

Data Base and System Integration Issues Affecting the Execution, Assessment, and Development of Public Policy in Justice-Related Administrative Units

An Issue Overview Prepared for the Law and Justice Interim Committee
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INTRODUCTION

The purpose of this document is to provide the members of the Law and Justice Interim Committee (LJIC or Committee) with some basic information about the types of data captured by various state entities and the environment, including data bases, software, and hardware, within which the data must interact.

The information presented here is in the context of subsection (6) of House Joint Resolution No. 39 (2001) which was assigned to the Committee. This is not an exhaustive or comprehensive presentation, but an overview only.

MAJOR JUSTICE-RELATED SYSTEMS AND DATA BASES

Department of Corrections

Adult Correctional Information System or ACIS (replaced by PRO-Files)

The Department of Correction's Adult Correctional Information System (ACIS) is a set of computer programs and user procedures that help track prison inmates, parolees and probationers. The database holds information regarding criminal prosecution, court orders, sentencing conditions, violations, present status, etc. It maintains previous, current and future information on offenders. ACIS is designed to build and maintain consistent and accurate computerized files on offenders. Decisions regarding parole, probation, good-time, and offender status (dangerous, non-dangerous, etc.) may be made, based in part, on information on the system. ACIS information assists probation and parole officers in locating and tracking offenders. Although there is not a direct interface, some of the ACIS information is shared with state or federal justice systems, as well as the courts. Law enforcement officers use the ACIS database, via telephone requests, to gather information on persons in their custody. Personal information, such as name, mailing address, scars, AKAs, personal description, relationships, etc., are also available on the system. The primary objective of ACIS is to assist the Department of Corrections (DOC) in tracking the offender's movement within the system, and classification of the offenders. In order to do so, the database must be uniform and accurate. A sound database will enable the DOC to produce accurate, detailed reports and statistical information pertaining to the movement and classification of all probationers, parolees, and inmates. ACIS operates on the DOC's AS/400 midrange computer, located in the DOC headquarters

building in Helena. Information is collected by probation and parole officers or prison personnel and is manually entered on forms and input by either staff at the central office in Helena or the administrative staff at the prison.¹

PRO Files

The Programmed Reporting of Offender Files, or PRO Files system, is the DOC's successor to the ACIS package. PRO Files is being instituted in phases and will eventually replace ACIS. According to DOC staff, Phases I and II are nearly complete and include: offender demographics; physical characteristics, such as scars, marks, and medical conditions; personal characteristics such as addresses, phone numbers, and relationships; and probation and parole risk and needs assessments.

The DOC staff anticipate the transition from ACIS to PRO Files to be completed in four or five phases over the next few years, recognizing that Pro Files "will always be a work in progress because of upgrades, additions like photographs, fingerprints, etc., and changes in technology such as the web." The remnants of ACIS will never entirely disappear, however, due to the historical nature of the database, but DOC staff intend to "retire" the system from production in a few years.

Other Interfaces

The ACIS/PRO Files systems interfaces with systems within CJIN (Criminal Justice Information Network) at the DOJ. Through the interfaces, law enforcement is able to find current correctional status on persons in whom they have an interest.

The juvenile division within DOC uses information in the Department of Public Health and Human Services (DPHHS) CAPS system but does not input, revise, or otherwise manipulate CAPS data. (See CAPS description that follows under Department of Public Health and Human Services.) The interface between DOC and DPHHS systems and staff, with respect to CAPS, involves both status information on juveniles in the justice/corrections systems (usually some type of supervision) or public health system (e.g., mental health) and the costs and payments associated with those juveniles and the associated, publicly-funded

¹ *Montana Adult Correctional Information System*, EDP Audit, 97DP-07, Office of the Legislative Auditor, 1997, pp. 5-6.

programs.

Department of Justice

The DOJ has a number of data bases and IT systems. Some of the data are used and in some cases maintained by state, local, or national officials, particularly law enforcement personnel. Some of the DOJ data bases and IT systems interface with each other and with IT systems at other jurisdictional levels, e.g., local, national, or regional, or between branches of government, i.e., Executive and Judicial.

Criminal History Record System or CHRS

State-level criminal history records are collected, maintained, and disseminated by "state central repositories," which are agencies or bureaus within state governments. These repositories are often housed within the state police or a cabinet-level agency with public safety and criminal justice responsibilities, such as the Department of Law Enforcement or the Department of Public Safety. Customarily, the repositories are charged under state law with the following:

- ? Establishing comprehensive criminal history records.
- ? Establishing an efficient and timely record retrieval system.
- ? Ensuring accurate and up-to-date records.
- ? Establishing rules and regulations governing the dissemination of criminal history records to criminal justice and noncriminal justice users.

Today, all 50 States, Puerto Rico, and the District of Columbia have established central repositories for criminal history records. (Excerpted from *Use and Management of Criminal History Record Information: A Comprehensive Report, 2001 Update*, U.S. Department of Justice, Office of Justice Programs, Washington, DC.)

The CHRS is one of law enforcement's most useful and heavily-used resources. For the system to be optimally effective, the data must be accurate, current, easily and widely accessible, and integrated among a myriad of subsystems. The integrity of the CHRS data depends on numerous entities and individuals executing numerous protocols, virtually without error and seamlessly. In Montana, as in other states, the CHRS depends on various officials, including, to name only some:

- ? local police and sheriffs' staffs;
- ? state highway patrol;
- ? DOJ, DOC, and DPHHS staffs;

- ? staff of the Judiciary, including courts of limited jurisdiction, district courts, the Supreme Court, and their respective clerks.

Other Data Bases and IT Systems

Beyond the CHRS, there are numerous other data bases and IT systems in which the DOJ has a keen interest, including:

- ? data and systems within the Motor Vehicle Division (MVD), including driver licences and vehicle registration and titling;
- ? the Criminal Justice Information Network or CJIN, which is an unofficial tag for an umbrella of systems used and relied upon within criminal justice, corrections, and law enforcement environments;
- ? National Crime Information Center or NCIC, which is an automated, nationally accessible database of criminal justice and justice-related records maintained by the FBI that includes "hot files" of wanted and missing persons, stolen vehicles, and identifiable stolen property, including firearms;²
- ? Sex Offender Registry or SOR, which is a registry established to help law enforcement agencies keep track of convicted sex offenders released into the community, and is closely associated with the National Sex Offender Registry Assistance Program or NSOR-AP, which was instituted in FY 1998 to help states respond to federal mandates to establish sex offender registries and to contribute data to a national sex offender registry;
- ? Interstate Identification Index or III, which is an "index-pointer" system maintained by the FBI for the interstate exchange of criminal history records;³
- ? National Fingerprint File or NFF, is a database of fingerprints, or other uniquely personal identifying information, relating to an arrested or charged individual. The NFF is maintained by the FBI to provide positive identification of record subjects indexed in the III system;
- ? National Instant Criminal Background Check System or NICS, is an automated system established in accordance with the Brady Handgun

² *Use and Management of Criminal History Record Information: A Comprehensive Report, 2001 Update*, U.S. Department of Justice, Office of Justice Programs, Washington, D.C., Dec. 2001, Glossary. (NCJ 187670)

³ Ibid.

Violence Prevention Act to check the eligibility of prospective gun purchasers;⁴

- ? National Law Enforcement Telecommunications System or NLETS, is a computerized, high-speed message-switching system maintained by the states that provides for the interstate exchange of criminal justice-related information among local, state, and federal criminal justice agencies.⁵

Department of Public Health and Human Services

Child and Adult Protective Services System or CAPS

CAPS is an online statewide child and adult welfare management system that supports protective services, foster care and adoption, services to the aged, and services to juvenile corrections. CAPS automates case management, provider licensing, financial accounting, payments for services, provider training, contract management, and reporting functions.

CAPS processes transactions online and through overnight batch processes at the Department of Administration's (DOA) mainframe computer center. Users connect to CAPS through personal computers located within regional and county offices. CAPS is used by over 900 employees at the DPHHS and DOC. As described ⁶, CAPS is designed to provide the following benefits:

- ? Automate the payment approval process and warrant (check) issuance to service providers.
- ? Support the intake of information related to alleged incidents of abuse and neglect, and subsequent DPHHS investigation and actions, and track all contacts made with individuals associated with the case and all court actions.
- ? Maintain client information such as relationships, addresses, aliases, educational background, medical history, special needs, and financial resources.
- ? Maintain provider information such as services, rates, key personnel, training and licensing requirements, and a placement history for each

⁴ Ibid.

⁵ Ibid.

⁶ This description is taken from *Child and Adult Protective Services System (CAPS) Department of Public Health and Human Services*, EDP Audit, 97DP-06, Office of the Legislative Auditor, 1997, p.11.

provider facility.

According to DPHHS staff,⁷ CAPS will record and track information pertaining to a juvenile probation or parole referral report, the disposition of a report, the victim(s), restitution, and community service.

Referral information includes the offense(s) associated with a youth and details of the offense(s); i.e., nature of the offense and the location, date, and time of the offense.

Disposition information includes the preliminary investigation findings and continues with informal and court actions, including the final disposition and the type of hearing.

Community service information includes information regarding a youth's community service, i.e., how it will be recorded and tracked. The information includes the amount of community service ordered, the amount of community service completed, and the balance yet to be served.

The CAPS system is used to record and track data relating to restitution due to victims. This information includes the amount of restitution ordered, the actual loss to the victim(s), the amount of restitution paid, the balance of restitution yet to be paid, and the date of the next scheduled payment.

Finally, CAPS supports the ability to record and track data related to victims of crime. This ability allows an authorized DPHHS or DOC employee to locate any victim whose name has been entered into the system.

Judiciary

Judicial Case Management System or JCMS

The JCMS is used by the state's district courts, i.e., judges and clerks' offices, and essentially tracks each criminal "case" from arrest through final disposition of the case. The JCMS is somewhat antiquated because, among other things, it is a DOS-based system that, irrespective of purpose or design, interfaces with

⁷ Comments provided by Patsy Mills, DPHHS, CAPS Project Director, February, 2002.

more current "windows-based" systems.⁸ Information regarding "disposition" at each step in the criminal justice process can be recorded on the JCMS. Data in the JCMS feeds directly into the state's Criminal History Record System (CHRS), which in turns feeds directly into other state, regional, or national systems.

Limited Judicial Case Management System or LJCMS

The LJCMS essentially mirrors the JCMS except for two important differences: (1) the LJCMS is used solely by courts of limited jurisdiction, e.g., justice or municipal courts; and (2) the LJCMS is written in the DBASE software language (which is still a DOS-based system).

Full Court System

The Judiciary, through the Supreme Court Administrator's Office, is attempting to transition to a more efficient and effective, windows-based system called Full Court. When eventually implemented, the Full Court system will capture at least all of the same data as is currently recorded on the JCMS and LJCMS. Moreover, the Full Court system promises to ensure much better integration of the data and systems interfaces, which will improve the currency, accuracy, and timeliness of the data in the system and enhance efficiencies in data recording, transmittal, analysis, etc.

PREVIOUS EXAMINATIONS OF JUSTICE-RELATED IT SYSTEMS

Various entities have attempted in the past to conduct analyses of data, programs, systems, policies, and so forth associated with one or more of the DOC, the DOJ, the DPHHS, or the state district courts or the state Supreme Court (Judiciary).⁹

Some of the previous attempts were more enlightening or successful than others, for various reasons. Not all of the findings or conclusions have been negative; in fact, some were complementary and promising. However, several reports published as a result of the attempts included statements to the effect that data was unavailable, inaccurate, untimely (old), incomplete, or otherwise lacked

⁸ As used here, the term "windows-based" refers to systems that are designed on, e.g., Microsoft Windows, Oracle, etc., as distinguished from DOS-based systems or software.

⁹ Hereafter, the entities will be referred to as the "agencies". When the term is used, any but not necessarily all of the agencies may be included, affected, or implied.

integrity. Similarly, some information management systems were found to be poorly designed, incapable of manipulating the data, incompatible, unable to interface with other systems or the data, or both, unused, underused, or unusable, and the like.

Over the years some representatives of the agencies have recognized the limitations and faults of data or systems, or both. In some cases, scrutinizing legislatures may have reacted with dismay, disillusionment, or discouragement while others responded with appropriations, directives, admonishments, or even ultimatums. Typically, the agencies' representatives committed to stronger or more focused efforts and tangible, measurable improvements in the future. In most cases, the agencies have endeavored to make good on their respective commitment, with varying degrees of success.

Without delving into too-distant history, there are numerous examples of frustrated investigations or foiled attempts to obtain data that can serve as useful illustrations. The following excerpts illuminate some of the issues identified. (*Material in italics is added.*)

With Respect to the Department of Corrections

Custody Levels - This report [*custody levels*] gives a count of all inmates in the prison and their custody level, as of a designated point in time. We [*LAD staff*] found there are some inmates with no custody level recorded on ACIS (classification information was never input). In those cases, the inmates were not counted in the report. We [*LAD*] determined there were 21 inmates at MSP [*Montana State Prison*] and 20 inmates at WCC [*Womens' Correctional Center*] that were not being reported on this report, as of 2/14/97.... The custody level report "... may indicate an inordinate number of CLOSE custody inmates, since many of those inmates in reception may actually be at maximum, medium, or minimum security, once a classification decision is made."¹⁰

Violent Offenders by County - We [*LAD*] found there are many duplicates in this report. In some cases, the offender appears six or more times in the report. We [*LAD*] also found several cases where violent offenders on the system do not appear on the report. In addition, out-of-state or juvenile offenders who are required to register but *who* have not spent time in the Montana system are never entered to ACIS and do not show up on the report. Therefore, since the report

¹⁰ *Montana Adult Correctional Information System*, p. 25.

counts some offenders more than once, and doesn't count others at all, it is not a reliable source of information.¹¹

Sex Offenders by County - There are many duplicates in this report also. In some cases, the offender appears six or more times in the report. We [LAD] also found several cases where sex offenders on the system do not appear on the report. In addition, out of state or juvenile offenders who are required to register but *who* have not spent time in the Montana system are never entered to ACIS and do not show up on the report. Therefore, since the report counts some sex offenders more than once, and doesn't count others at all, it is not a reliable source of information.¹²

System Tables - We [LAD] reviewed the ACIS Offense Code table which contains a listing of offense codes, as defined by state statutes (MCAs), and their descriptions. The offense codes on the table should be numbered to match the MCA numbers. However, we found several instances where the information on the table was incorrect or outdated. For instance, there were some offense codes that showed a different offense than the MCA of the same number. Other offense codes were still active on the table, although they had been repealed in the MCAs. Several offenses were listed on the table more than once, under different offense numbers. Since the offenses are entered onto ACIS based on the MCA number, inaccurate information on the table could result in incorrect offense descriptions on the system. Also, for statistical purposes, offenses may be listed under two or more offense codes. Therefore some of the offenses may not be included in the program search for the selected type of offense.¹³

With Respect to the Department of Public Health and Human Services

Child and Adult Protective Services System or CAPS

In recent years, the staff of the Legislative Audit Division (LAD) have conducted several audits of CAPS, finding both benefits from and detractions to the system, including the data that is the cornerstone of CAPS. The following are excerpts from some of the LAD audits. (*Material in italics is added.*)

¹¹ *Montana Adult Correctional Information System*, Legislative Audit Division, p.26.

¹² *Ibid.*

¹³ *Montana Adult Correctional Information System*, Legislative Audit Division, p.27.

We [LAD staff] conclude overall general controls provide controlled application processing for CAPS. However, audit issues address ongoing system development, physical security controls over client case notes, and electronic access controls....

- ? Youth courts do not enter sufficient information to determine when clients were placed under care, how long, or when released.
- ? Client files do not include sufficient case note documentation to support the overall nature of each case.
- ? System reports produced during development did not assist employees to reconcile CAPS transactions to SBAS. Youth courts receive a monthly caseload report but do not use the report because the information is incomplete for management review.¹⁴

The audit reviewed a representative sample of the 407,376 transactions for child protective service clients and associated service providers recorded on CAPS as of March 1997. We [LSD staff] evaluated department procedures for processing client protective service transactions by reviewing data entry controls, application processing functions, and controls over system output.

Due to data input, funding source, and system output reliability issues, we concluded application controls are not adequate. Audit issues address completeness and accuracy of data entry, processing errors, and usefulness of system output for management information and reporting purposes.¹⁵

The Department of Corrections and youth court employees began using CAPS in September 1996. DOC administers payments processed through CAPS by youth courts at judicial district locations. Youth courts authorize services including: psychiatric care, alcohol and drug treatment, mental health clinical services, and various counseling services.

CAPS is designed to provide management information about youths, such as how many are involved in the youth court system, when they entered the system, and current status. CAPS online data is limited to service provider payments and related accounting information, although separate hard copy files support the transactions reviewed and nature of each case. Youth courts could use CAPS to record case history, case notes, and other background information, and to facilitate record storage and transfer between judicial districts.

DOC expressed concern with accounting procedures related to CAPS. The department [DPHHS] bills DOC for the costs of services authorized by youth courts based on transactions processed through CAPS. DOC employees are unable to reconcile monthly bills for the services youth courts have authorized through CAPS. Because they are unable to reconcile the monthly billings, DOC employees question the reliability and accuracy of CAPS transaction processing

¹⁴ *Child and Adult Protective Services System (CAPS)*, Department of Public Health and Human Services, Legislative Audit Division, November 1997, (97DP-06), pp. S-1, S-2.

¹⁵ *Op. cit.*, p.p. S-2, S-3.

results.¹⁶

With Respect to the Department of Justice

According to the U.S. Department of Justice,

...when *Use and Management of Criminal History Record Information* was published in 1993, records maintained by State and Federal repositories were not always accurate and up-to-date, primarily due to the failure of criminal justice agencies to report information accurately, completely, and regularly, but also in some cases due to a lack of adequate equipment and procedures at the repositories. While data quality has improved since then, in part because of the growing recognition of the value of accurate and up-to-date criminal history records and the increased Federal and State funding that resulted from this recognition, there is still room for improvement. Local justice agencies, for example, are providing State repositories with more final court dispositions for recent arrests than in the past, but not for older arrests previously reported to the repositories.

Recent surveys and audits have also shown the following:

- ? there is a wide disparity among the States in the time it takes final court dispositions to reach State repositories, and in the time it takes for the repositories to enter disposition data into their databases.
- ? more than half of the State criminal history repositories developed backlogs in entering arrest and disposition data into their databases.
- ? most State criminal history repositories receive some final court dispositions that they are unable to link to arrest records.¹⁷

Resolving the issues associated with the transmittal, receipt, recording, etc., of disposition information is critical to ensure the integrity of the numerous types of data, systems, and uses that comprise the panoply of criminal justice information systems. Staff of the Montana DOJ have indicated that improving the timeliness and accuracy of disposition information is a matter of paramount priority to at least some of the participants in the Montana Criminal Justice Information

¹⁶ *Op. cit.*, p.p. S-4, S-5.

¹⁷ *Use and Management of Criminal History Record Information: A Comprehensive Report, 2001 Update*, U.S. Department of Justice, Office of Justice Programs, Washington, D.C., Dec. 2001, p. 3. (NCJ 187670)

services Project.¹⁸

With Respect to the Judiciary

Legislative audits conducted in 1998 and 2000 found that certain information required to be collected by the Judiciary under 46-18-604, MCA, was not being collected as prescribed.¹⁹ The need for and value of the information may be debatable, but the statutory requirement exists nevertheless, and some allocation of resources -- people, money, technology -- would need to be made to comply. In response to the audits, the clerk of the supreme court has advocated the repeal of the requirements and 46-18-604, MCA.²⁰ Subsequently, others also have advocated revision or repeal.²¹

SUMMARY AND CONCLUSION

Within Montana's law enforcement, criminal justice, corrections entities, and the Judiciary, there are numerous data bases and IT systems. The data bases and systems should and do interact with each other and other regional or national systems in various ways and, according to reportedly knowledgeable sources, could probably interact more efficiently and effectively.

From time to time, various justice-related entities are asked for or expected to have readily available a variety of mostly factual information ranging from population data to demographics to costs or expenditures. Additionally, information requests sometimes involve less factually-based information, e.g., what is causing the overall or a specific change in populations, the demographics

¹⁸ Conversation with Wilbur Rehmann, Manager, Montana Criminal Justice Information Services Project, February 2002.

¹⁹ *Financial-Compliance Audit For the Two Fiscal Years Ended June 30, 1998*, Legislative Audit Division, December 1998, (98-27), p. B-5; and *Financial-Compliance Audit For the Two Fiscal Years Ended June 2000*, Legislative Audit Division, March 2001, (00-24), pp. B-4, B-5.

²⁰ For a more complete discussion of this matter, see *An Overview of Section 46-18-604, MCA, and the Reporting of Criminal Sentencing Data*, David D. Bohyer, LSD Research Director, March 2002.

²¹ Memorandum from the Honorable Diane G. Barz, Chief Judge, 13th Judicial District (Billings), to the Honorable Jean Thompson, Clerk of Court, Yellowstone County, June 22, 2001, as contained in the *Minutes*, Legislative Audit Committee, June 25 & 26, 2001.

of a population, or overall costs or specific expenditures.

In many cases, information to respond to requests is readily available. In other cases, the information is not as readily available. In a few instances, the requested information simply is not available without an investment of considerable cost, time, or both, or possible invasion of individual privacy.

The legislature expects, even demands, good data and good analysis upon which it can make or change public policy. Similarly, good management principles demand good data and good analysis upon which programs can be administered effectively and efficiently.

Current technology may offer opportunities for all of the stakeholders to access information that is "mission critical" to their respective operation or responsibility. Therefore, it may be incumbent on the parties involved to clearly state their individual goals, objectives, and needs and seek to identify and develop one or more solutions to meet the individual and mutual needs.

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