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Data Sharing Task Force
Colorado Commission on Criminal and Juvenile Justice

Minutes

April 9, 2015, 12:30PM-4:30PM
710 Kipling, 3rd floor conference room

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ATTENDEES:

CHAIR

Jeanne Smith (Chair), Division of Criminal Justice

TASK FORCE MEMBERS

Jeff McDonald, Jefferson County Juvenile Assessment Center
Kevin Paletta, Lakewood Police Department
Eric Philp, Division of Probation Service
Meg Williams, Juvenile Parole

ABSENT

Maureen Cain, Defense Attorney

STAFF

Paul Herman, CCJJ consultant
Christine Adams, Division of Criminal Justice
Kim English, Division of Criminal Justice
Peg Flick, Division of Criminal Justice

Guests

Debbie Allen, Adams County CJCC Staff
Sharon Dunlap, City of Thornton Municipal Court Manager and Adams County CJCC member

Issue/Topic:	Discussion:
Welcome and Introductions	This is our initial meeting. We may change our name depending on our direction.
	The group went around the room to introduce the members and guest speakers.

Issue/Topic:	Discussion:
Statement of Purpose **Action** Questions for Users Group and Focus Groups: What data is needed and what will that data help to answer/achieve? How would this help you do your job better? How would it improve offender outcomes?	Eric Philp led the exploratory group who discussed what they hope to see this group address a need for a case management data sharing system that will help case managers make good decisions. We should focus on information sharing for people who have to work with the offenders. Overall Goal → Improve offender outcomes by improving the data system used in the field for case management. The group discussed the logistics of this group and how it may differ from other CCJJ task forces. Specifically, monthly meetings may not be necessary until more information is obtained. But we want your feedback. One proposal would be to do focus groups around the state with various stakeholders. - This would basically be a gaps analysis with the users. A FG seems like the best way to do this. - Also, a users group, as a sub-committee of this group, may be needed to plot out how the ideal system would look. Once we have an idea of what it would take to identify the missing information we would bring this group back together because we represent the decision making/policy making perspective. - For now we should avoid the technical and funding issues but instead focus on the ideal system. This plan would require fewer but higher level/intense meetings for this group. What are your thoughts on this approach? - Meg Williams stated that she likes this plan a lot. "My experience with the juvenile system is that we need to get to the field. We don't want to open everything in the offender's world but we need to know what's needed. We need people to be closer to the how (the users group). I like us being focused on the policy making." - Eric Philp stated that he also likes this plan. "From our system the info we have is easy to identify. There may be some legal questions about whether data can be shared or not. I'm not sure I'd go to the PO but maybe the supervisors. This would significantly reduce the number of people to talk to and they're the ones that get the info from the POs. Also, they have all mostly been POs (so they would know what is needed in the field)." - Previous efforts like this have fallen apart when we try to answer people's curiosities. This is why I recommend supervisors. We need to know what is needed to get the job

done better, not just what people are curious about.
- Kevin Paletta also likes this idea. He stated that he likes the idea of talking to the supervisors because they have the field experience but they also have the knowledge to know what can be shared and how.. There may be some lower hanging fruit that may be easier to share. Start here and then move to the things that may be more difficult.

What are other states doing along these lines? This is partly why Debbie Allen is here today from Adams County.

Mr. Herman stated that the users may say one thing while the administrators say something else. A classic example here in Colorado is DOC. They've been spending money and working on a new system for a while. So they may be resistant to other changes that may affect this work. We need to be clear early on regarding the goals of this group to get early buy-in from the administrators.
- Some may feel that they have the best system already and may be resistant to change.

Mr. Philp stated that we need to look at what systems are missing and what the cost of adding it would be.
- Most of the information related to criminal conduct is already being collected but we need buy-in for a central system.
- If we go to agencies and say they have to change their systems we'll find resistance. But if we suggest that as they build their system they should add certain things to help their system to better communicate with other we'll find less opposition.

Ms. Allen stated that similar problems were found in Adams County but that a governance agreement can help.
- Mr. Herman said that it's not manipulation but orchestration to move toward a positive outcome. Need to be clear early on regarding our goal.

Issue/Topic:	Discussion:
Adams County System

Action | Before discussing who should be part of the focus groups, what questions should be asked and what boundaries to set we will first hear the presentations from Debbie Allen and Meg Williams.

Debbie Allen came from North Carolina where she managed a statewide justice information sharing program. She was there when a statewide portal was developed (see https://www.youtube.com/watch?v=6NIsYGTHDZI for a demonstration of this system). Previous attempts in Adams County have been made but it became too large too fast each time and they ran into turf issues.

Sharon Dunlap, the Municipal Court Manager in Thornton and member of the Adams County CJCC said that rather than sharing everything with everyone we needed to start small and show the value. So we've started by identifying the needs with only a few important groups.

We started by conducting a GAPS analysis across the system by printing a huge map of the whole system and having people use a colored pencil to mark the |

core business function in each system. We wanted to know:
- Why do you use it?
- How does it help you?
- What other systems do you go to and how do you get that information?

It was found that people may not have direct access to the information they need or they may have to go to a sponsor or someone else to obtain the needed information.
- From here they often had to copy and paste the information they found (each piece separately) into their system.

CICJIS exists but it's not presented in a combined way and there is no historical data. Prosecutors said that they were never sure if they had everything. –
- You want to make sure that you get the right information to the right people at the right time.

Ms. Allen said that going through the technical development and governance process at same time is necessary.

She explained that the North Carolina system was a new system built in collaboration with the state of North Carolina and SAS. The system queries off existing source systems (e.g., corrections, probation, parole, courts, DMV, jails, ses offender registry, booking photos, etc.).
- Things the viewer doesn't have access to would be blocked.
- Warnings are posted. Color coding for prior vs. recent attention for various areas (DV, SO, etc) are used.
- Can produce in a time line.
- It was built on what the users group said they wanted to see. It started small but has grown over the years.
- There is now a mobile app to help officers in the field but this also helps everyone fill out forms.

Colorado is a member of SEARCH and is working on a project with three states to share info across states.
- SEARCH went to BJA to redirect money. SEARCH will be using the money from Adams/BJA ($100k) to create a system like this.
- We don't have to reinvent the wheel if there are other existing systems to tap into.
- Debbie stated that Adams is the first county that SEARCH has worked with and that they should go live in the fall. But they're starting small ("think of North Carolina as the Cadillac and Adams County will be the Chevy").
- We want to partner with CICJIS but we're not there yet.

Adams county started with their own focus group discussions to determine where to start and what the needs are.
- This is tied to the legal issues which, in turn, go to the governance agreement.[1] Willing to share info with certain agreements.

Adams County got this document from SEARCH and NCJA. But the very first step was creating their vision/mission/goals statement.[2]

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[1] A copy of this document was passed out to the group and will be included with the minutes for the group members.
[2] Ibid.

Ms. Dunlap noted that one of the things the governance agreement helps us to avoid is vendor issues and it allows information to be shared with others depending on the agreement.
- Once end users see how this can work it becomes doable because they'll see how it will help them.

Washington, D.C. has had a system for 10 years. We (Adams County) met with them to discuss what works, doesn't work, and problems they've encountered.
- We Learned that those providing the data are usually the ones using it.
- Technology isn't the barrier but the tool. The governance document has to have that buy in. Those controlling the data have to be the ones using it.
- They have a CJCC that has a subcommittee that meets regularly to audit the system usage to make sure it's not being misused.
    o In the long term there will always have to be a standing body to monitor the use to make sure the data isn't being misused.
- In the end we have to take into account and get buy-in from all levels of government.

Questions?
- One issue that has come up in our CCJJ is unintended collateral consequences. Does this data become a public doc?
    o The way D.C. handles this is when a public records request is made, the originator of the data is responsible for its release. Also, when it is aggregated it is considered different data (this is how CICJIS handles it).
- Are contract providers part of the agreement?
    o Adams hasn't dealt with this yet but it will be addressed at some point.
    o It will comes down to controlling what they see. This system will help with having more control.
    o The larger the system becomes the more legal issues there will be to address.
- How did you deal with confidentiality that isn't covered by statute?
    o It's part of the governance agreement.
- Let's talk about mental health. HIPPA wasn't created to prohibit sharing but to track it better. Sharing can happen but you need to go through the governance procedure.
- Some items require client consent. This will have to be included in the governance on the front end and then access provisions will have to cover it within the system.
- What about the cost?
    o Adams County is putting together a scope of deliverables along with the cost. They will share this with Peg Flick.
- Do the different municipalities deal with vendors for many things? It varies. The lager municipalities have more homegrown providers.
- Who were the big pushers on the education process and pulling people in?
    o We have a subcommittee but also our CJCC has approximately 33 people who are pushing this issue forward.
    o Who was the champion pusher? It started with the Judge

Issue/Topic:	Discussion:

Juvenile Justice System
 	
Action
	Meg Williams stated that a lot of what Debbie and Sharon shared is where they wanted to go in the juvenile world.
	- We dad a BJA grant and we wanted to share data across systems.
	- It was a multi-agency effort to share data across systems.
	- Wanted to create seamless services across systems because most kids cross at least two systems (child welfare and juvenile justice are the most common).
	With kids there is a need to bring in parents to approve of sharing critical but sensitive information so we had parents at the table as well as the professionals.
	- We also conducted focus groups across the state. Central themes included:
	    o Need for common consent forms
	    o Need for adequate privacy protocols
	    o Need for information sharing memorandums of understanding among local community agencies
	    o Need for policies and procedures regarding information sharing
	- Parents often assume that we already have all the information and get angry about having to repeat the story. And when we ask kids to repeat their story it can re-traumatize them.
	- Parents want to know who will see their kids' information.
	    o Ms. Williams' initial response is that if you didn't create it you don't get to share it.
	    o Mr. McDonald noted that the goal was to create a juvenile jacket intended to make sure the story and depth of story stays the same without re-traumatizing the child.
	- You need to be clear about how and what you say in a record. Don't want any information to be misinterpreted or used for something it wasn't created for.
	- Some myths that need to be addressed:
	    o You can share any information, at any time with anyone *within* your organization
	    o Sharing information is dependent upon **<u>who</u>** you know
	    o You always need **consent** to share
	    o Security and privacy are the same thing
	    o HIPAA is a barrier to cross agency information sharing
	    o Agencies that work together and that already have our information 'already share it' –

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- Murphy in the 17th.
  - o It helps to have a full time position who can focus on this and whose goal is to advocate and push people to work on this. It's helpful for this person to have a strong background in project management.

o   If it's FERPA related – you cannot share it!

- It is important to help people understand why data is being collected and what it will be used for.
- We trained people on HIPPA, 42 CFR, FERPA and then created a standardized for to be used across state agencies. Which, depending on the information typed in will pre-populate other sections.
    o   This form will work on an iPad and can then be signed and then printed later.
    o   A paper version is available as well because of some concerns expressed about the form being online.
- It was approved by the state. After piloting we went to state leadership in the executive branch for approval.
    o   Locals still have control over whether it is or isn't used but there is strong encouragement from the state to use is.
    o   A common consent form needs to be managed or strongly encouraged so that parents see the same thing across systems.
- We would have loved to have moved toward a data sharing system but we needed to first make sure that the data was being shared appropriately.

If this committee goes where it appears to want to go we may need to have a juvenile subcommittee because there are more systems related to juveniles than people may be aware of.

Whatever system is created will need to be continuously audited and managed to make sure the data is being use appropriately.
- We can learn a lot from Adams County but adult confidentiality is a lot different than juvenile confidentiality and they may still have problems if this hasn't been addressed.

But we never really got to the point where data was shared across systems. We did talk to CICJIS because it seemed ridiculous to create a whole new system when there is already a hub that just needs more data points.

I'm interested in how the staff of this group didn't really do what you wanted.
- OIT wasn't put together in a way to do this. We did great on the other parts but the technological parts weren't there.

Ms. Smith asked if there was anyone they wished had been included but wasn't?
- Mr. McDonald stated that initially we were only thinking of our own systems but were forgetting families. But we added them so I think we had everyone needed.
- Ms. Williams said that you really need to have the right people from the right levels at the table. Probably the middle management.

Mr. Herman asked where they are now as far as people using this and having confidence in that it's being used correctly.
- Ms. Williams said that they continue to be asked to present on it and people seem excited when they do get it. But she's not sure how to

	gage how much it is being used though. - Mr. McDonald said that it's great to find it in a kid's hard file but frustrating when admin says they didn't know about it, even when they had staff trained for it. - The state agencies need to take the responsibility to send it to everyone who it pertains to. We're trying to continually disseminate it but this is hard. The Colorado local control issue was a problem for us and will be a problem for this task force's work as well. Adams County started at the local level but we're starting at the state level. Common consent will be important for this group as well. But this example could be a starting point with the necessary changes for the adults.

Issue/Topic:	Discussion:
Next Steps **Action** Meet with these few groups and then bring this task force back together. - Probation supervisors - PreTrial - Community Corrections (case managers, directors) - County planners The content of this group's next meeting will be focused on what we find with the focus groups.	Who should be in these focus groups? What boundaries we should put on these questions? How would this change your job to make it better? This should be asked to justify the info they're requesting. - While there will be missing information, it's not always that they lack information but they're not always using the info they have to the best level. - We need to know what's happened before to make sure we're not providing the same services that may not have worked (for instance, when someone is new to the adult system but has a juvenile history). What could be made available and how would that be helpful? Peg Flick stated that she feels we should first identify what constituencies we're going to address first and then possibly narrow it further after we've had this initial decision? - Ms. Smith asked if we need to bring in private probation? No. they should be informed but they use our system. - What about the county planners? It would be good because they're going to have people coming to them asking for information. Ms. English stated that we (DCJ staff) meet with the planners regularly so it would be an easy focus group but it shouldn't take the place of another group because they won't know what is needed in the field. They get questions from people higher up in the system. They don't deal with those in the field. - Mr. Philp stated that we could meet with probation supervisors because they meet monthly so it would be easy to schedule. So the initial groups should include (this list may be narrowed down): - Pre-Trial - Prob supervisors - County Planners

- Parole
- Community Corrections – case managers, DRDC?
- Parole Board?
- DA's?
- Public defenders?

If this is getting too big maybe we should start at the beginning?
- Who makes the first decision? Prosecutors make filing decisions. But if they're in pre-trial their conduct influences filing.
- At the filing point you'll get the most resistance from the public defenders.
- We should follow decision points when deciding who to talk to first, second, etc. Points that we may be able to make some improvements with more information should be considered first.
- Some may not see the value in more information if their case loads are already too high. For example, PSIs aren't mandatory for misdemeanor cases so they don't request them.
- Judges who do ask for history information tend to want ALL the information available.
    o We may need to include judges in the focus groups for this reason.

We can do focus groups with 9 groups by the fall but we need to think about what exactly we're trying to accomplish.
- Ms. English stated that she keeps thinking about what we can do at the front end. We'll eventually make the business case for the whole system, which would add to the work now, but not necessarily right away.
- We need to make sure we cover geographic location.

Start with:
- Probation supervisors
- PreTrial
    o Linked with jails which will give us more information.
- ComCor – case managers, and the directors (people like Greg Mauro) who have to educate the boards.
- Include county planners because that's easy.

These will give us the drivers for the next steps.
It needs to focus on how it will improve offender outcomes.
- We need to let participants know what we're trying to do and that the CCJJ's objective is to reduce recidivism, and ask the questions about the needed data.

Will staff work on a question template?
- Ms. English stated that really, we have them already. The questions need to be limited to keep people focused. We can send them ahead of time for participants to think about. And to give supervisors time to meet with their staff about this.

	Next Steps: Meet with these few groups and then bring this task force back together. The content of the next meeting will be focused on what we find with the focus groups.

Adjourned at 12:00pm

Next Meeting:

TBD