JISC DATA DISSEMINATION COMMITTEE
Friday October 28, 2016 (8:00 a.m. – 9:00 a.m.)
Administrative Office of the Courts
Teleconference
Call-in Number: 1-877-820-7831, Passcode 797974

DRAFT - MEETING MINUTES

Members Present
Judge Thomas J. Wynne, Chair
Judge J. Robert Leach
Judge G. Scott Marinella
Judge David A. Svaren
Ms. Barbara Miner
Ms. Brooke Powell
Ms. Aimee Vance

Members Not Present
Judge Jeannette Dalton

Staff Present
Ms. Stephanie Happold, Data Dissemination Administrator
Mr. John Bell, Contracts Manager
Ms. Kathy Bowman, Administrative Secretary
Mr. Mike Keeling, IT Applications, Enterprise Architecture
Mr. Ramsey Radwan, Director Management Services Division

Guests
Mr. Mark Allen, Snohomish Co. Clerk's Office
Mr. Farshad Talebi, Washington State Attorney General's Office

0. Call to Order

Judge Wynne called the meeting to order at 8:05 a.m.

1. Minutes of August 26, 2016 and Minutes of October 6, 2016

Judge Wynne asked for additions or corrections to the minutes. Ms. Miner had edits and will meet with DDA Happold to make any necessary corrections. Approval of the August 28 and October 6 minutes will be deferred until the December meeting.

2. Washington State Attorney General's Office Financial Data Request

Assistant Attorney General Farshad Talebi with the Washington State Attorney General's Office (AGO) presented a data request that included financial data related to chapter 9.68A RCW, the Child Rescue Fund. The information will be used by the AGO to determine what administrative hurdles exist between the assessment of fines and collection of fees. Committee members commented that many were unaware of the fine, of imposing it, and that the fee must be modified upon a showing of indigence.

Ms. Miner's office is also working with the AGO on collecting the information, but they are finding it very difficult, and she cautioned the AOC in providing this information. Ms. Miner noted that there is also a difference between arrest charges and filed charges, so one must rely on the prosecutor's office to ensure that information is included. DDA Happold noted that the AOC Data Reporting group has some ideas about how AOC can provide the responsive data as the AGO request is based on convictions for each count.

The AGO understands the information will be difficult to collect, but needs a starting point to better gauge what amount of funds should exist. They will then go to individual courts for comparison and perhaps use King County as a model. Ms. Miner said she supports this request, but is concerned about the time and difficulty of furnishing the data. AAG Talebi stated the AGO would be happy to receive the information piecemeal, if that would be any easier. DDA Happold will first discuss the project with the data warehouse and then contact AAG Talebi. Judge Wynne asked whether, subject to the ability to obtain the data, there were any objections to approving this request. There were no objections. The request passed unanimously.

3. Office of Spokane Regional Criminal Justice Administrator Request

DDA Happold presented the request from the Office of the Spokane Regional Criminal Justice Administrator (RCJA) on behalf of Dr. Jacqueline van Wormer, who was not present. The newly created office is partnering with the Washington State University to develop a local RNR tool. The RCJA contacted AOC to request criminal history and warrant data. The hope is to have the data auto-populate their system; however, this is a time consuming task for AOC to undertake. While AOC meets with RCJA on how the data can be provided and when, RCJA was instructed to seek DDC approval because the Office is not law enforcement, a certified criminal justice agency or similar, and therefore is not automatically granted access to criminal histories and other compiled JIS data.

DDA Happold mentioned that this type of request may become common as more jurisdictions create these offices. It was asked if the request would include CLJ and Superior Court data, which DDA Happold confirmed. She also mentioned that because they need compiled history information that also auto-populates, a JIS LINK account would not suffice.

Committee members stated that while they had no objection to approving the data request, they were concerned about the AOC time required to provide it. It was asked if there was a sizing estimate for this project. AOC Leadership already discussed the necessary mechanics and scheduling, and AOC Solution Architects were working on how the data can be provided. Judge Wynne asked if Mr. Keeling or Mr. Radwan had any concerns. Mr. Keeling stated that the requestor's timeline is aggressive and difficult, so a custom extract will not work. Mr. Radwan reported that Dr. van Wormer was told AOC could not meet their requested timeline. This project will not be given priority over the work on EDE, CLJ-CMS, etc., but it will need to be done. The bulk of the work/burden must fall on the requestor, not the AOC. The timeline has been moved to be more realistic. Judge Wynne asked about the actual timeline, Mr. Radwan will review his notes and get back to the Judge. It was discussed if this project should go before the JISC to be reviewed for ITG process. The DD Committee unanimously approved the data request with the recommendation that it goes to the JISC for ITG sizing.

4. Review of Data Dissemination Policy Draft

The Committee reviewed the latest Data Dissemination Policy draft. Ms. Vance questioned if Section III.D was broad enough to encompass all the reports that the courts currently provide, giving an example of law enforcement reports that go beyond just one court's jurisdiction. DDA Happold stated that current policy only allows the courts to disseminate cases in their own jurisdiction. Committee members discussed that the policy is not necessarily the working practice and that the section should be broadened. It was suggested that exemption language

be added to allow courts to provide judicial partners information beyond their own jurisdiction. Also the policy must allow court staff to provide a requested case history that includes outside jurisdiction cases, and that all staff can provide it, not just the data dissemination administrator. Changes to the Section III.D. that passed unanimously were:

Court and county clerk data dissemination administrators will restrict the public dissemination of JIS reports to data related to the administrator's particular court, or court operations subject to the supervision of that court. A court or county clerk may disseminate a report or data summarizing an individual's case history.

Judge Wynne then presented the newly-added comment under Subsection III.G.1., and summarized his meeting with Judge Middaugh, the Chair of the Pattern Forms Committee regarding the Confidential Information Form address confidentiality check-box. Based on the meeting, the Comment section now cites to RCW 26.27.281(5) that states:

"If a party alleges in an affidavit or a pleading under oath that the health, safety, or liberty of a party or child would be jeopardized by disclosure of identifying information, the information must be sealed and may not be disclosed to the other party or the public unless the court orders the disclosure to be made after a hearing in which the court takes into consideration the health, safety, or liberty of the party or child and determines that the disclosure is in the interest of justice."

The Committee had no objections to the newly-added Comment section.

Judge Wynne asked if there were other amendments to proposed policy. Language was streamlined in Section IV.B. Clarification was requested in reading Section IV.A and Section IV.C and how researchers were given access to the data. DDA Happold suggested changing the last sentence in Section IV.A. to include research requests provided in Section IV.C. Judge Marinella moved to send the draft Data Dissemination Policy to JISC for approval with the new changes. Ms. Powell seconded the motion. The motion passed unanimously. DDA Happold was instructed to send the draft out to all judicial partner, court user, judge, and county clerk associations for review and comment. Received comments will be provided to the JISC along with the draft. Judge Wynne stated that once the policy is approved by the JISC, it then will go to the Supreme Court. Unless rejected, it will be adopted.

5. PCN View-Only Screen Access

DDA Happold presented this issue. The AOC has received requests by law enforcement agencies for access to the PCN screen in JIS. However, that access cannot be granted because the screen is a data-entry screen used by court and county clerks. After another recent request, AOC staff discussed if they could create a view-only PCN screen. AOC Business Analysts and the Legacy Maintenance group met and were able to build the view-only screen in a timely manner. DDA Happold presented the new screen to the Committee and pointed out the differences between the view-only and data-entry screens. Judge Wynne asked what the screen provided. DDA Happold responded that when an individual is fingerprinted, that fingerprinting is assigned a PCN number. The screen provides all the PCN numbers associated with the case. She then asked the DDC to approve which JIS LINK levels will have access to the view-only PCN screen. The recommendation from AOC was to give the screen to JIS LINK levels 20-30. Level 1 public was not included because of personal identifiers listed on the screen. DDA

Happold also asked that the DDC approve cross-court access to the screen as well. Motion was made to give JIS LINK levels 20, 22, 25, 30, and courts cross-court access to the view-only PCN screen. Motion was passed unanimously.

6. JABS Access Issues for Public Defenders and Prosecutors

Ms. Miner presented this topic to the Committee. In past years, prosecutors and public defenders were granted access to JABS by the DDC. This access is now very important for these groups as it provides a more complete DCH than JIS LINK. The login/credentials is currently provided by the courts; and when AOC is contacted about obtaining access, the agency refers the requestor to the local jurisdiction. Court-maintained access was established when JABS was needed for e-ticketing and the CLJ court administrators would provide JABS to the prosecutor/public defender. However, as seen in King County where 500+ public defenders and 500+ prosecutors need access, managing those credentials seems to be incorrectly assigned to the court administrators. It is complicated work, which AOC can manage better than the local jurisdictions. Ms. Vance also noted that it will go further than just prosecutors and public defenders, but also to other judicial partners.

Mr. Radwan asked Ms. Miner why she thought it should be an AOC function as policy currently states it is a court process. Some members responded that the issue is that the policy was created for a small project like e-ticketing and did not encompass what is now a necessary statewide need. Mr. Radwan stated that AOC is willing to transition the work to itself, but it is not a simple transfer, and the start of the process is about 30-45 days out. It is a huge workload state-wide, and with limited AOC staff and no additional resources it will take time. Further, the AOC is concerned in JABS breaking without proper testing. Judge Wynne stated the access should be administered at the AOC level rather than at individual court level, and law enforcement should also be allowed access, but noted things can only move so fast. AOC is starting with a pilot location: King County Public Defenders. It will begin with 10 names and work to include more. Mr. Radwan stated that AOC is taking as quick action as possible. Judge Wynne will put this back on agenda for December meeting.

7. Other Business

Judge Wynne excused himself to return to the bench. He directed DDA Happold to finish the meeting as there was still a quorum.

DDA Happold informed the Committee that she needed an official vote to confirm its October 6 decision to allow prosecutor and law enforcement agency roles the ability to view addresses, confidential addresses, and dates of birth in the Odyssey Portal. Judge Svaren so moved and Judge Leach seconded. Motion passed unanimously.

DDA Happold then stated she needed an official vote to confirm the October 6 decision to remove access to address and address history information for JIS LINK level 20 (public defender) users once the JIS Data Dissemination Policy became active. Ms. Vance asked for clarification of this decision as she was not able to attend the earlier meeting. DDA Happold reviewed the Committee's October 6 discussion during which several members voiced concerns about public defenders possibly sharing confidential addresses with clients. Ms. Vance expressed concern about taking away this access when the prosecutors could still have the

information. It was also mentioned that any user could potentially share confidential information gained by JIS use.

Ms. Powell asked if access to addresses would also be removed in JABS. DDA Happold confirmed it would be, but may be more difficult than JIS LINK because the address information is imbedded in different tabs. Once the policy became active, AOC would research and work on how to filter the information.

The Committee tabled this topic to discuss at the next meeting. DDA Happold was directed to notify the public defenders, the level 20 users, and the defense associations that the address information may be removed. She will provide the received comments to the Committee at the December 28 meeting.

Meeting was adjourned 9:08 am.