

2006 Twelve-Month Action Plan

At the end of 2005, the Illinois State Police asked the **IIJIS Privacy Policy Subcommittee** to help them develop an information sharing policy for the Illinois Citizen and Law Enforcement Analysis and Reporting (I-CLEAR) system. The subcommittee agreed to assist the state police because both initiatives' goals could be met by working together. Specifically, I-CLEAR would gain a comprehensive policy that provides appropriate access to justice information while protecting individuals' privacy interests and IIJIS staff would learn a great deal about drafting privacy policy provisions in the context of an actual information system. This experience, and the overlap in subject matter, will improve the statewide policy being developed for the IIJIS Implementation Board. This plan outlines the objectives the subcommittee wishes to achieve during the next year.

January – February

I-CLEAR

- (1) Acquire working knowledge of the I-CLEAR effort.
 - (a) Understand the goals and expected deliverables of Phase I.
 - (b) Identify the specific types of information that will be collected and how that information will be used and shared.
- (2) Address Criminal History Record Information (CHRI) contained in I-CLEAR.
 - (a) **Position paper:** Determine whether 28 CFR § 20 applies to CHRI data stored in the data warehouse.
 - (b) **Position paper:** Determine whether and to what extent Illinois CHRI statutes apply to CHRI data stored in the data warehouse.
- (3) Address Secretary of State (SOS) photographs contained in I-CLEAR.
 - (a) Learn how the photographs will be used and shared by the data warehouse.
 - (b) Identify the applicable federal and state statutes regarding the use and sharing of SOS photos.
 - (c) **Position paper:** Determine whether and to what extent federal and Illinois law apply to SOS personally identifying information accessible via I-CLEAR.
- (4) Address Sex Offender Registration (SOR) information contained in I-CLEAR.
 - (a) Learn how SOR information will be used and shared by the data warehouse.
 - (b) Identify applicable federal and state statutes regarding the use and sharing of SOR data.
 - (c) **Position paper:** Determine whether sharing SOR data through the data warehouse impacts any privacy interests.

IIJIS

- (5) Complete the 1st draft of Article 200 of the IIJIS Privacy Policy (Information about individuals) and disseminate for comment.
- (6) Gather members' comments regarding Article 200 provisions.
- (7) Develop introductory materials for the first volume of Privacy Policy Guidance for Illinois Integrated Justice Information Systems document.

March

IIJIS

- (8) **MEETING: early-March**
 - (a) Review Privacy Policy Guidance, Volume 1 (IIJIS Privacy Policy Article 200) to identify issues that will need to be resolved before final publication.

I-CLEAR

- (9) Prepare a comprehensive outline of the I-CLEAR Information Sharing Policy.
 - (a) Describe the presumptions that underlie development of the policy.
 - (b) Compose a preamble and values statement for the I-CLEAR policy.
 - (c) Organize the policy provisions to accommodate future I-CLEAR functionality.
 - (d) Identify privacy interests and necessary research under each heading.

April – May

I-CLEAR

- (10) Develop specific categories of personally identifiable information.
- (11) Draft provisions regarding the appropriate merging of multiple data sources.
- (12) Draft provisions regarding the collection, use, and dissemination of the following types of information that will be contained in the data warehouse during Phase 1 Sub-phase A:
 - (a) CHRI data;
 - (b) SOS photos and other personally identifying information; and
 - (c) SOR information.
- (13) **Position paper:** Determine how the Illinois Freedom of Information Act (FOIA) applies to information contained in the data warehouse.

IJIS

- (14) Prepare the *Issues document* for initial publication on the IJIS website.
- (15) **MEETING: late-April**
 - (a) Finish identifying issues contained in §§ 207-216 that must be resolved prior to publication of the Privacy Policy Guidance document.
 - (b) Prioritize issues and facilitate their resolution.
 - (c) Present progress made on the development of the I-CLEAR Information Sharing Policy and request feedback from members.

June – July

IJIS

- (16) **MEETING: mid-June**
 - (a) Approve **Privacy Policy Guidance, Volume 1** and recommend its publication to the Implementation Board.
 - (b) Brainstorming session: Identify the privacy issues that arise when criminal and non-criminal incident data is combined and analyzed in a data warehouse environment.

I-CLEAR

- (17) [I-CLEAR Phase I, Sub-phase A roll out expected in June.]
- (18) Submit to the Illinois State Police completed policy language that addresses the sharing of CHRI, SOS, and SOR among law enforcement users for the implementation of Phase 1.
- (19) Identify any statutes, regulations, and policies that may apply to criminal and non-criminal incident data. Specifically consider victim and witness information as well as information about juveniles contained in police incident reports.
- (20) Gather any existing policies concerning the sharing of police incident data.

Aug. – October

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- (21) Incorporate brainstorming session notes into *Issues* document.

I-CLEAR

- (22) Identify potential resolutions to the issues associated with sharing incident data and research the benefits and detriments of each proposed policy.
- (23) **Opinion Paper:** Determining what privacy regulations should apply to name-based incident information compiled in the same system as fingerprint-based CHRI records.
- (24) Compose information sharing policies regarding the sharing of police incident data.

Nov. – December

I-CLEAR

- (25) Continue developing the I-CLEAR Information Sharing Policy by drafting provisions addressing:
 - (a) Data quality;
 - (b) Juvenile justice information; and
 - (c) Accountability mechanisms.

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- (26) Begin incorporating I-CLEAR incident data sharing policies into Privacy Policy Guidance, Volume 2.

2006 Work Products

- ☑ **Opinion Paper:** Applicability of 28 CFR § 20 to I-CLEAR data warehouse
- ☑ **Opinion Paper:** Applicability of Illinois CHRI statutes and regulations to I-CLEAR data warehouse
- ☑ **Opinion Paper:** Restrictions on accessing SOS personally identifying information via I-CLEAR.
- ☑ **Opinion Paper:** Accessing SOR information via I-CLEAR.
- ☐ **Opinion Paper:** Determine how FOIA will apply to the I-CLEAR data warehouse.
- ☐ **Publish *Issues* document:** No other state has compiled a similar listing of privacy challenges that confront the enhanced sharing capabilities of an integrated justice information system.
- ☐ **Privacy Policy Guidance Volume 1:** Recommend the individual-based privacy policies for adoption by the IIJIS Implementation Board.
- ☐ **I-CLEAR Information Sharing Policy for Phase I, sub-phase A** governing the law enforcement collection, use, and dissemination of CHRI, SOS, and SOR information contained in the I-CLEAR data warehouse.
- ☐ **Comprehensive list** of privacy issues that must be addressed before I-CLEAR can collect and disseminate police incident data.
- ☐ **Opinion Paper:** Determining what privacy regulations should apply to incident information compiled in the same system as CHRI.