

MEETING MINUTES
JISC DATA DISSEMINATION COMMITTEE
Friday, January 11, 2012
Teleconference

Members Present:

Judge Thomas J. Wynne, Chair
Judge J. Robert Leach
Ms. Barbara Miner
Judge Steven Rosen

Guests Present:

Judge Kathleen M. O'Connor

Staff Present:

Ms. Lynne Alfasso

Members Absent:

Judge Jeanette Dalton
Judge James R. Heller
Mr. William Holmes

Judge Wynne called the meeting to order and the following items of business were discussed.

1. Request by Spokane County Superior Court to Allow County Office of Pretrial Services to have Access to JABS

The committee considered the request of the Spokane County Superior Court to allow the Spokane County Office of Pretrial Services (OPTS) to use the JABS (the Judicial Access Browser System) to access JIS information. The OPTS is an executive branch agency that is WSP-certified as a criminal justice agency. OPTS provides services to the county's superior and district courts by preparing First Appearance Evaluations on inmates and determining eligibility for the Public Defender.

Judge O'Connor, representing the Spokane County Superior Court, explained that JABS access was preferable to JIS-Link for OPTS because JABS would allow the OPTS staff to review a defendant's criminal history more quickly and efficiently. Although JABS has the same information in it as JIS-Link, it is an easier system for customers to use to obtain information. The information which is available to a customer from JIS is determined by the users' security profile; the same information is viewable whether the customer uses JIS-Link or JABS.

Action: It was moved, seconded and passed that the Spokane County Office of Pretrial Services be allowed to access JABS for the purpose of assisting the Spokane County Superior and District Courts. Access shall be managed by the superior court's JIS site coordinator. The JIS security level for the OPTS shall be the same as that allowed a probation department by JIS-Link policy.

Further Action: Judge Wynne requested that AOC staff draft a policy for review by the Data Dissemination Committee which would allow local courts to give JABS access to their local probation departments, if it would assist the courts for the probation departments to have said access.

Judge Rosen requested that staff provide the committee members with information about which JIS screens are available to noncourt customers.

2. Substitute Senate Bill 5019 – The Records Privacy Act of 2011.

The committee discussed this bill, which places limits on the dissemination of nonconviction case information and “exonerating dispositions” to the public. The information would remain available to the court, law enforcement, prosecutors, the subject of the record, and the attorney for the subject.

The consensus of the committee was that this would be a difficult and costly bill for the courts to implement from an operational standpoint. It was also noted that provisions of the bill conflicted with the requirements of GR 15 (destruction, sealing, and redaction of case records) and GR 31 (access to court records.)

Judge Wynne prepared draft comments on the issues raised by SSB 5019 which were sent to this committee’s members for review. Committee members were asked to let Judge Wynne know by Friday if there were any objections or suggestions regarding the comments before he sends them to the Board for Judicial Administration (which asked for this committee’s comments on this bill.)

It was suggested that the bill should be amended to create a task force of interested stakeholders which could meet after the legislative session concludes to discuss the issues raised by SSB 5019, both from a policy standpoint (what courts records should be made confidential, if any) and an operational/cost standpoint. The issues raised by the bill are too many and too complicated to resolve during the session. This was the approach taken by the legislature in 2011 with SHB 1793, which created a task force to make recommendations for changes in access to juvenile offense cases.

There being no further business to discuss, the meeting was adjourned.