



A Business Case for Justice Information System Integration in Illinois

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Abstract

This paper discusses the business case for integrating justice information systems in Illinois. It details current deficiencies justice information systems in Illinois and makes a case for integrating these systems in a fashion that will reduce the transfer of paper at vital exchange points and also reduce the quantity of information that is redundantly reentered at every transfer point. These improvements should lead to greater availability of timely, accurate and complete information to workers and decision makers in the Illinois justice enterprise.

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Introduction

In Illinois most justice-related information systems were originally designed to be completely autonomous and not to share information with other justice systems. When information travels from one agency to another, as it must for the justice enterprise to function, many of these systems require that every piece of information be re-entered from one system to another—frequently from computer printouts generated by the upstream system supplying the information. The unnecessary costs necessitated by doing business in this way are very high—both in terms of direct costs as well as costs of missing or inaccurate information. In this day and age these costs and deficiencies can be greatly reduced if involved justice information systems are electronically linked in a way that eliminates redundant re-keying of data from one system to another as information moves through the justice enterprise.

If such a straightforward step as linking systems can save so much then why does the justice enterprise still maintain its silo approach to systems and system building? The simple answer is that the barriers to integration of older systems are formidable. Not only are complex systems designed in isolation difficult to enable for communication with other systems, but many agencies are justifiably concerned about losing autonomy and compromising the security of their data. In order to encourage agencies to begin a rational process of integration, a solid business case must be made that details the extreme waste of resources and document the severely compromised data quality that results from continuing to operate systems that don't easily share information with other systems. This paper examines the business case that can be made for integration of justice systems in Illinois.

Justice-related information exchange in Illinois is largely paper-based

Every step in the criminal justice process relies upon information and information is gathered at every stage. If the information is timely, accurate and complete, the process will proceed smoothly; but without good information, the process will be compromised by poor decisions and avoidable delays. At present, information is fragmented and its movement is sporadic. Most information depends upon a person to initiate its transfer from agency to agency, and much of the information flowing through the justice system is carried on bits of paper.

Consider a simple arrest. Often an arrest will be made as a result of a police officer actually observing a crime in progress. This will likely necessitate an arrest event, which will lead to booking and fingerprinting. The technology used for the fingerprinting will make a huge difference in the speed the defendant is identified

and classified. If an electronic identification method is used, the defendant can be more quickly identified and classified than by relying on manual techniques. Once classified, either a criminal history records can be quickly acquired or an accurate determination can be made of that the defendant has no previous criminal history. In many cases, the defendant is fingerprinted through the old ink and roll technique rather than through use of “livescan,” but even when livescan is used, many agencies print and mail their livescan submissions to the Illinois State Police Bureau of Identification for classification. The response from State Police could take weeks, thus the defendant will likely have been charged and made bond before the State Police confirms that the defendant is in fact who they claim to be. It is entirely possible that the defendant is tried and sentenced before notification of actual identify from State Police arrives.

Even when livescan is deployed as intended and an electronic message is used to transfer the prints and request identification and classification, the next step in the justice process—the transfer of arrest/booking data from the arresting agency to court-related agencies will likely be paper-based. The information is then manually re-keyed into several different systems including the clerk’s system, the prosecutor’s system, the social services system, the pre-trial detention (jail) system, the public defender’s system and the probation system. The information is then processed and enhanced before more bits of paper are generated that in turn go to more agencies for reentry. At every step in the process—from arrest to bond hearing, bond hearing to preliminary hearing, preliminary hearing to trial, trial to incarceration or probation, trial to appeals or other post-trial activity—there is the potential for data reentry. In some instances information is even manually reentered from one system to another within the same agency.

Deficiencies in vital criminal history data

Illinois lacks dependable information upon which to base sound bonding decisions. Illinois also lacks quality aggregate level data that can be used by top-level policy and decision-makers for long-term planning and effective resource allocation.

According to a 1999 audit of reportable Illinois felony dispositions, only 48.3 percent of Cook County dispositions were added to state rap sheets. During the same period, about 17 percent of arrests went unreported. Of course, without an underlying arrest, a disposition cannot be posted. According to Illinois State Police, 45% of reported dispositions had problems with inaccurate docket control numbers and could not be posted (the DCN number on the reported disposition was not the same as the number on the

reported arrest). About 27% of the postings had problems with statute citation matches. These arrests and dispositions ranged from property crimes and drug offenses to crimes where serious bodily harm had occurred.

Each day, decisions are made by judges about the bond and release of defendants who appear before them in bond court. Without complete court dispositions on a certified rap sheet, judges lack the information they need to make informed decisions. To correct this deficiency, some jurisdictions supplement the official Illinois “state” sheet with information derived from local databases and case tracking systems but this forces the judge to use multiple sources of criminal history information, some of which may even conflict. Unless all dispositions are captured and presented in a timely fashion, defendants may appear to judges as having significantly less official criminal activity than they actually have. In some instances, a convicted felon may even appear to have no criminal past at all. With no criminal past indicated on a defendant’s rap sheet, a judge will be forced to guess whether or not a defendant is likely to flee prosecution. Judges are forced to rely solely on subjective criteria or direct questioning of the defendant — both of which are undependable means of gathering reliable information.

In Cook County, once the defendant arrives at bond court, criminal history specialists act quickly gather more criminal history information. They check Cook County databases for indications of previous criminality and also perform searches using defendant names and other demographic information in an attempt to link to other arrests or convictions, which may have been reported to either the State Police or the FBI. They will also place phone calls to other counties or states if there is evidence of arrests beyond Cook County in an attempt to gather disposition data. Based on the less than 50 percent rate of disposition posting, this cobbling together of information from disparate sources may occur in well over half of all cases.

Cook County criminal history specialists may also check computers maintained by the Cook County Juvenile Court and the Illinois Department of Corrections in an attempt to fill in unknown information. If nothing is found, the defendant will presumed to be “clean.” This information is provided to assistant state's attorneys for presentation in bond court.

In a more integrated environment, the initial rap sheet which would have been generated at the time the fingerprints were classified and returned to the arresting agency who would forward

the complete criminal history to the courts. Such a criminal history would accurately record all criminal history details, and the heroics performed by workers at the county level would be unnecessary. More important, the criminal history record would be complete and the risk of granting an inappropriate bond would be substantially lowered. Of course, all of the time spent by government employees in gathering fragmented criminal history information could have been reallocated to other tasks.

Cook County is one of the more advanced counties in Illinois in terms of the sophistication of its systems and its degree of integration, but because of uncertainty about arrest and disposition posting at both the state and local level, these criminal history systems cannot be relied upon to provide complete information. Exceptional measures may not even be enough to ensure that complete and accurate criminal history records are available to those making important decisions about a defendant's bond amount and possible release from custody. In the absence of a dependable system for quickly identifying, classifying and reliably accessing complete and accurate criminal history data, court workers and judges often must rely upon intuition and first impressions in order make determinations regarding a defendant's potential for becoming a fugitive.

**Data entry
redundancy, errors
and inefficiencies**

One of the immediate benefits of integration between agencies that share data is the elimination duplication of labor. Such duplication occurs when data from one agency is transferred to another agency on piece of paper and is then reentered. Sometimes data is reentered from computer printouts supplied by the sending agency. Systems that depend on data that is reentered from other systems have severe data accuracy problems, with some of the most persistent problems being the accurate transcription of fingerprint-indexed defendant tracking numbers that are used to ultimately post arrests and dispositions to state and federal criminal history depositories. Without an exact match through these numbers, dispositions and other vital criminal history information cannot be recorded.

Data entry redundancy is expensive. In the past, dedicated data entry staff were required due to the limitations imposed by available technologies. Today, there are many technical solutions available for transferring and translating data from one system to another. While most justice information systems in Illinois were developed during a time when options for integrating data and consolidating data entry were limited, with new technologies available for linking disparate systems, increased integration of many court-related systems in Illinois should be relatively

Public safety concerns

straightforward, at least from a technical perspective. While capital outlay will be required to implement these solutions, the potential for savings by enabling electronic data exchange between agency systems is significant and will quickly offset the initial expenditures.

In addition to fiscal considerations there are important integration issues related to public safety. These issues are less quantifiable but still very important since the lack of timely, accurate and complete information can pose real dangers to police and the public. The following list of items are just some of the concerns related to public safety:

- Conditions of bond and/or sentencing may not be available to law enforcement so police lack crucial information when dealing with offenders and suspects.
- Orders of Protection are not dependably entered into central repositories, and when entered are frequently inaccurate thus compromising the safety of both police and the public.
- Criminal history information—particularly that which is related to the disposition of criminal cases—is unavailable to police officers thus leading to inappropriate arrest and release decisions and even possible endangerment of the officer.
- Witnesses and victims are inconvenienced due to incomplete court calendar information. The outcome of court cases can be adversely affected by these errors if witnesses and victims fail to appear for needed testimony.
- Information available to intake officers at the Illinois Department of Corrections is frequently anecdotal and available only from the offenders due to lack of information from police and prosecution agencies.
- Because of the lack of dispositions in the central repository, felons can illegally purchase guns from licensed gun dealers who perform background checks that return incomplete or inaccurate information.
- Positive offender identification may be delayed or impossible leading to release of fugitives through inappropriate bail decision.
- Inaccurate or outdated warrant information may lead to citizens being repeatedly arrested for crimes they did not commit.
- Inaccurate data entry may lead to crimes being posted to an individual's rap sheet that they did not commit.

Cumulative deficiencies in justice information

The deficiencies in the criminal justice system in Illinois have been accumulating for years in spite of great sums of money being spent on justice-related automation and criminal history improvement projects. Over the last five years, over 11 million dollars in federal funds alone have been spent in Illinois in an effort to improve criminal history information but the state of our criminal history information has not improved, and by some measures, has gotten worse. The reason for this is simple: all of the money was allocated to individual agencies for agency-specific projects when the problem is one that involves communication between many agencies. In order for these expenditures to have a significant effect on the quality of justice information, the expenditures must be coordinated between agencies in such a way as to encourage information sharing and integration.

The criminal justice community must begin to see itself as an enterprise rather than a fragmented array of agencies competing for the same scarce dollars. The current ways of doing business are not effective and inhibit accuracy and delay or completely prevent the delivery of vital information. Ultimately, the citizens must bear these preventable costs, both in terms of lowered quality service from the justice enterprise and greater expense for those services.

Today in Illinois, criminal history data repositories are incomplete and in spite of many efforts at improvement, the latest data indicates that the quality of available criminal history information is not improving. The net effect of this deficiency is that gun buyers, who are by law are to be checked for a criminal background, may be able to buy guns even if they have a criminal past. Offenders may be able to get jobs in schools, or as school bus drivers even though they have criminal histories. It may even be possible for law enforcement applicants, who are typically required to pass background checks, to land and retain jobs when their past criminality is obscured due to missing arrests and dispositions.

Illinois isn't the only state with data quality problems in its central repository. Colorado had a much more pressing problem with their criminal history system with only about 20 percent of their dispositions posted to their central repository. Other states like Pennsylvania, Kansas, Kentucky, and Missouri all had sub-standard disposition posting. These deficiencies were significant drivers in these states to begin the process of integrating their justice information systems and their work is beginning to pay off. Colorado has more than doubled its disposition posting rate by linking justice entities through the use of software called

The need for over-arching leadership

middleware which acts as a sort of real-time translation tool for information flowing electronically between independent justice information systems in Colorado. Other states have also made significant progress toward improving their central criminal history repositories but the improvements have been gradual since the procedures and practices that created the criminal history problems in these states have been in place for many years.

To address the integration problem in Illinois, agencies must be rewarded and reinforced for cooperation and assuming a larger view. The state must direct funding to local and state initiatives that promote effective sharing of information, and deny funding to those who insist upon acting as independent islands of information. The state must also measure actual performance, in terms of process improvement, and only continue to fund those counties, municipalities and agencies that demonstrate ongoing performance improvement as measured by their ability to post ever-higher percentages of accurate dispositions and arrests to the state repository. Justice agencies must be rewarded when they move to eliminate redundant data entry within their jurisdictions since redundant data entry and the inevitable human errors that adversely affect data quality is one of the prime reasons that such a huge percentage of dispositions cannot be posted in Illinois. Only through leadership at the highest levels will these changes occur.

The Need for a representative governing body to oversee justice systems integration

Illinois needs a governing body that can both represent all justice entities—either directly or through their associations—that will govern the administration of justice information systems in Illinois. This body should oversee all state-level justice-related IT initiatives in Illinois with the express goal of ensuring that all information system development initiatives that contribute to the *overall* justice enterprise. In particular, the body should deny support and funding to those projects that will make information difficult to share or will serve the IT needs of only a single agency. The governance body should also function as a monitor of projects managed by only one agency, but which will when implemented serve many agencies.

The idea of a governance body to oversee justice enterprise information technology initiatives is not a novel one—most states have now established such oversight. In creating such organizations, it is essential that the individual agencies making up the justice enterprise must have a voice in the policies and procedures that such a body would initiate. Individual agencies are the experts in their subject areas and jurisdictions must be involved in order for the body to have a complete and accurate

picture of how the combined justice information enterprise actually operates. Most of these governance structures tend to have at least two layers: the first or top layer is comprised of chief executives or their executive level designees; the second layer is made up of technical or operational department heads from the same department. Basically, the executive level makes policy and the technical/operational level develops the functional procedures that bring the policies to life. As an example, an elected circuit court clerk might serve on the executive group and a deputy clerk in charge of information technology might serve at the technical operational level.

In addition to the two layers, sub-committees can be formed around particular functions like court case tracking, law enforcement records management, mobile data for law enforcement and so on. These sub-groups deal with the particular problems unique to their areas of technology and are needed because technology today is so diverse and complex that input from those who possess specialized expertise is essential.

Keeping in mind the dynamics surrounding redistribution of power and control that creation of an integration governance body, Illinois must act to establish, at a minimum, a two-layer governance body that will be charged with carefully examining new justice information technology initiatives, funding and all other related issues, to ensure that all new information technology is completely aligned with the goals of the entire justice enterprise. Without such a body, funding and creation of disparate, non-communicating systems will continue, much taxpayer money will be wasted, and officer and public safety will not be as good as it could be due to the severe information deficiencies that are endemic the anarchic ways of presently doing business. Each day in Illinois, we are spending excess thousands in creating a supporting disparate silo systems, and everyday, the lack of dependable information compromises the quality of decisions handed down by those like police officers, probation officers, parole officers, social service workers, state's attorneys, and judges who work on the front lines of our fragmented justice enterprise.