JISC DATA DISSEMINATION COMMITTEE
Friday, December 4, 2020, 9:00 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
Mr. Dave Reynolds

Guests Present
Dr. Marny Rivera
Heidi Percy, Snohomish County Clerk
Kristina Galloway, Bellevue Police Department
Mark Allen, Snohomish County Superior Court

Staff Present
Phil Brady, MSD Contracts Manager
Hayley Keithahn-Tresenriter, Court Records Access Coordinator
Michael Keeling, Manager of Applications & Operations
Keith Curry, SC-CMS Project Manager
Jan Nutting, Public Records Officer
Kevin Cottingham, Data Dissemination Administrator

0. Call to Order

Judge J. Robert Leach called the December 4, 2020, JISC Data Dissemination Committee (DDC) meeting to order at 9:05 a.m.

1. October 23, 2020 Meeting Minutes

Ms. Miner asked that a change be made to notes under item 4. JIS-Link exception request from the Washington State Institute for Public Policy. Ms. Miner proposed that the minutes be amended to read as follows: Ms. Miner stated that these are confidential records, questioned the status of the requesting entity, and noted that the written request is unclear.

A motion to approve was made by Ms. Miner and seconded by Mr. Reynolds. The minutes were unanimously approved as amended.

2. Request for access to juvenile dates of birth from NPC Research

Dr. Marny Rivera presented this request from NPC Research for an exemption to the Data Dissemination Policy, to receive juvenile dates of birth as part of a data dissemination request. Dr. Rivera is conducting an evaluation of juvenile recovery, using AOC data to measure recidivism.

Judge Leach stated that juvenile birth dates have never been provided to research entities. Dr. Rivera explained that she needs dates of birth as she uses a number of sources to link and match juvenile offenders to determine outcomes. Dates of birth will enhance accuracy and

validity in matching. Her organization has the highest standards for protection of information and none of the dates would be released.

Judge Leach asked if month and year of birth would be sufficient. Dr. Rivera indicated that the limited information would be helpful. Ms. Miner suggested using case numbers for indexing, since everyone including treatment providers uses the case number. Dr. Rivera agreed that case numbers could be used to link across data sources but since some sources are not consistent and typos occur regularly, it will be helpful to have another element to match information.

Mr. Reynolds asked how sealed cases are handled. Dr. Rivera responded that she does not use sealed information. Unless there are subsequent cases which would have the effect of unsealing the prior cases, she will not see the sealed cases. Date of birth will not help in those situations.

Mr. Reynolds moved to allow access to month and year of birth. Ms. Miner seconded the motion. The vote was called, with none opposed and none abstaining. Provision of month and year, but not day, of birth was approved unanimously

3. Request for access to Case Type 6 (Mental Illness/Alcohol cases) in JABS & SCOMIS from Bellevue Police Department

Kristina Galloway presented a request to modify Bellevue Police Department's access to court records, asking to receive cases of type 6 through SCOMIS and JABS. Ms. Galloway explained that her office processes Extreme Risk Protection Orders and firearms permits, both of which require mental health checks. ERPOs are most time sensitive, and they currently check with Health Care Authority, but their process is delayed at times. The city's legal advisor needs an official regarding whether Bellevue PD is qualified to receive mental health information directly from court records.

Ms. Miner said that clerks report the existence of each Case Type 6 to the Department of Licensing (DOL), where it will have an impact on the person's ability to have a gun. The police gather information from the DOL.

Ms. Galloway stated that sometimes the notice from the DOL is not received until after the ERPO is issued – the delay can be as much as a week. Ms. Miner asked if her office might proactively go to the DOL, but Ms. Galloway said the practice is to reach out to the Health Care Authority to request a check, and then to move forward with the court. Ms. Galloway believes that contacting the DOL could cause an additional delay.

Mr. Cottingham expressed the AOC recommendation that mental health information not be provided as requested here, suggesting that the Bellevue Police Department talk with the Department of Licensing. Ms. Miner agreed that the DOL is the more appropriate source for the information. The law does not support law enforcement access.

Ms. Miner then moved to deny the request, but offered to serve as a resource for the Bellevue Police Department in resolving their problem. The motion was seconded by Mr. Reynolds.

The request was denied unanimously, with encouragement for the Bellevue Police Department to connect with Ms. Miner. The issue might be taken up with the DOL Director, with the emphasis placed on the importance of getting the information in a timely manner.

4. Request for additional Odyssey logins from AOC on behalf of Superior Courts

Keith Curry, AOC Project Manager, presented this request for additional Odyssey logins on behalf of superior courts statewide. Judge Leach stated that the need expressed here is temporary, from approximately January through March.

Mr. Curry explained that Odyssey updates will require the same effort as the original deployment. Every PC will be touched. At this time, per DDC policy, there is a limit of one non-court I.T. user allowed per location. Without additional help, the 37 people on the project cannot accomplish this update over a weekend. As much preliminary work as possible is being done, but additional help will be needed the weekend of January 22 – 24. Mr. Curry requests additional login capabilities for a period of three months.

Judge Leach asked Mr. Curry to keep the access limited to the technical side (so data changes cannot be made), to ensure that the additional IT staff be made aware that they must maintain security, and to work with the clerks to be sure confidentiality agreements are in place.

Ms. Miner made the motion to support this request with confidentiality agreements as a requirement for everyone allowed login capabilities. Judge Ahlf seconded the motion. Mr. Cottingham asked whether it would be wise to make this the rule going forward, allowing clerks to increase login numbers for future system upgrades. Ms. Miner agreed that going forward, clerks will depend on additional help out of necessity.

Judge Leach asked if this provision would be limited to county employees with confidentiality agreements, and asked whether contractors would be allowed under this rule. Ms. Miner said that court administrators could dictate review of those considered for temporary login access before credentials are provided. Contractors were allowed access during the original Odyssey rollout. Judge Leach again asked how to ensure that contractors are qualified. Mr. Curry believes that the DDC can rely on local county clerks and court administrators to make that determination.

Judge Ahlf asked if the new provision can include municipalities, looking forward to implementation of the CLJ-CMS. Mr. Keeling asked for clarification regarding confidentiality agreements – whether those would be agreements with AOC or with the county clerks. Mr. Cottingham believes the agreements would be with the county clerks. Judge Ahlf then seconded the motion. The motion passed unanimously. Thanks were expressed for this contribution to a successful update.

5. Other Business

Ms. Miner thanked Judge Leach for his service and leadership. He will be greatly missed by the entire group. Judge Leach thanked Ms. Miner for her many contributions and wished everyone well.

The meeting was adjourned at 9:39 a.m.

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