JISC DATA DISSEMINATION COMMITTEE
Friday, October 23, 2020, 8:00 a.m. – 9:55 a.m.
Zoom Teleconference
URL: provided via invite

DRAFT MEETING MINUTES

Members Present
Judge J. Robert Leach, Chair
Judge Scott K. Ahlf
Judge John H. Hart
Judge Kathryn C. Loring
Judge Robert E. Olson
Ms. Barbara Miner
Ms. Paulette Revoir
Mr. Dave Reynolds

Staff Present
Kevin Cottingham, Data Dissemination Administrator
Phil Brady, MSD Contracts Manager
Kathy Bowman, MSD Administrative Secretary
Hayley Keithahn-Tresenriter, Court Records Access Coordinator
Jan Nutting, Public Records Officer
Ramsey Radwan, Director, MSD

Guests Present
Steven C. González, Justice
Mary I. Yu, Justice
Kim Ambrose, UW School of Law
Laura Anglin, Law Clerk, Supreme Court
Justin DeFour, DSHS/ALTSA
Lateisha DeLay, DSHS/ALTSA
Lauren Knoth, WSIPP
Jacob Kuykendall, Civil Survival Project
Jennifer Ortega, Legal Technician Division
Heidi Percy, Snohomish County Clerk
Dave Prachi, Public Defender Association
George Yeannakis, Team Child

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0. Call to Order

Judge J. Robert Leach called the October 23, 2020 JISC Data Dissemination Committee (DDC) meeting to order at 8:02 a.m.

1. August 28, 2020 Meeting Minutes

There were no suggested changes or additions to the August 28, 2020 DDC meeting minutes and the minutes were deemed approved as written.

2. JIS-Link access request from Public Defender Association Lead program

Mr. Jacob Kuykendall presented a request for the non-profit Public Defender Association's Civil Survival Project to access JIS-LINK in their work assisting clients wishing to vacate a criminal conviction. Determining whether all of a client's obligations for each of their convictions have been completed requires many steps through the public portal. The PDA currently has a level 20 site contractually limited to participants in the LEAD Program with King County. Three individuals would be added: Mr. Kuykendall, a staff attorney and a paralegal. Judge Leach confirmed access would be for only these three individuals and asked DDA Cottingham for AOC's recommendation. DDA Cottingham said the AOC was reluctant to give a recommendation for a request outside precedent. Similar exceptions have thus far only been granted for legal clinics affiliated with a bar association. Judge Leach asked who is funding the program, Mr. Kuykendall answered a grant from Civil Legal Aid, county grants and city aid. Ms. Miner noted that the requestor is not a King County agency or a public defender, and believes the DDC does not have a good set of criteria for which non-profits can or cannot have this level access. Judge Leach commented he believed Snohomish County Public Defenders Association has been provided this level access. Judge Leach stated this is an important project, in order to vacate convictions when entitled to it. Tracking down history can be complicated, and this would give the group efficiency. Judge Leach also remarked that this is work the court would like to

see done. Judge Ahlf agreed that granting this access would be great, finding out if a person qualifies before bringing a petition. Otherwise, he has to do that type of research himself. Judge Hart also agreed, noting many individuals are pro se and maybe this project could be replicated statewide, helping those individuals in need. These requestors are officers of the court and are accountable to the court. Judge Loring also agreed, and asked about the criteria applied to providing the different levels of access to JIS-LINK. DDA Cottingham responded that DDC policy provides definitions. Judge Leach said DDC looks at the purpose of the entity and whether it conforms to the purpose of the courts. Judge Leach then asked for a motion. Judge Ahlf moved to grant the request for access Level 20. Judge Hart seconded. There were none opposed and no abstentions. The motion passed unanimously. Judge Leach asked DDA Cottingham to draft a contract to set guidelines for how this access was granted.

3. JIS-Link access request from the DSHS Aging and Long-Term Support Administration

Lateisha DeLay and Justin DeFour presented this request on behalf of the State Hospital Discharge and Diversion Team. Gaining access to charging and case information in JIS will aid in the transition planning for Home and Community Services. Level 20 access will assist transition coordinators in making responsible placements in the community. DDA Cottingham said the AOC recommends Level 20 access. Ms. Miner said she fully supports this request. Ms. Miner moved to grant the requested JIS-LINK Level 20 access. Judge Ahlf seconded. There were none opposed and no abstentions. The motion passed unanimously.

4. JIS-Link exception request from the Washington State Institute for Public Policy

Lauren Knoth presented WSIPP's request for access to Case Type 7 information in JIS-LINK to ensure correct processing of TRU, ARY, and CHINS Case Type 7 SCOMIS records. These records are currently received from the AOC in a "flat" file. Ms. Miner stated these are confidential records, the request is from a non-state entity, and the written request is unclear. Ms. Miner asked if this request could perhaps be solved with a separate one-to-one meeting. Judge Leach asked Ms. Knoth if she would meet separately with Barb Miner and allow this question to be tabled for now. Ms. Miner suggested it may be worthwhile to meet with Court Coordinator Dave Reynolds. Judge Leach tabled the request until the next DDC meeting in December, and asked Ms. Miner, Mr. Reynolds and Ms. Knoth to meet and work on a resolution in the meantime.

5. JIS exception request from the Washington State Supreme Court

Judge Leach reported receiving a request for Level 1 JIS-LINK access from Justice Steven González, and that the requested access has been provided to the Supreme Court at no charge. Providing a fee-waived JIS-Link account must be ratified by the committee. Justice González' law clerk, Laura Anglin, is conducting research for Justice González and the Race and Justice Taskforce. There was concern whether Level 1 access would be sufficient to the research. DDC Cottingham wondered if any level JIS access will solve the problem. Two specific demographic classifications, race and ethnicity, are public but not displayed by the JIS-Link application for any level of access. Judge Leach suggested someone from the AOC knowledgeable about producing this type of information meet with Ms. Anglin. DDA Cottingham responded that 10 years of data has been provided and more can be provided by the AOC through a request. Judge Leach asked if someone knowledgeable about research requests would meet with Ms. Anglin, and help her write her request. Judge Leach suggested a motion to ratify Level 1 access at no cost to the Supreme Court. Ms. Anglin can contact DDA Cottingham if she needs more help to get a report or clarify if a higher level of access is needed, and to include that request on the December agenda. Ms. Miner moved to ratify Level 1 access at no

cost to the Supreme Court. Ms. Revoir seconded. Justice Gonzales accepted the motion. There were none opposed, and no abstentions. The motion passed. Ms. Miner offered to assist DDA Cottingham when meeting with Ms. Anglin.

6. Proposed modification to JIS confidentiality agreements

Mr. Cottingham reported that DDC-approved confidentiality agreements include a statement at Section 3.c. “Maintaining confidentiality includes not discussing confidential information outside of the workplace, or outside of my usual work area.” It was brought to DDA Cottingham’s attention that due to COVID 19, work is being accomplished at home, rather than a “usual work area” and Section 3.c. raises concerns about violating the agreement. It was proposed that the section be removed from the agreements. Ms. Miner moved to have Section 3.c. stricken from the agreements. Judge Hart seconded. None opposed and no abstentions. The motion passed.

7. Update regarding 2020 Statements of Compliance

DDA Cottingham reported that nearly all users have completed their statements of compliance. Ms. Revoir asked if DDA Cottingham needed any help reaching out to administrators. DDC Cottingham replied that he felt most statements of compliance should be received soon.

8. Update regarding JIS PCS Screen – Printing for Level 20/25 Sites

Ms. Keithahn-Tresenriter reported on a request by the DDC for AOC staff to provide a way for prosecutors and public defenders to use their JIS-Link RACFID to print JIS reports from a designated court’s JIS Print Menu. A JIS Site Coordinator can now request access to specific JIS print domains.

9. Update regarding JIS-Link Charges and Conditions

Ms. Keithahn-Tresenriter reported on what appeared to be missing charge information in the JIS-Link database. Unmapped (NULL) standard reference codes prevented charge data for local laws being displayed. AOC has implemented a change to charge data, allowing the system to display charge information found in the legacy JIS (DISCIS) application. The JIS-Link database is populated with data from the Enterprise Data Repository (EDR) using standard reference codes.

10. Suggested amendment to Data Dissemination Policy and update regarding judgments

Ms. Keithahn-Tresenriter presented mock-ups of what would be shown when doing a Public Case Judgment Search. One of the options is current, the second version might be implemented per a DDC vote. Concerns were noted regarding sealed juvenile judgments. Mr. Yeannakis asked if it would be possible to see exactly what would be viewed when searching a real juvenile case. Some attendees commented regarding the presence of language pertaining to adult cases on the mockups, and it was clarified that the mockups were edited to display how a juvenile case would be displayed, but based on an adult case. Judge Leach suggested presenting a fictitious juvenile case, and reviewing how the actual pages appear, because those present were having difficulty visualizing. A question was raised if juvenile judgment information gets included in the bulk data distribution. Both Judge Leach and DDC Cottingham answered no bulk distribution would be included, although some requestors are provided juvenile information for research purposes, per DDC policy. Ms. Keithahn-Tresenriter will create fictitious open and closed juvenile mock ups to present at the next DDC meeting in December.

11. Other Business

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DDC Chair Judge Leach is planning his retirement, and the next meeting on December 4, 2020 will be his last with DDC. The October 23, 2020 Data Dissemination Committee meeting adjourned at 9:24 a.m.

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