Utah Council on Criminal Justice Administration
Project on Criminal Justice
Standards and Goals

INFORMATION SYSTEMS

Operations

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Approved by
Utah Information Systems Task Force, and
Utah Council on Criminal Justice Administration
Room 304 State Office Building
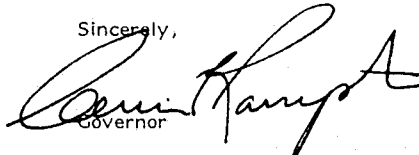Salt Lake City, UT 84114

Dear Citizens:

This pamphlet is one of a series of reports of the Utah Council on Criminal Justice Administration. The Council's five Task Forces: Police, Corrections, Judicial Systems, Community Crime Prevention, and Information Systems, were appointed on October 16, 1973 to formulate standards and goals for crime reduction and prevention at the state and local levels. Membership in the Task Forces was drawn from state and local government, industry, citizen groups, and the criminal justice profession.

The recommendations and standards contained in these reports are based largely on the work of the National Advisory Commission on Criminal Justice Standards and Goals established on October 20, 1971 by the Law Enforcement Assistance Administration. The Task Forces have sought to expand their work and build upon it to develop a unique methodology to reduce crime in Utah.

With the completion of the Council's work and the submission of its reports, it is hoped that the standards and recommendations will influence the shape of our state's criminal justice system for many years to come. Although these standards are not mandatory upon anyone, they are recommendations for reshaping the criminal justice system.

I would like to extend sincere gratitude to the Task Force members, staff, and advisors who contributed something unknown before--a comprehensive, inter-related, long-range set of operating standards and recommendations for all aspects of criminal justice in Utah.

Sincerely,

Governor

OPERATIONS

INFORMATION SYSTEMS TASK FORCE

Marion Hazleton, Chairman

Art Christean
Deputy Utah Court Administrator

Regnal Garff, Judge
Second District Juvenile Court

Mrs. James B. Lee
Citizen Representative

Robert Mullins, Reporter
Deseret News

Mike Riordan, Director
Planning and Research
Salt Lake County Sheriff's Office

Ivard Rogers, Director
Utah Bureau of Criminal
    Identification

Donald Spradling, Director
Office of Emergency Services

David Young, Director
Statewide Association of Prosecutors

Task Force Staff

Mike Stewart

Arthur Hadachko

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Historically, criminal justice information systems and criminal justice statistic systems have been conceived and designed separately, often by different criminal justice agencies.

This diversion of criminal justice information functions is evidenced in the development of the Computerized Criminal History (CCH) and the Offender Based Transaction Statistics (OBTS). Greater emphasis has been placed on CCH development due to a national level implementation effort, while the OBTS system development has proceeded at a much slower rate.

A need exists for coordinating the on-line system for interstate exchange of offender history files (CCH system) and the statistical tracking system (OBTS). For better efficiency, coexistence must be translated into common computer language, common definitions and coding, and joint data collection.

The following standards deal with the issues of quality of data, completeness and accuracy of data, and the separation and isolation of the complete criminal justice files.

STANDARD 2.1: CRIMINAL JUSTICE AGENCY COLLECTION OF OBTS-CCH DATA

STANDARD

The collection of data required to satisfy both the OBTS and CCH systems should be gathered from operating criminal justice agencies in a single collection. Forms and procedures should be designed to assure that data coded by agency personnel meets all requirements of the information and statistics systems, and that no duplication of data is requested.

In order to maintain integrity in the data base and support from submitting agencies, it is imperative that appropriate procedures be generated on the state level to assure that all requirements for information are met.

UTAH STATUS AND COMMENTS

The Utah Criminal Justice Information System currently has designed and tested procedures which will generate data from the field to support the computerized criminal history data base in the arrest and judicial segments. Additional procedures will be established in 1974 that will provide for generating complete information from the correctional segment and will provide for the expanded OBTS data requirements.

METHOD OF IMPLEMENTATION

This standard has been identified for implementation through administrative policy.

STANDARD 2.2: OBTS-CCH FILE CREATION

STANDARD

Files created as data bases for OBTS and CCH systems, because of their common data elements and their common data input from operating agencies, should be developed simultaneously and maintained as much as possible within a single activity.

Juvenile record information should not be entered into adult criminal history files.

UTAH STATUS AND COMMENTS

The file creation for the Offender Based Transaction Statistics and Computerized Criminal History Systems are currently under development, the CCH file has been created and is in service at this time, and it is anticipated that during 1974 the OBTS file will be created for test purposes. Along with the creation of the OBTS file, it is projected that a common data base, which will feed both systems, will be generated. Juvenile record information currently exists in a separate file and is fully operational. Utah State Law prohibits the combining of adult criminal history and juvenile record information into one data base.

METHOD OF IMPLEMENTATION

This standard has been identified for implementation through administrative policy.

STANDARD 2.3: TRIGGERING OF DATA COLLECTION

STANDARD

With the exception of intelligence files, collection of criminal justice information concerning individuals should be triggered only by a formal event in the criminal justice process and contain only verifiable data. In any case where dissemination beyond the orginating agency is possible, this standard should be inviolable.

UTAH STATUS AND COMMENTS

Currently it is the practice of the State of Utah to collect criminal justice information concerning individuals only after a formal event has occured relative to the criminal justice process. Intelligence information contained in the

computerized criminal history is all verifiable information. The source documents are maintained in hard copy or microfilm form.

METHOD OF IMPLEMENTATION

This standard has been identified for implementation through legislative action.

STANDARD 2.4: COMPLETENESS AND ACCURACY
OF OFFENDER DATA

STANDARD

Agencies maintaining data or files on persons designated as offenders shall establish methods and procedures to insure the completeness and accuracy of data, including the following:

1. Every item of information should be checked for accuracy and completeness before entry into the system. In no event should inaccurate, unclear, incomplete, or ambiguous data be entered into a criminal justice information system. Data is incomplete, unclear, or ambiguous when it might mislead a reasonable person about the true nature of the information.

2. A system of verification and audit should be instituted. Files must be designated to exclude ambiguous or imcomplete data elements. Steps must be taken during the acquisition process to verify all entries. Systematic audits must be conducted to insure that files have been regularly and accurately updated. Where files are found to be incomplete, all persons who have received misleading information should be immediately notified.

3. The following rules shall apply to purging these records:

a. General file purging criteria. In addition to inaccurate, incomplete, misleading, unverified, and unverifiable items of information, information that, because of its age or for other reasons, is likely to be an unreliable guide to the subject's present attitudes or behavior should be purged from the system. Files shall be reviewed periodically.

b. Purging by virtue of lapse of time. Every copy of criminal justice information concerning individuals convicted of a serious crime should be purged from active files 10 years after the date of release from supervision. In the case of less serious offenses the period should be 5 years. Information should be retained where the individual has been convicted of another criminal offense within the United States, where he is currently under indictment or the subject of an arrest warrant by a U.S. criminal justice agency.

c. Use of purged information. Information that is purged but not returned or destroyed should be held in confidence and should not be made available for review or dessemination by an individual or agency except as follows:

(1) Where necessary for in-house custodial activities of the record keeping agency or for the regulatory responsibilities of the Security and Privacy Council (Chapter 8);

(2) Where the information is to be used for statistical compilations or research studies, in which the individual's identity is not disclosed and from which it is not ascertainable;

(3) Where the individual to whom the information relates seeks to exercise rights of access and review of files pertaining to him;

(4) Where necessary to permit the adjudication of any claim by the individual to whom the information relates that it is misleading, inaccurate, or incomplete; or

(5) Where a statute of a State necessitates inquiry into criminal offender record information beyond the 5- and 10-year limitations.

When the information has been purged, and the individual involved subsequently wanted or arrested for a crime, such records should be reopened only for purposes of subsequent investigation, prosecution, and disposition of that offense. If the arrest does not terminate in conviction, the records shall be reclosed. If conviction does result, the records should remain open and available.

Upon proper notice, a criminal justice agency should purge from its criminal justice information system all information about which a challenge has been upheld. Further, information should be purged by operation of statute, administrative regulation or ruling, or court decisions, or where the information has been purged from the files of the State which originated the information.

UTAH STATUS AND COMMENTS

In the existing computerized criminal history file all data which is entered into the system is first verified by coders to insure that the data is accurate and complete before entry into the system. In addition, computer edits are conducted to insure that data is entered properly and is reasonable as related to the transaction. System audits are provided to insure that all data scheduled for input to the computer actually was received on the automated file.

Currently records are maintained on the on-line summary file until the person is deceased or until the court orders the record to be expunged. Utah currently has no statute regarding the removal of criminal history information from an individual's file or regarding the removal of an individual's file from active status on the computer after a specific period of time has lapsed. State statute provides for individuals to have specific entries on their own record expunged via court order if those entries relate to an arrest that resulted in a non-conviction disposition.

METHOD OF IMPLEMENTATION

This standard has been identified for implementation through legislative action.

STANDARD 2.5: SEPARATION OF COMPUTERIZED FILES

STANDARD

For systems containing criminal offender data, the following protections should apply:

1. The portion of the computer used by the criminal justice systems should be under the management control of a criminal justice agency and should be dedicated in the following manner:

a. Files should be stored on the computer in such a manner that they cannot be modified, destroyed, accessed, changed, purged, or overlaid in any fashion by non-criminal-justice terminals.

b. The senior criminal justice agency employee in charge of computer operations should write and install, or cause to have written and installed, a program that will prohibit inquiry, record updates or destruction of records from any terminal other than criminal justice system terminals which are so designated.

The destruction of records should be limited to specifically designated terminals under the direct control of the criminal justice agency responsible for maintaining the files.

c. The senior criminal justice agency employee in charge of computer operations should have written and installed a classified program to detect and store for classified output all attempts to penetrate any criminal offender record information system, program, or file.

This program should be known only to the senior criminal justice agency, and the control employee and his immediate assistant, and the records of the program should be kept continuously under maximum security conditions. No other persons, including staff and repair personnel, should be permitted to know this program.

2. Under no circumstances should a criminal justice manual or computerized files be linked to or aggregated with non-criminal-justice files so as to provide centralized or direct access for the purpose of amassing information about a specified individual or specified group of individuals.

UTAH STATUS AND COMMENTS

Utah State statute directs that the division of Systems Planning and Computing will be responsible for maintaining computer files used by state

agencies. The development of the Utah Criminal Justice Information System is being conducted under the Department of Public Safety in cooperation with the Systems Planning and Computing Division. All systems are developed by project personnel and computer support, and programming support is contracted with the Utah State Data Processing Center.

Currently, all files that are on the State of Utah computer as well as those files maintained on the Salt Lake County computer are designed such that non-criminal-justice users cannot access change, purge, or modify any record contained therein. Certain criminal justice data is restricted to specific criminal justice users as well. An example of this is the juvenile record which currently is accessed only by juvenile justice agencies. The Utah Criminal Justice System currently does not have a classified program to detect and store for classified output all attempts to penetrate a criminal offender record by an unauthorized user. This provision will be added during 1974.

METHOD OF IMPLEMENTATION

This standard has been identified for implementation through legislative action.

STANDARD 2.6: ESTABLISHMENT OF COMPUTER INTERFACES FOR CRIMINAL JUSTICE INFORMATION SYSTEMS

STANDARD

The establishment of a computer interface to other criminal justice information systems will constitute the acceptance of responsibility for a control unit for those agencies served by the interface.

1. Each computer interface in the criminal justice hierarchy from local criminal justice information systems through the national systems will be considered a control terminal and allowed to interface if all of the identified responsibilities are accepted by that control unit.

2. Each control unit must maintain technical logging procedures and allow

for 100 percent audit of all traffic handled by the interface. Criminal history response logs should be maintained for one year.

3. The control unit must maintain backup or duplicate copies of its files in secure locations away from the primary site.

4. All personnel involved in a system are subject to security checks.

5. The control unit must establish a log checking mechanism where machine-generated logs of other than "no record" responses are compared with manual terminal loss and discrepancies between the two resolved.

UTAH STATUS AND COMMENTS

The concept of the Utah Criminal Justice Information System terminal network is such that terminals in the system generally will serve more than one jurisdiction. Even though less terminals will be ultimately installed under this concept, more users will be serviced by one terminal site. Currently, control for switching on the system is maintained at two sites, the Salt Lake County Computer Center and the Utah Data Processing Center. Logging of transactions is currently maintained on the state computer but not on the county computer; however, all shareable information system traffic passes through the state computer prior to being switched to the County Computer Center. The current configuration will be modified during 1974 to centralize all switching and control to one site. This site will provide for complete logging of all transactions and will maintain history information on these transactions.

METHOD OF IMPLEMENTATION

This standard has been identified for implementation through legislative action.

STANDARD 2.7: THE AVAILABILITY OF CRIMINAL JUSTICE INFORMATION SYSTEMS

STANDARD

The availability of the information system (the percentage of time when the system is fully operating and can process inquiries) should not be less than 90 percent. This availability must be measured at the device serving the user and may in fact be several times removed (technically) from the data base providing the information.

UTAH STATUS AND COMMENTS

Currently, the Utah Criminal Justice Information System provides information on those files which are on-line to criminal justice users on a 24-hour 7 day-a-week basis. The system currently functions on an excess of 90% availability to the user, and this includes scheduled down time for routine file maintenance.

METHOD OF IMPLEMENTATION

This standard has been identified for implementation through administrative policy.

Raymond A. Jackson
Chairman

Robert B. Andersen
Director

UTAH COUÑCIL ON CRIMINAL JUSTICE ADMINISTRATION (MEMBERSHIP)

D. Gilbert Athay
Attorney at Law

Gerald Bonser
Moab City Councilman

Melvin J. Burke, Commissioner
Uintah County Commission

Mrs. Barbara Burnett
Citizen Representative

George Buzianis, Commissioner
Tooele County Commission

Donald E. Chase, Commissioner
Box Elder County Commission

Kenneth Creer, Major
City of Springville

Judge Bryant H. Croft
Third District Court

Edgar M. Denny, Administrator
Department of Employment Security

Mayor Richard C. Diamond
Wasatch Front Regional Council

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Salt Lake County Sheriff's Office

Marion Hazleton
Citizen Representative

Rex Huntsman
Sevier County Sheriff

Chief Joseph Hutchings
St. George Police Department

Raymond A. Jackson, Commissioner
Department of Public Safety

S. Mark Johnson, Judge
Bountiful City Court

Paul C. Keller, Judge
Juvenile Court, District Five

Reverend Jerald H. Merrill
Citizen Representative

J. Duffy Palmer
Davis County Attorney

Dr. Sterling R. Provost
Utah State System of Higher Educ.

Paul S. Rose, Executive Director
Department of Social Services

Walter D. Talbot, Superintendent
of Public Instruction

Robert B. Hansen
Deputy Attorney General

Ernest D. Wright, Director
Division of Corrections

James F. Yardley, Commissioner
Garfield County Commission

WHAT IS THE UTAH COUNCIL ON CRIMINAL JUSTICE ADMINISTRATION (UCCJA)?

In 1968 the Omnibus Crime Control and Safe Streets Act was passed resulting in the creation of the Law Enforcement Assistance Administration (LEAA) in the U.S. Department of Justice. The act required the establishment of a planning mechanism for block grants for the reduction of crime and delinquency.

This precipitated the establishment of the Utah Law Enforcement Planning Council (ULEPC). The council was created by Executive Order of Governor Calvin Rampton in 1968. On October 1, 1975, the council was expanded in size and redesignated the Utah Council on Criminal Justice Administration (UCCJA).

The principle behind the council is based on the premise that comprehensive planning, focused on state and local evaluation of law-enforcement and criminal-justice problems, can result in preventing and controlling crime, increasing public safety, and effectively using federal and local funds.

The 27-member council directs the planning and funding activities of the LEAA program in Utah. Members are appointed by the governor to represent all interests and geographical areas of the state. The four major duties of the council are:

1. To develop a comprehensive, long-range plan for strengthening and improving law enforcement and the administration of justice . . .

2. To coordinate programs and projects for state and local governments for improvement in law enforcement.

3. To apply for and accept grants from the Law Enforcement Assistance Administration . . . and other government or private agencies, and to approve expenditure . . . of such funds . . . consistent with . . . the statewide comprehensive plan.

4. To establish goals and standards for Utah's criminal-justice system, and to relate these standards to a timetable for implementation.

END