

Privacy & Global Justice Information Sharing Initiative Overview

Presentation at the

**2007 Summit on Integrated
Justice Information Systems**

Springfield, Illinois

Presentation objectives

1. Update audience regarding the Global Justice Information Sharing Initiative
2. Discuss privacy concerns surrounding the integration of justice information systems
3. Understand the need to develop meaningful privacy policies
4. Provide suggestions and resources for developing policies for the collection, analysis, and sharing of electronic justice data.

What is Global?

- FACA advisory body to the federal government
 - Specifically, the U.S. Attorney General
- Supported and guided by
 - Bureau of Justice Assistance (BJA) and Office of Justice Programs (OJP), U.S. Department of Justice (DOJ)
- Local, state, and tribal voice on justice information sharing and integration issues

Who is Global?

The Global Advisory Committee (GAC)

- Approximately 30 U.S. Attorney General-selected agencies, associations, constituencies
- Key personnel from all governmental levels
 - Local
 - State
 - Tribal
 - Federal
 - International
- Addressing *technical* and *policy* issues

Global Advisory Committee

- Representatives
 - Prosecutors, public defenders, and courts
 - Corrections agencies
 - Probation and parole departments
 - Law enforcement agencies
 - Victim services
 - Juvenile justice
- Membership reflects a fundamental GAC tenet: For Global to succeed in

*Leading the Way—Getting the Right Information to
the
Right People in the Right Place at the Right Time*

What is Global?

Intangible and Invaluable Products: Trust and Collaboration



**U.S. Department of Justice's
Global Justice Information
Sharing Initiative
Organizational Structure**

U.S. Attorney General
Department of Justice



**Global Advisory
Committee (GAC)**

**Global Executive
Steering Committee (GESC)**

**Criminal Intelligence
Coordinating Council
(CICC)**

**Global Intelligence
Working Group (GIWG)**

Gang Intelligence
Strategy Committee

Privacy Task Team

Training and Technical
Assistance Task Team

Corrections and Law
Enforcement Information
Sharing Task Team

**Global Security
Working Group
(GSWG)**

Global Technical
Privacy Task Team

**Global Infrastructure/
Standards Working
Group (GISWG)**

Global XML
Structure Task
Force (GXSTF)

Services
Committee

Service Interaction
Committee

Management and
Policy Committee

**Global Privacy
and Information
Quality Working
Group (GPIQWG)**

Information Quality
Assessment Tool Task Team

Information Quality
Guidebook Task Team

Training and Outreach
Task Team

**Global Outreach
Working Group
(Outreach)**

Information sharing

GOALS

1. Catch more bad guys
2. Identify trends and previously undetected crimes
3. Provide information for better decision-making
4. Improve officer safety
5. Use limited resources more efficiently

Keep in mind

What can the types of information contained in integrated justice systems tell us **about ordinary, law abiding citizens?**

How would users feel if **their family members' information** was contained in the system?

Privacy schmprivacy

so you don't think it's a big deal...

- Child molesting warrant issued for wrong James Lemmon.
- 21 year old college student jailed for two days after officers found arrest warrant stemming from juvenile arrest.
- Police raid home of a married couple in their early 60s based upon information that suspect lived there.
- News agency wrongly identified couple's home as that of a terrorist subjecting family to threats and graffiti.

Why privacy is at issue

1. Data aggregation

- Significant amounts of personal information are in electronic form
- Digital portrait – U.S. Dept. of Justice v. Reporters Committee, 489 U.S. 749 (1989)

2. Data accuracy

3. Dissemination risks

- Trust & risks to personal safety

4. Chilling effects

Why privacy is at issue

Rules for **collecting, analyzing, disseminating, and retaining** the vast stores of data utilized and maintained by the Illinois justice system are lacking.

- **Therefore, agencies must develop their own privacy policies.**

Potential consequences

1. Absence of a policy is an open door to abuse.
2. Not addressing privacy concerns may subject the system to negative public scrutiny.
 - a. Loss of funding or resources
 - b. Limitations on the use of certain means or methods
3. Failing to define appropriate uses of information may subject agencies to liability for violating individuals' civil rights and liberties.
4. Loss of public confidence and support.
 - a. Reduced cooperation from victims and witnesses

Benefits

Cures the consequences of not having a privacy policy

- Defines what use of the system is considered abusive
- Strengthens public support and confidence

Good privacy policies also address data quality

- Ensures data used to make decisions is accurate.
- Provides a process for error correction

A word about policies

Merely having a policy

- Made by the agency itself with no outside involvement or input
- Self-serving or overly broad statements that amount to no real privacy protections

Having a good policy

- Follow an established process to develop a policy
- Include broad stakeholder input
- Make the policy, and in some respects the development process, open and available to the public

Privacy policy development

1. Identify and document the goals of the information system.
 - Identify and document the system's data needs.
2. Identify and assemble the stakeholders.
3. Identify and document the privacy issues.
4. Resolve privacy issues
 - Understand existing legal requirements
 - Develop privacy requirements where law is absent

Policy components/issues

Policy provisions should be developed that:

- Identify the types of information collected
- Explain how information will be merged from multiple data sources
- State how long the data will be maintained
- Identify the types of analysis that will be performed on each type of data in the system
- Restrict the dissemination of confidential or sensitive data
- Ensure the data in the system is of adequate quality

Data quality provisions

Including data quality provisions in a privacy policy demonstrates to the public that justice agencies:

1. Are serious about protecting the public's privacy and not exposing citizens to unreasonable harms;
2. Are committed to meeting their goals in a proper way; and
3. Have comprehensive privacy policies.

Drafting the policy

- Designate one individual for drafting the actual policy
- Ask stakeholders to review the policy and provide comments or revisions
- Consider including audit personnel during the drafting stage.
- Some decisions should be presented to the final decision-maker during the drafting process.

Resources

- **JusticePrivacy.com**
 - Privacy care package
- **IIJIS Privacy Policy Guidance Vol. 1: *Privacy policy guidance for Illinois integrated justice information systems***
- **Global Justice Information Sharing Initiative's *Privacy Policy Development Guide and Implementation Templates***
http://it.ojp.gov/documents/Privacy_Guide_Final.pdf

Other resources

- Dep't of Homeland Security Privacy Office
http://www.dhs.gov/xinfo/share/publications/editorial_0514.shtm
http://www.dhs.gov/xinfo/share/publications/editorial_0511.shtm (PIAs)
- The Office of the Director of National Intelligence – Information Sharing Environment
<http://www.ise.gov/content/library.aspx>
- Dep't of Justice Privacy & Civil Liberties Office
<http://www.usdoj.gov/pclo/>

Contact information

Robert Boehmer

rboehme@uic.edu

Kathleen deGrasse

kathleen_degrasse@isp.state.il.us

Wil Nagel

Wil.Nagel@JusticePrivacy.com