WASHINGTON
COURTS

December 4, 2015

TO: JISC Data Dissemination Committee

FROM: Stephanie Happold, AOC Data Dissemination Administrator

RE: CCYJ Request for Access to JIS DCH Screen - Recommendation

The Center for Children & Youth Justice (CCYJ) currently has JIS LINK Level 1 Public access to Judicial Information System (JIS) screens. A customer's access level determines which JIS screens are available to that subscriber. The CCYJ is requesting access to the JIS DCH screen and alias information that are not available to Level 1 users. The DCH screen displays the Defendant Case History and lists all the criminal cases in which the subject has been a party.

The AOC recommendation is to grant CCYJ access to the DCH screen and alias information with a Level 20 JIS LINK Account

The DCH is a compiled JIS report, meaning it contains information from more than one case and/or court. Because it is a compiled record, it is not available to JIS LINK Level 1 users. Members of the public, many governmental agencies, and most non-profit organizations are given JIS LINK Level 1 Public access. However, the Judicial Information System Committee Data Dissemination Policy (DD Policy) permits "public purpose agencies" to be granted additional access to JIS records beyond that which is permitted the public.[1] A public purpose agency is a governmental agency as defined in RCW 42.17.020[2] and a non-profit organization "whose principal function is to provide services to the public."[3]

The JIS Committee (JISC) authorized the Data Dissemination Committee (DDC) to act on its behalf in reviewing and acting on requests for JIS access by non-court users.[4] The DD Policy sets forth criteria which this Committee may use in deciding the CCYJ request:

- The extent to which access will result in efficiencies in the operation of a court or courts.
- The extent to which access will enable the fulfillment of a legislative mandate.
- The extent to which access will result in efficiencies in other parts of the criminal justice system.
- The risks created by permitting such access.[5]

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[1] DD Policy, Sec. IX.B.
[2] Definition of "agency" in RCW 42.17.020 was later recodified in RCW 42.17A.005(2).
[3] DD Policy, Sec. IX.A.
[4] JISC Bylaws, Article 7, Secs. 1 and 2.
[5] DD Policy, Sec. IX.C.

In reviewing the CCYJ request, the organization qualifies as a "public purpose agency" as it is a non-profit organization whose principal function is providing services to the public. The CCYJ Lawyers Fostering Independence program provides legal counsel to 17-24 year olds who experienced foster, kinship, or group care growing up. According to Mr. Gateless' letter to the DDC, thirty percent of the program's work is helping clients seal their juvenile records. Because Level 1 JIS LINK access does not have alias or DCH information, attorneys may not know their client's full criminal history, and cases can be missed. By providing CCYJ Lawyers Fostering Independence program Level 20 Public Defender access, attorneys will have alias and DCH information that will allow them to be better advocates for their clients.

To ensure the CCYJ will use the Level 20 access for the reasons set forth in Mr. Gateless' letter, a written agreement between the CCYJ and the AOC would be executed limiting the use of the information solely for those reasons. Also, the agreement would only be with the CCYJ Lawyers Fostering Independence program and would include the requirements described in the JISC Data Dissemination Policy IX.D.[6]

[6] DD Policy, Sec.IX.D: Access to public purpose agencies shall be governed by an electronic data dissemination contract with each such agency. The contract shall:

1. Specify the data to which access is granted.
2. Specify the uses which the agency may make of the data.
3. Include the agency's agreement that its employees will access the data only for the uses specified.