

LEGISLATIVE AUDIT DIVISION

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MEMORANDUM

TO: Legislative Audit Committee Members

FROM: Miki Cestnik, Senior Information Systems Auditor

CC: Tim Fox, Attorney General, Montana Department of Justice
Mike Milburn, Chief of Staff
Liz Bangerter, Director, Government Affairs
Butch Huseby, Chief Information Officer
Dawn Temple, Information Security Officer

DATE: November 2018

RE: Information Systems Audit Follow-Up (19SP-03): Integrated Justice Information Sharing (IJIS) Broker (orig. 15DP-05)

ATTACHMENTS: Original Information Systems Audit Summary

Introduction

The *Integrated Justice Information Sharing (IJIS) Broker (15DP-05)* report was issued to the Legislative Audit Committee in April 2017. The audit included six recommendations to the Department of Justice (DOJ). In October 2018, we conducted follow-up work to assess implementation of the report recommendations. This memorandum summarizes the results of our follow-up work.

Overview

IJIS Broker is critical to ensuring public safety through sharing criminal justice information to local, state, and federal agencies in a timely manner. An information systems audit, focusing on the integrity and security of information exchanged through IJIS Broker was conducted due to the sensitive information transferred and the need for accurate and timely data. Audit work identified that certain data exchanges have not been established, unencrypted email notifications were sent containing personal identification and criminal justice information, and plans for continuity of operations in case of disaster or emergency needed to be strengthened to minimize system downtime. The audit contained six recommendations that are still being implemented by DOJ.

Background

IJIS Broker is a data sharing hub that exchanges real-time data among local, state, and federal entities and the public. In 2005, IJIS Broker was conceptualized when the state was awarded the National Criminal History Improvement Program (NCHIP) grant. This, along with additional grants funded the creation of IJIS Broker and the initial data exchanges. DOJ was designated as the managing organization, but other stakeholders involved with IJIS Broker and its data include law enforcement agencies, prosecutors, district and limited jurisdiction courts, and the Department of Corrections (DOC). The plan is to have

real-time information at the point of arrest and booking through incarceration and have this information seamlessly shared across these stakeholders using IJIS Broker. Information currently being exchanged through IJIS Broker includes driver information that is immediately accessible by Montana Highway Patrol troopers when making traffic stops or responding to calls. An exchange initially planned that has yet to be fully implemented includes updates to a crime victim when the status of an offender changes.

Audit Follow-Up Results

Follow-up work included discussions with the agency, reviewing various project updates related to the IJIS Broker, upcoming changes to the IJIS Broker, and updated continuity plans. Multiple recommendations from the audit are still being implemented due to the Montana Office of Court Administrator (OCA) FullCourt Enterprise project being behind schedule and the finalization of the contingency plan being dependent on the results of an Attorney General opinion. DOJ has indicated when the FullCourt project and results from the Attorney General opinion have been finalized, the implementation of recommendations can be completed. The following sections provide more detail on the progress toward implementation of the report recommendations.

RECOMMENDATION #1

We recommend the Department of Justice automate criminal disposition matching between FullCourt and the Computerized Criminal History.

Implementation Status – Being Implemented

Currently, criminal history and disposition information must be manually linked once criminal charges have been finalized, which is time consuming and increases the risk for errors. Exchanging this data within the IJIS Broker is dependent on linking with FullCourt to obtain the disposition information. The FullCourt Enterprise project is in the final stages of completion and DOJ and OCA are now defining the data exchanges, so they can begin development of the criminal disposition matching. Once this is complete, criminal history will be able to transfer real-time with less risk between IJIS stakeholders.

RECOMMENDATION #2

We recommend the Department of Justice complete the development and implementation of data exchanges through the IJIS Broker that will share protection orders, no-contact orders, arrest warrants, and bench warrants between FullCourt and the Computerized Criminal History.

Implementation Status – Being Implemented

Crime victim notification (CVN) was intended to pass information from FullCourt through IJIS Broker to law enforcement, attorneys, and courts. Examples of shared information include protection orders, no-contact orders, and bench warrants. Initially, grant funding was expended before all technical limitations could be addressed, so CVN was de-prioritized and inactivated. Other avenues, including the Hope Card System, were pursued but still have risks, including protecting only those who apply with the Office of Victim Services. DOJ has not secured funding to complete this initiative, but further discussion with agency staff indicated the intention is to obtain funding after other projects, including FullCourt, are complete. Funding for these projects is shared between DOJ, DOC, and OCA and higher-priority projects received funding this year. DOJ must also wait for a research grant to be completed by the courts that could impact this initiative. When this recommendation is fully implemented, crime victim notification of offenders will be automatic, timely, and provide information for all victims instead of those opting in to the current Hope Card program.

RECOMMENDATION #3

We recommend the Department of Justice prioritize and complete a risk assessment of the IJIS Broker and conduct follow-on assessments on a routine basis throughout the entire system development life cycle of the IJIS Broker, including evaluation of both current and future exchanges.

Implementation Status – Being Implemented

At the time of the audit IJIS Broker had not had a risk assessment completed. The agency has completed a high-level assessment and is working with the State Information System and Technology Services Division Information Security Advisory Council to develop system security plans. DOJ plans to evaluate current exchanges and develop controls to ensure the evaluation of future exchanges by summer of 2019. These assessments are key in reviewing and maintaining security of the criminal and personal information passing through IJIS.

RECOMMENDATION #4

We recommend the Department of Justice:

- A. Suspend all notification subscriptions receiving criminal justice information through unencrypted channels,**
- B. Develop methodology for verifying notification subscribers on a routine basis, and**
- C. Implement alternate means for sending notifications containing criminal justice information and personally identifiable information that ensures confidentiality.**

Implementation Status – Being Implemented

As part of the CVN project, arrest/booking notifications were being sent to city attorneys and court administrators through unencrypted email. Audit work identified that these notifications sometimes contained personally identifiable and criminal justice information. The notifications through CVN have been shut off; however, DOJ is still working on developing alternate means for notification and business processes to ensure notifications are sent to appropriate people. DOJ has initiated the development of a portal requiring users to log in and receive encrypted notifications. This project is estimated to be complete in summer 2019. A procedure reviewing users access to notifications will be developed closer to implementation; however, user roles have been defined in a way to allow stakeholders to be responsible for their own users. DOJ indicated it will develop a user access review to ensure stakeholders are consistently enforcing access management controls.

RECOMMENDATION #5

We recommend the Department of Justice finalize, test, and implement the Information Systems Contingency Plan for IJIS Broker, as well as ensure that the plan is aligned with the organizational Continuity of Operations Plan.

Implementation Status – Being Implemented

During the audit the contingency plan for IJIS Broker was incomplete and did not reference risks related to situations that could render the IT facility unusable. Additionally, the contingency plan had not been tested. DOJ has since developed a more thorough plan; however, it is still in draft format pending an Attorney General opinion related to whether its current IT operations location meets state requirements or whether it needs to be located within the state data center. The determination of whether data must be stored at the state data center would dramatically change contingency plan locations and procedures.

Once DOJ receives the opinion from the Attorney General, it will finalize and test the contingency plan to ensure it will work in case of an actual emergency or outage.

RECOMMENDATION #6

We recommend the Department of Justice develop an alternate location with functionality to support critical Integrated Justice Information Sharing Broker applications and processes according to business requirements in the case of a disaster resulting in loss of communication with the Armed Forces Reserve Center.

Implementation Status – Being Implemented

We reviewed system recovery procedures and timelines as part of IJIS Broker security review during our original audit work. During the audit, DOJ estimated it would take approximately 72 hours to recover IJIS Broker in the event of a major disaster, such as an earthquake. For a system of this importance the recovery time needs to be as soon as possible. Due to this, the audit recommended an alternate location that would allow IJIS Broker to be recovered faster if the current location of IJIS Broker was unusable. DOJ has purchased equipment for an alternate location; however, the location has not been chosen due the pending Attorney General opinion related to IT operations location. When this determination is made, DOJ indicated it will continue to work on establishing the equipment in the back up location and finalize and test recovery procedures. This back up location will be crucial to ensure that any type of emergency or system outage will have a minimal impact to operations and the transfer of important information between stakeholders. DOJ plans on having this recommendation implemented by summer of 2019.