anticipated ancillary benefit of this strategy is that by creating capacity within their own justice sharing initiative they will be less reliant on outside vendors.

Provide incentives to encourage the use of compatible technology. For statewide integration to occur there needs to be a certain threshold of compatible technology at the local level. States can promote information sharing by creating incentives that encourage the use and purchase of compatible technology at the local level.

- **Make information sharing a priority in grants and RFPs.** States can create incentives to promote the use and adoption of compatible technologies by including requirements in RFPs and grants or by giving special considerations to applicants that make information sharing a priority.
- **Support the purchase of key enabling technologies.** States can advance information sharing initiatives by helping local agencies and governments obtain key technologies that will enable them to more easily share and access information. For example, several states are helping local areas improve access to information by funding installation and operation of T-1 lines.

States also can help local governments purchase technology by creating funding mechanisms that enable local agencies to more easily purchase updated technology. For example, Connecticut's Department of Public Safety has established a memorandum of understanding (MOU) with the Connecticut Police Chief Association that establishes a statewide process whereby every local police department is assessed an annual fee for access to the Connecticut Online Law Enforcement Communication System (COLECT) and for system upgrade costs. These funds are held in a special interest bearing account, and each dollar that a local pays out later becomes available to them for technology purchases. This funding, while not large, has been instrumental in helping local police departments purchase needed equipment and technology.

Conclusion

Governors' leadership is crucial to transforming uncoordinated local justice information into systems that put "the right information in the right hands at the right time."⁷ By convening key state and local agencies, by working across the various branches and levels of governments, and by supporting local agencies and governments' access to training and technology, Governors have the opportunity to enhance public safety by improving the quality of and access to critical information.

End Notes

¹ 2001 FBI Uniform Crime Report.

² States Lose Track of Sex Offenders, www.Stateline.org, January 31, 2003.

³ Brady Handgun Violence Prevention Act (Public Law 103-159), November 30, 1993.

- ⁴ This is especially true as many of these departments and agencies may consist of only a few individuals or be spread over an expanse of a sparsely populated geographic area.
- ⁵ States have responded to these questions in three ways: First, some have developed their information sharing initiatives so that each agency maintains its own information and shares only information that they want to share; second, states have developed cooperative MOUs that detail the protocols for sharing information and who is authorized to use it; and third, a number of states are integrating only specific data elements (e.g., disposition records, citations, warrants) in an effort to start small and work through these issues gradually.
- ⁶ Many state standards are based on work done nationally by state, local, and federal entities, most notably through the GLOBAL Justice Network out of the U.S. Department of Justice.