Friday, March 16, 2007
1 to 3 p.m.
SANDBAG Board Room
401 B Street, 7th Floor
San Diego

AGENDA HIGHLIGHTS

- PROPOSED CHANGES TO THE PUBLIC SAFETY COMMITTEE MEMBERSHIP
- BALANCING PRIVACY WITHIN ARJIS INFORMATION-SHARING PROJECTS
- OVERVIEW OF FIRE AND EMERGENCY MEDICAL SERVICES

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Welcome to SANDAG. Members of the public may speak to the Public Safety Committee on any item at the time the Committee is considering the item. Please complete a Speaker’s Slip, which is located in the rear of the room, and then present the slip to Committee staff. Also, members of the public are invited to address the Committee on any issue under the agenda item entitled Public Comments/Communications/Member Comments. Speakers are limited to three minutes. The Public Safety Committee may take action on any item appearing on the agenda.

This agenda and related staff reports can be accessed at www.sandag.org under meetings on SANDAG’s Web site. Public comments regarding the agenda can be forwarded to SANDAG via the e-mail comment form also available on the Web site. E-mail comments should be received no later than noon, two working days prior to the Public Safety Committee meeting.

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## PUBLIC SAFETY COMMITTEE

Friday, March 16, 2007

<table>
<thead>
<tr>
<th>ITEM #</th>
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<tr>
<td>1.</td>
<td>ROLL CALL</td>
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<tr>
<td>+2.</td>
<td>APPROVAL OF JANUARY 19, 2007, MEETING MINUTES</td>
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<td>PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS</td>
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Members of the public will have the opportunity to address the Public Safety Committee (PSC) on any issue within the jurisdiction of the Committee. Speakers are limited to three minutes each and shall reserve time by completing a “Request to Speak” form and giving it to the Clerk prior to speaking. Committee members also may provide information and announcements under this agenda item.

### REPORT ITEMS (4 through 8)

<table>
<thead>
<tr>
<th>4.</th>
<th>REPORT FROM CHIEFS'/SHERIFF’S MANAGEMENT COMMITTEE (Chief Clifford Diamond, Chair, Chiefs'/Sheriff’s Management Committee)</th>
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| +5.    | AMEND THE FY 2007 ARJIS STATE, REGIONAL, AND FEDERAL ENTERPRISE RETRIEVAL SYSTEM (SRFERS) WORK PROGRAM AND BUDGET (Pam Scanlon) | RECOMMEND |
|--------|----------------------------------------------------------------------------------------------------------------------|
|       | The SRFERS project is a grant-funded, interstate-sharing project with the primary objective of enhancing positive identification through the exchange of booking and driver’s license photos. ARJIS recently received Phase II funding from the Department of Homeland Security. Phase II will result in the development of a driver’s license photo exchange and officer notification and alert capability and will expand the SRFERS project to Oregon, Washington, and Nevada. The PSC is asked to recommend that the SANDAG Board of Directors approve the modification of the FY 2007 SRFERS work program and budget to include an additional $999,760 (OWP 22006). |
+6. PROPOSED CHANGES TO PUBLIC SAFETY COMMITTEE MEMBERSHIP (Cynthia Burke)

In February 2006, the SANDAG Executive Committee approved changes to SANDAG Board Policy No. 002 regarding PSC membership. At the time, the number of Associate voting members was increased from 11 to 14 (with the addition of the San Diego County District Attorney, Regional Emergency and Fire Services, and Regional Transit) and the number of Advisory Members was increased from three to four with the addition of a representative from the Department of Defense. Since then, the Board of Directors has also approved the addition of an Advisory Member from the Southern California Tribal Chairmen’s Association (CSTCA) to each of SANDAG’s policy committees. The Chiefs’/Sheriff’s Committee, at its February 7, 2007, meeting, recommended to the PSC that the membership be further enhanced with the addition of the City of San Diego’s Police Chief as an Associate voting member, in addition to the two seats currently representing the Chiefs’/Sheriff’s Management Committee. The PSC is asked to discuss membership and recommend the addition of the City of San Diego’s Police Chief as a new Associate voting member to the Executive Committee.

+7. BALANCING PRIVACY WITHIN ARJIS INFORMATION-SHARING PROJECTS (Pam Scanlon and Erin Kenneally, eLCHEMY, Inc.)

One of the key components of ARJIS’ success is its ability to share information across multiple jurisdictions and disciplines. With the advances in computer/information management and the capabilities to more quickly access, share, and analyze records, comes the need to ensure privacy is maintained at all levels. This item will focus on the steps ARJIS has taken to ensure privacy while allowing critically needed information to be shared to enhance public and officer safety.
8. OVERVIEW OF FIRE AND EMERGENCY MEDICAL SERVICES (Chief David Ott, Cities of Del Mar and Solana Beach Fire Services and Chief Augie Ghio, San Miguel Fire Service)

In 2006, the membership of the PSC was enhanced with the addition of Regional Fire and Emergency Medical Services (EMS) as a voting member. At the time this recommendation was made, it was noted that local fire departments and EMS services are important partners in the region’s public safety efforts as well as first responders to natural or manmade disasters. As part of this presentation, the PSC Primary and Alternate members representing the Fire/EMS will provide an overview of fire services in the San Diego region, including an overview of their five-year strategic plan.

9. UPCOMING MEETINGS

The next meeting of the PSC is scheduled for Friday, April 20, 2007, at 1 p.m.

10. ADJOURNMENT

+ next to an item indicates an attachment
PUBLIC SAFETY COMMITTEE

Meeting of January 19, 2007

1. ROLL CALL

Vice Chair Tom Zoll (County Chiefs'/Sheriff’s Association) called the Public Safety Committee to order at 1:13 p.m. Roll call was taken and quorum was present. See last page for attendance.

2. APPROVAL OF MEETING MINUTES

A motion by Mark Lewis (East County) was seconded and the Public Safety Committee unanimously approved the minutes of October 20, 2006, and November 17, 2006.

3. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Chris Marsh, a staff member for Assemblyman Joel Anderson (Assembly District 77), provided information related to Assembly Bill (AB) 4, which proposes to increase the hours of operation and coverage of the transportation District 11 office in San Diego. Mayor Lewis requested a copy of AB 4 for review and recommended that it be forwarded to the SANDAG Board for review. Diane Eidam (SANDAG Deputy Director) indicated that she would have the legislative staff carry it through the legislative process here at SANDAG.

Officer Sandi Lehan of the San Diego Police Department provided the Public Safety Committee with information for the upcoming 3Cs (Command, Control, Communications) Open House on March 7, 2007, to showcase the next generation of interagency communication tools for public safety. Officer Lehan encouraged committee members to pre-register for the event, as all attendees will need credentials to enter the event.

REPORTS

4. AMEND THE FY 2007 ARJIS UDC-DHS FIRST RESPONDER WORK PROGRAM AND BUDGET (APPROVE)

Pam Scanlon (ARJIS Director) reported that ARJIS originally received $354,000 for the Pacific Wireless Network Project. This money will enhance ARJIS wireless capabilities by building better infrastructure to allow seamless communications between first responders. This infrastructure will provide shared firewalls, critically needed mapping, and a secure private network for first responders.
A motion was made by Supervisor Pam Slater-Price (County of San Diego) and seconded by Mayor Lewis. The Public Safety Committee unanimously approved the addition of $300,000 in grant funds to the FY 2007 ARJIS UDC-DHS First Responder Work Program and Budget.

5. INTEROPERABILITY AND COMMUNICATIONS CLEARINGHOUSE (INFORMATION/POSSIBLE ACTION)

Bob Welty (San Diego State University) reported on the Regional Technology Clearinghouse. As a result of the Interoperability and Communications workshops, the idea to create a Clearinghouse for technology was agreed upon by the participants. The purpose of the Clearinghouse is to act as an independent knowledge base, solicit product information, and maintain a database of technologies. This information will let first responders know what technology works, what doesn’t work, and where they can find it. The Clearinghouse has received funds from the Department of Homeland Security (DHS) to start some of these processes. However, there is a need for long-term funding sources. The Clearinghouse scored very high on a recent DHS review for its interoperability efforts. The Clearinghouse will provide information to the education community, it is a charter member of the Southwest Border Security Consortium, and its members have agreed to a clear governance model.

Bill Burke (Metropolitan Transportation System [MTS]) wants to continue to work with the Clearinghouse and participate in its technology surveys to keep the transportation segment included. Mr. Welty noted that he is equally enthusiastic regarding working with the traffic operations.

Bob Campbell (North County Inland) inquired as to how the university was going to limit access to people who do not have security clearances to access the information. Mr. Welty indicated that these types of technologies are not confidential and the Clearinghouse has the ability to protect the databases. Mr. Welty further indicated that that the “actual employer is the San Diego State University Research Foundation” which is a 501-C3 nonprofit company which allows the Clearinghouse more flexibility of how it operates. Ms. Scanlon added that the additional UASI funds that the Public Safety Committee just approved will be applied to the Clearinghouse and its protective measures.

Mayor Lewis inquired if there is a conflict between the Clearinghouse and member agencies regarding privacy and information collecting criteria, and if yes, how will it be resolved? Mr. Welty indicated that he would bring it back to the leaders of the Clearinghouse for review and because they are in an agreement with the Unified Disaster Council (UDC), they will be working within their rules and not necessarily along the line of the university.

Vice Chair Zoll indicated that this policy would have to come forward in the governance and rules for using the information.

Mayor Lewis inquired if there will be a policy written into governance protecting any technology developed by the Clearinghouse. Mr. Welty said that the Clearinghouse would not be developing products.
Mayor Lewis inquired to the reporting process. Mr. Welty indicated that the Clearinghouse will report quarterly to the UDC and the Public Safety Committee.

6. PRISONER REENTRY IN SAN DIEGO: SB 618 PROJECT IMPLEMENTATION (INFORMATION)

Vaughn Jeffery (San Diego District County Attorney’s Office) gave an overview of the current situation of the California prison system and SB 618 legislation that authorizes San Diego County to develop a multi-agency plan to prepare non-violent felony offenders for successful reentry into society. San Diego County’s recidivism rate is higher than the national and state averages. SB 618 is trying to reduce recidivism by counseling and educating ex-offenders as they enter the prison system and continuing after they are released into society. Case workers will address issues with the prisoner such as their dependency, illiteracy and emotional problems. This bill does not shorten the length of prison time for offenders, but utilizes the prison time to help the ex-offender address some of his/her issues and turn his/her life around before reentering society. Approximately 300 ex-offenders a year will be helped by this voluntary program.

Council President Pro Tem Tony Young (City of San Diego) inquired about the program budget, staffing, the role of the Sheriff’s Department, and how the issue of gangs is being addressed. Mr. Jeffery explained that the first year budget is $3.6 million, six ex-offenders are being screened per week, organizational cultures within organizations will have to be changed, and that Sheriff’s staff work in the detention facilities. Council President Pro Tem Young noted that ex-offenders returning to the same communities can pose challenges. Mr. Jeffery noted they would be returning regardless and the aim of the program is to connect them with services in their community. This is the most comprehensive effort of its kind.

Supervisor Slater-Price commended District Attorney Bonnie Dumanis and her staff on putting this program together with other agencies and getting it implemented.

Councilmember Campbell expressed concern about recovery houses dominating certain areas and suggested that planning agencies should be informed of the locations to properly zone.

Council President Pro Tem Young voiced concern about having these facilities forced upon neighborhoods. Mr. Jeffery addressed the relocation concern with a reminder that the ex-offenders are already being released back into the areas that they came from with limited resources, no training, and no housing. This program works with the ex-offender to provide job skills, literacy training, and treatment for addictions so that when an ex-offender is returned to society he/she is better prepared to hold down a job and not repeat his/her crimes.

Mayor Pro Tem Hanson-Cox (East County) asked if there is a plan in place between the case worker and the parole agent to ensure the ex-offenders don’t “fall through the cracks”. Mr. Jeffery indicated that the case manager would have more frequent interaction with the ex-offender and the parole agent and that any violations in parole will be addressed accordingly.
Chief Adolfo Gonzales (Chiefs’/Sheriff’s Association) inquired about addressing literacy and mental disorders. Mr. Jeffery said that these would both be addressed during the initial evaluation.

Commander Jim Cunha (Department of Defense) suggested that the core people from Sheriff’s detention meet with the military police that have been doing a similar program in military prisons.

Chief Probation Officer Vincent Iaria (San Diego County Probation Department) asked who is held accountable at the State level. Mr. Jeffery indicated that it would be elected officials interfacing with one another and advocating for the program. Currently there is a good communication system between local and state law enforcement.

Undersheriff Bill Gore (San Diego County Sheriff) expressed concern with the current overcrowding within the jail system and asked what impact that might have in this program. Mr. Jeffery responded that the Governor has proposed creating other buildings in detention facilities to house these lower level criminals.

7. AN UPDATE ON RECENT ACCOMPLISHMENTS AND FUTURE DIRECTIONS FOR STATE, REGIONAL, AND FEDERAL ENTERPRISE RETRIEVAL SYSTEM (SRFRS) (INFORMATION/POSSIBLE ACTION)

Katie Mugg (ARJIS) updated the Public Safety Committee on the efforts of the State, Regional, and Federal Enterprise System (SRFRS). The Department of Homeland Security (DHS) and National Institute of Justice (NIJ) are going to partner in funding this system using this program as a model. This program evolved out of a NIJ grant following the Chief’s of Police summit after 911. This program allows law enforcement to access booking photos and in some cases driver’s license pictures in the field using wireless devices. This sharing of information has been credited with the apprehension of several suspected felons including murderers and rapists.

Mayor Pro Tem Hanson-Cox commented on her own driver’s license and that the photo has not been retaken in 20 years. Ms. Mugg noted that as one of the reasons law enforcement needed access to both driver’s license as well as booking photos.

Mayor Lewis commended Ms. Mugg on her presentation and inquired why license plate readers could not be positioned on highways further from the borders. Vice Chair Zoll indicated that currently several law enforcement agencies are employing or planning for license plate readers in their jurisdictions while working with the States databases.

8. UPCOMING MEETINGS

The next meeting of the Public Safety Committee is scheduled for Friday, February 16, 2007, at 1:00 p.m.

9. ADJOURNMENT

The meeting was adjourned at 2:40 p.m.
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**CHAIR OF MANAGEMENT CHIEFS’/SHERIFF’S COMMITTEE**

Chair | Chief Cliff Diamond | Member | Yes |
San Diego Association of Governments

PUBLIC SAFETY COMMITTEE

March 16, 2007

AGENDA ITEM NO.: 5

Action Requested: RECOMMEND

AMEND THE FY 2007 ARJIS STATE, REGIONAL, AND FEDERAL ENTERPRISE RETRIEVAL SYSTEM (SRFERS) WORK PROGRAM AND BUDGET

File Number 2200600

Introduction

The SRFERS project is a grant-funded interstate-sharing project with the primary objective of enhancing positive identification through the exchange of booking and driver’s license photos. ARJIS recently received Phase II funding from the Department of Homeland Security. Phase II will result in the development of a driver’s license photo exchange and officer notification and alert capability, and will expand the SRFERS project to Oregon, Washington, and Nevada.

Discussion

Developing enhanced information sharing capabilities is critical to improving the capacity of law enforcement and other emergency response agencies to protect the American public against terrorism and all other criminal acts that threaten its safety. The National Criminal Intelligence Sharing Plan (NCISP), endorsed by the U.S. Department of Justice, outlines recommendations and steps to be taken to improve the information sharing capabilities of law enforcement and other emergency agencies. In order to pilot an implementation of NCISP recommendations, in 2004, the National Institute of Justice (NIJ) awarded a grant to ARJIS to develop an information sharing proof-of-concept.

The goal of the NIJ grant was the development of a prototype demonstration of connectivity and data sharing among multi-jurisdictional public safety agencies beginning with San Diego, CA and Maricopa County, AZ. This key phase resulted in three proofs-of-concept demonstrations including the ability to share booking photographs across state lines. The project has been recognized by NIJ and the Department of Homeland Security (DHS) as a model for overcoming the barriers that exist between local and state public safety agencies. As the project continues to grow and receive national attention, numerous states and regions have requested to participate in this important initiative.
In response to these requests NIJ and DHS have designated ARJIS the national model for expansion to other states and regions. Both organizations have committed funds to accomplish the following: 1) the continued enhancement of a national tool kit for information sharing; 2) continued development and deployment of new data sources; and 3) the expansion to new regions and/or states. ARJIS is currently utilizing the NIJ funds previously approved and part of the FY 2007 budget and work program to develop the Web portal for dissemination of the toolkit. DHS has informed ARJIS that $999,760 will be awarded for allocation to four additional states in FY 2008 to facilitate the expansion of the SRFERS application (Attachment 1).

SRFERS Phase I

The goal of SRFERS Phase I was to demonstrate public safety information sharing to include interstate connectivity and data sharing between multi-jurisdictional public safety and homeland security agencies, beginning with the Pacific Region of the United States. A prototype application was developed that allows simultaneous searches of regional information in Arizona and California using the Nlets network. The prototype facilitates the searching of critical data and photographs, to be utilized in the positive identification of subjects. Also included is the capability to query vehicle information captured on the Mexican and Canadian borders via license plate readers and the ability to access the archives of NLETS nationwide law enforcement queries, averaging about 70 million per month.

Technical standards and political boundaries were addressed by the development of a tool kit which provides a national standardized model to new regions/states for information sharing of data and functionality not previously available across state lines. The toolkit will serve as a blueprint for agencies and administrators when enhancing, building, or linking information or intelligence systems in order to leverage not just existing networks and infrastructure, but also the lessons learned and best practices of already existing networks. The toolkit includes the technical work developed in Phase I, model MOUs for interstate data sharing, privacy and security assessments, and other artifacts that will allow a fast and effective way to initiate data sharing.

SRFERS Phase II

The goal of SRFERS Phase II is to operationalize the successful Phase I prototype by developing a Web portal for agencies to access the artifacts in the kit and expand the SRFERS application to four new states. Possible new states include California, Washington, Oregon, Alaska, Nevada, and Arizona. Feasibility studies of these potential participants will be conducted and states will be selected based on their information sharing readiness and resources. Needs assessments and requirements documents will be developed for each state utilizing the SRFERS tool kit framework, which in turn will become the basis for the technical design specifications. Network and connectivity requirements will be finalized and information sharing MOUs executed during this Fiscal Year.

Once officially received, the DHS funding will be allocated in FY 2008 to the new states to implement the infrastructure, technical specifications and interfaces produced in FY 2007. ARJIS will contract with Nlets to design the new communication system to accommodate the participating states.
ARJIS will continue to act as the project manager and grant administrator and will facilitate the expansion of the SRFERS application to the new regions and states. Interconnecting these presently disparate, incompatible, and fragmented regional systems through SRFERS will markedly enhance the capabilities and effectiveness of the participating public safety agencies and serve as a model for future nationwide integration.

KEVIN MURPHY
Director of Technical Services

Attachment 1: 2200600 Revised FY 2007 Work Program

Key Staff Contact: Katie Mugg, (619) 699-6979, kmug@sandag.org
**PROGRAM WORK ELEMENT: 22006.1**
**TITLE: ARJIS: SRFERS II GRANT**

**FY 2007 BUDGET: $302,861,373.097**

**STRATEGIC GOAL: ENSURE PUBLIC SAFETY**

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OBJECTIVE

The objective of this work element is to develop and implement Phase II of the State Regional Federal Enterprise Retrieval System (SRFERS) grant. The goal of the SRFERS project is to develop the infrastructure, applications, interstate governance, and policies to enable data sharing between multi-jurisdictional public safety agencies in the western region of the United States. Emphasis in FY 2007 is to: (1) provide direct access to information services at various levels of government using the National Law Enforcement Telecommunication System (NLETS) network and Web services; (2) develop a concept of operations that will include a comprehensive comparison of distributed access models including brokers, direct access models, and the use of indices; (3) assess the effectiveness of the “Noogle” smart search capability; and (4) complete a privacy impact assessment on new data sources.

PREVIOUS AND ONGOING WORK

Phase I of this project established a secure network connection from ARJIS to NLETS and developed XML schemas and prototypes for interstate sharing of booking photos and license plate reader information. We developed, documented, and prioritized an initial set of operational requirements through a series of focus group sessions and surveys. Privacy and security assessments were started, along with interagency communications standards and information sharing policies. A multi-state policy advisory committee was established that may serve as a governance model for the interstate sharing of public safety information.

The goal of SRFERS Phase II is to operationalize the successful Phase 1 prototype by expanding the toolkit to additional regions and/or states. The possible Phase II participants include California, Washington, Oregon, Alaska, Nevada and Arizona. Feasibility studies of possible new participants are currently underway, and the new regions will be selected based on their information sharing resources and capabilities. The SRFERS infrastructure and toolkit will be implemented at these regions and/or states and interfaces will be developed to query data from these new regions. New data sources and functionality will be added to the SRFERS application including the ability to access driver’s license photos from across state lines.

Committee(s): Public Safety Committee, Chiefs/Sheriff’s Management Committee; Working Groups: ARJIS Business, Technical, Users, and Crime Analysis Working Groups, ARJIS Enterprise Committee; Project Manager - Dave Decker, Katie Mugg

PRODUCTS, TASKS, AND SCHEDULES

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**FUTURE ACTIVITIES**

A grant proposal has been submitted for SRFERS Phase III. Phase III develops a framework for automated Web service data source discovery, as well as an intelligent data query engine that automatically determines which data sources to query based on dynamic user input. The cost of Phase III is estimated at $350,000.
Introduction

In February 2006, the SANDAG Executive Committee approved changes to SANDAG Board Policy No. 002 regarding Public Safety Committee (PSC) membership. At the time, the number of Associate voting members was increased from 11 to 14 (with the addition of the San Diego County District Attorney, Regional Emergency and Fire Services, and Regional Transit) and the number of Advisory Members was increased from three to four with the addition of a representative from the Department of Defense. Since then, the Board of Directors has also approved the addition of an Advisory Member from the Southern California Tribal Chairmen’s Association (CSTCA) to each of SANDAG’s policy committees. The Chiefs'/Sheriff’s Committee, at their February 7, 2007, meeting, recommended to the PSC that the membership be further enhanced with the addition of the City of San Diego’s Police Chief as an Associate voting member in addition to the two seats currently representing the Chiefs'/Sheriff’s Management Committee.

Discussion

The PSC makes policy recommendations to the SANDAG Board of Directors related to public safety and Homeland Security. Specifically, the PSC has provided an enhanced and centralized view of public safety to the region and awareness and promotion of a national model across a broad spectrum of public safety functions. The goal behind PSC membership composition is to bring elected officials and public safety officials to the same table, each with voting rights, in order to provide a unique opportunity to further our public safety goals for the region.

The current 14 voting Member Agencies are:

- Six elected officials representing East County, North County Coastal, North County Inland, South County, the County of San Diego, and City of San Diego;
- Two representatives from the County Chiefs'/Sheriff’s Association;
- One representative from State Public Safety;
- One representative from Homeland Security;
- One representative from Regional Fire/Emergency Medical Services;

Recommendation

The Public Safety Committee is asked to discuss membership and recommend the addition of the City of San Diego’s Police Chief as a new Associate voting member to the Executive Committee.
• One representative from Regional Transit Services;
• The San Diego County District Attorney; and
• The San Diego County Sheriff.

In addition, the five Advisory Members are:

• Two representatives from Federal Public Safety;
• One representative from the Department of Defense;
• One representative from County Public Safety; and
• One representative from the Southern California Tribal Chairmen’s Association.

The recommendation has been made at this time to add the Chief of the San Diego Police Department (SDPD) as an Associate voting member. This recommendation is based on the fact that the SDPD is the largest police department in the region, responding to approximately half of the violent and property crimes that are reported by the community. With this change, a primary and alternate representative from the SDPD would be appointed and the two voting positions representing the Chiefs/Sheriff’s Management Committee would be filled by Chiefs from two of the other eight local law enforcement agencies.

If this membership change is made, the number of voting Member Agencies on the PSC would be increased to 15.

KEVIN MURPHY
Director of Technical Services

Key Staff Contact: Cynthia Burke, (619) 699-1910, cbu@sandag.org
BALANCING PRIVACY WITHIN ARJIS INFORMATION-SHARING PROJECTS

Introduction

One of the key components of ARJIS' success is its ability to share information across multiple jurisdictions and disciplines. With the advances in computer/information management and the capabilities to more quickly access, share, and analyze records, comes the need to ensure privacy is maintained at all levels. This item will focus on the steps ARJIS has taken to ensure privacy while allowing critically needed information to be shared to enhance public and officer safety.

Discussion

Background

A vital aspect of information sharing for public safety is the protection of individuals' privacy, civil rights, and civil liberties. While automation and reliance on information technology reduces costs and helps to improve information sharing, serious questions arise regarding individual privacy and the proper use of the information system. Information sharing systems increase the quantity and availability of data and enhance the ability to link data, raising concerns about new demands for information beyond those for which the data were originally collected. Citizens should be protected from unreasonable intrusion and an unjustified action even as information is being shared more broadly for legitimate purposes. Therefore, it is incumbent upon local and state law enforcement and justice agencies to establish procedures, practices, and system protocols that integrate privacy considerations when developing and using a justice information sharing system. Additionally, software, information technology tools, and physical security measures should be utilized that protect information from unauthorized access, modification, theft, or sabotage.

Privacy Impact Assessments

The need for Privacy Impact Assessments (PIA) of justice information exchanges is an increasingly recognized and required element necessary to balance competing interests of public safety, public accountability, freedom of speech, and citizens' civil rights and privacy. A PIA objectively analyzes information exchanges in the context of laws, policies, and public opinion related to privacy concerns of relevant justice system stakeholders. This proactive approach is novel and necessary, since addressing these concerns after system deployment is oftentimes far more quantitatively and qualitatively costly or threatening to the viability of the projects.
ARJIS Efforts to Maintain Privacy

ARJIS is a forerunner in embracing projects aimed at developing enhanced information sharing capabilities to improve the capabilities of law enforcement and other public safety agencies. Notably, ARJIS is a major participant in the State, Regional and Federal Enterprise Retrieval System (SRFERS) and Regional Information Sharing and Collaboration (RISC) projects. These are federally-sponsored implementations of recommendations set forth by the National Criminal Intelligence Sharing Plan (NCISP) to improve the information sharing capabilities of law enforcement and other emergency agencies. In order to effectively and accurately assess the real and perceived privacy risks of efforts such as RISC and SRFERS in an incremental fashion, PIAs are performed. In the process of conducting these PIAs, a framework for analysis includes the Fair Information Practices (FIPS) principles. These principles are applied in the context of ARJIS information exchanges to address: purpose specification; collection limitation; data quality; use limitation; security safeguards; data retention; and accountability and redress.

In addition, ARJIS has also modified the original data sharing plans as a result of privacy considerations and understanding of the broader need for enabling technologies that have embedded privacy controls and are responsive to human governance controls as dictated by relevant law and policy. Specific examples of how the systems have been designed to protect privacy and mitigate privacy risks include providing null responses from queries to other agencies for which there are no results to display (enabling law enforcement to more quickly clear a subject rather than having to guess as to record status) and displaying query responses as discrete records (eliminating the risk of misidentification by merging records from different individuals who may share similar identity attributes).

ARJIS, through its own privacy liaison and in collaboration with local, State and Federal authorities is committed to tracking, assessing, and addressing privacy issues throughout the evolution of these programs. As such, these PIAs are updated to reflect additional increments of the program. While there is a cost to these efforts, it is important to remember that not addressing these issues upfront, may be more costly in the end.

KEVIN MURPHY
Director Technical Services

Key Staff Contact: Pam Scanlon, (619) 699-6971, psc@sandag.org
PUBLIC SAFETY COMMITTEE

MEMBERSHIP

The Public Safety Committee advises the SANDAG Board of Directors on major policy-level matters related to public safety. Composed of both elected officials and public safety representatives, the goals of the group include improving the quality of life in the region by promoting public safety and justice through collaboration, information sharing, effective technology, and objective monitoring and assessment.

Dr. Cynthia Burke, Director, Criminal Justice Research Division Phone: (619) 699-1910; cbu@sandag.org

Pam Scanlon, Director ARJIS Phone: (619) 699-6971; pscanlon@arjis.org

SANDAG MEMBERS

Chair: Mark Lewis
Mayor, City of El Cajon (representing East County)

Matt Hall
Councilmember, City of Carlsbad (representing North County Coastal)

Bob Campbell
Councilmember, City of Vista (representing North County Inland)

Frank Parra
Councilmember, City of National City (representing South County)

Pam Slater-Price
Supervisor, County of San Diego

Tony Young
Council President Pro Tem, City of San Diego

SANDAG MEMBERS - ALTERNATES

Jillian Hanson-Cox
Councilmember, City of El Cajon (representing East County)

Dave Roberts
Councilmember, City of Solana Beach (representing North County Coastal)

Hal Martin
Vice Mayor, City of San Marcos (representing North County Inland)

Jim Janney
Mayor, City of Imperial Beach (representing South County)

Greg Cox
Vice Chairman, County of San Diego

Ben Hueso
Councilmember, City of San Diego

PUBLIC SAFETY MEMBERS

Vice Chair: Tom Zoll
Chief, City of Carlsbad Police Department (representing County Chiefs'/Sheriff’s Association)

Skip Carter
Chief, California Highway Patrol (representing State Public Safety)

Bonnie Dumanis
District Attorney, San Diego County (San Diego County District Attorney)

Bill Kolender
Sheriff, San Diego County (County Sheriff)

William M. Lansdowne
Chief, City of San Diego Police Department (representing County Chiefs'/Sheriff’s Association)

PUBLIC SAFETY MEMBERS - ALTERNATES

Richard Emerson
Chief, City of Chula Vista Police Department (representing County Chiefs'/Sheriff’s Association)

Steve Lykins
Assistant Chief, California Highway Patrol (representing State Public Safety)

Paula Robinson
District Attorney, San Diego County (San Diego County District Attorney)

Bill Gore
Undersheriff, San Diego County (representing County Sheriff)

Adolfo Gonzales
Chief, City of National City Police Department (representing County Chiefs'/Sheriff’s Association)

Revised: February 13, 2007
Public Safety Members – Continued

Jill Olen
Deputy Chief Operating Officer,
City of San Diego
(representing Homeland Security)

David Ott
Chief, Cities of Solana Beach/Del Mar Fire Departments
(representing Regional Fire/Emergency Medical Services)

David Papworth
Chief, Security & Law Enforcement Services,
North County Transit District
(representing Regional Transit Services)

Public Safety Members/Alternates – Continued

Ron Lane
Director, San Diego Office,
Office of Emergency Services
(representing Homeland Security)

Augie Ghio
Chief, San Miguel Fire Department
(representing Regional Fire/Emergency Medical Services)

Bill Burke
Director of Transit System Security,
Metropolitan Transit System
(representing Regional Transit Services)

ADVISORY MEMBERS

Jim Cunha
Commander, Director of Public Safety, Navy Region SW
(representing Department of Defense)

Daniel Dzwilewski
Special Agent in Charge,
Federal Bureau of Investigations
(representing Federal Public Safety)

Vincent Iaria
Chief Probation Officer, San Diego County
(representing County Public Safety)

Vacant
(representing Federal Public Safety)

Carlene Chamberlain (Jamul)
(representing Southern California Tribal Chairmen’s Association)

ADVISORY MEMBERS – ALTERNATES

James Seaton, III
Colonel, USMC, Camp Pendleton
(representing Department of Defense)

Vacant
(representing Federal Public Safety)

John Hensley
Deputy Chief Probation Officer, San Diego County
(representing County Public Safety)

Vacant
(representing Federal Public Safety)

Stephanie Spencer (Rincon)
(representing Southern California Tribal Chairmen’s Association)

Revised: February 13, 2007
Balancing Privacy Within ARJIS Information Sharing Projects:

THE NEED FOR PRIVACY ASSESSMENTS

ERIN KENNEALLY, M.F.S., J.D.
CEO, Elchemy
Erin@elchemy.org

Preview

- Who cares? Privacy Drivers
- PIA Background Principles
- PIA 101: Privacy Applied
  - WHEN
  - HOW
- Wake Up
Privacy Drivers - Laws Informing Integrated Justice Data

- **E-Government Act 2002**
  - Requires Privacy Impact Assessment (PIA)

- **Privacy Act 1974**
  - Regulates collection, maintenance, use, dissemination of personal info by Exec Branch agencies
  - Requires System of Records Notice (SORN)
  - Embodies Fair Information Practices Principles (5)

- **28 C.F.R. 23**
  - Guideline for LEAs that operate federally funded multijurisdictional criminal intelligence systems

- **... AND State, Municipality-specific laws, regs, policies**
  - New trails, interpretations needed!

Privacy Drivers

- **(1) Changing Context of Info Sharing**
  - Data aggregation & automation = Bye-bye data silos .... Hello integrated public safety and criminal intelligence systems
  - Challenge: Balance LE biz value WITH access control, compliance w/ usage rules, meaningful oversight

- **(2) Justice data has much PII**
  - Easy access & dissemination >> Risk of compromising safety of persons who are subjects of source and aggregated records
    - Location of a stalking victim
    - Identity of a rape victim
    - DV victims may use justice system for non-LE issues. Hard to protect victim information unless they self-identify
    - Confidential information : physical, mental health
    - Insider abuse
    - Witness data
    - Juvenile offenders
PIA BACKGROUND

PRINCIPLES

● Fulfills mandate by E-Gov Act 2002
  – Response to effect of technology on personal privacy of gov’t records
  – Any substantially revised or new IT System

● Objectives:
  – Minimize intrusiveness to individuals
  – Maximize fairness in institutional decisions affecting individuals
  – Enable individuals enforceable expectations of confidentiality

● Informed by FIPS

● PIA Nutshell: analysis of how individual info USED and MANAGED

PIA Background = PII Risk Assessment

● Privacy is:
  – legal construct
  – Informs application of technology based on policy
  – risk management process
  – context driven
    – EOP formed and defined by technology capabilities
    – Evolving context creates privacy challenges
  – In conflict with modern IT applications
    – Dichotomy between enhanced justice integration & privacy

● So What?
  – must build privacy controls into technology and architecture at early stages
**Fundamental: WHEN to Conduct a PIA**

- Not prerequisite for EVERY situation... but, what price trust?

- Prudent Approach - do a PIA whenever:
  - Creating **new collection** of personal info
    - PII via stand-alone; in aggregate; via business intelligence tool
  - Developing/buying **new technologies or systems** that store PII
    - Analogy: security requirements
  - Creating **new interfaces** from old DB or systems
    - i.e. New application of technology to create new knowledge

**FUNDAMENTAL: HOW to conduct a PIA**

- Guiding Directive: embed privacy controls into system design
  - Say no to the “patch mentality”

1. Purpose of Data (collection & use)
2. Access to Data (accountability)
3. Maintenance of administrative controls (quality, security, retention)
4. Redress
5. Decision Analysis
HOW to conduct a PIA-QUESTIONS

● 1. Data and its PURPOSES
  - What is the nature of data?
  - WHY is info being collected?
  - What is intended use of data?
  - What are sources of data? (where, how acquiring)
  - How will data be checked for accuracy?
  - Will newly derived data become part of individual’s record?
  - How will data be verified for relevance and accuracy?
  - Are data elements described in detail and documented? If so, what is the document to be referenced?

● 2. ACCESS to Data (accountability)
  - Who will have access to data (users, managers, sysadmin, developers)? Is it documented?
  - How will access be determined?
  - Are criteria, procedures, controls, responsibilities re: access documented?
  - Will users have role-based access, or is it all-or-none?
  - What controls are in place to prevent misuse by authorized users?
  - Do other systems share data or interface w/ data in this system?
    - Including other agencies (state, local, federal)
  - How will other agencies use that data?
  - Who is responsible for assuring proper use by other agencies?
  - How will system ensure other agencies get only data entitled to?
HOW to conduct a PIA-
QUESTIONS

● 3. Establishing and Maintaining Administrative Controls
  - Is data secured
    ● IT security requirements (what standard- FISMA, CJIS)
    ● Risk assessment and security controls
    ● Regular monitoring/testing/evaluation
    ● POC for questions/issues
  - If system operated in multiple sites, how will consistent use of system and data be maintained?
  - What are retention periods for data in system?
  - What are procedures for expunging data?
  - Will system allow the monitoring of groups/individuals
  - What controls exist to prevent unauthorized monitoring?

HOW to conduct a PIA-
QUESTIONS

● 4. REDRESS of data
  - What opportunities do individuals have to decline to provide info?
  - Oppty for individual to consent to uses of info?
  - How do individuals grant consent re: use or sharing of info
  - What are procedures for correcting erroneous info?
HOW to conduct a PIA-QUESTIONS

5. DECISION ANALYSIS

- Did you evaluate competing technologies re: privacy handling capabilities?
- Were any choice changes made to system architecture, HW, SW or implementation as a result of doing the PIA?
- /Ex/ * Display “Null” when no record found
  * Query results do not merge records

LINKS:
- OMB Guidance for Implementing PIA:
  www.whitehouse.gov/omb/memoranda/m03-22.html
- Model PIA:

PIA Leads To: Value-Sensitive IT Solutions

LEGAL STANDARD
- Probable Cause
- Articulable Facts
- Reasonable Suspicion
- Non-particularized Suspicion
- MOU/Agency Authorization
- Prior Agency Approval

LEGAL PROCESS CONTROLS
- Warrant
- Subpoena
- Court Order
- Time Restrictions
- Scope Limitation
- Notice
- Arrest
- Detain
- Release
- File F1 Notation
- Call to confirm

IT Design & Application
- Rule-based Query
- Selective Response
- Audit trail
- Credential Enforcement

Be Mindful- Look under the Hood:
What are confidence intervals for technologies and methodologies to meet legal standard?
Thank-You!!

Balancing Privacy Within ARJIS Information Sharing Projects:

THE NEED FOR PRIVACY ASSESSMENTS

ERIN KENNEALLY, M.F.S., J.D.
CEO, Elchemy
Erin@elchemy.org
San Diego County Fire Chiefs’ and Fire Districts’ Association

Collaborative Strategic Plan

Presented to
SANDAG Public Safety Committee
March 16, 2007

Fire Chiefs Focus

- Remember event history
  - September 11, 2001
  - October 2003 Fire storms
  - September 2005 Gulf Coast hurricanes

- To continue efforts initiated by the San Diego Regional Emergency Preparedness Task Force
Objectives

- Establish clear, phased, measurable, and action oriented initiatives.
- Align initiatives with other key stakeholder groups (Regional Technology Partnership (RTP), SANDAG, UDC).
- Develop annual Report Card on accomplishments.

Initiatives

10 focus areas
FY 2007 - 2011
1. Develop, review, and maintain the Strategic Planning process.
   a. Develop five-year Strategic Plan
   b. Present and roll-out the Plan
   c. Develop and implement media strategy
   d. Develop and present Annual Report Card
   e. Conduct annual review and revision

2. Coordinate efforts to improve regional Interoperability through the UDC and SANDAG.
   a. Ensure effective fire representation
   b. Ensure Plan alignment with UDC/RTP
   c. Support regional funding priorities
      - Emergency regional planning
      - Emergency Preparedness
      - Regional service delivery
      - Regional operational readiness
3. Establish partnerships to support and improve Community Education and Prevention efforts.
   a. Establish local mitigation efforts for Urban Interface issues
   b. Develop and implement Community Fairs/Expo programs
   c. Support and sustain CERT (Citizens Emergency Response Team) and BERT (Business Emergency Response Team) programs
   d. Avoid duplication of efforts by coordinating with other agencies
   e. Develop and maintain design features/codes and ordinances that support fire safe communities

4. Support County OES (Office of Emergency Services) in development of Community Notification and Emergency Operations Center systems.
   a. Reverse 911
   b. WEB EOC (Emergency Operations Center)
   c. Sustainment of 211 Public Info System
   d. Joint Information Center exercises
   e. Participation in regional operational readiness exercises
5. Identify and recommend technology improvements for efficient/effective grant and local jurisdiction expenditures related to response and Interoperability equipment.
   a. MDC’s (Mobile Data Computers) AVL program (Automated Vehicle Locator)
   b. Regional mapping and GIS efforts
   c. APCO 25 (Association of Public Safety Communications Officials) radio procurement
   d. Local allocations to sustain programs

6. Regionalize services through Functional Consolidations.
   a. Regional Command/Communication, Mass Casualty and Decon apparatus
   b. Training and exercise programs
   c. Develop sustained funding for programs
   d. Identify and prioritize other opportunities
   e. Develop and implement functional consolidation plans
7. Review and improve existing Military/Civilian interface.
   a. Research development of MOA’s
   b. Develop MOA for helo response
   c. Develop and implement training and exercise plans

8. Establish a Legislative Agenda.
   a. Develop and approve Agenda
   b. Establish partnerships and liaisons with other fire jurisdictions
   c. Develop and implement a sustained funding source to support legislative outreach
9. Review and identify training and operational needs.
   a. Standardize training procedures
   b. Standardize operational protocols
   c. Develop and implement training and exercise plans

10. Develop a Diversity Recruitment Plan.
    a. Establish a Subcommittee
    b. Present recommendations to SDCFCA
    c. Implement
    d. Monitor and revise
San Diego County Fire Chiefs’
and
Fire Districts’ Association

Collaborative Strategic Plan

Presented to
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March 16, 2007