

REPORT ON ACCESS TO PUBLIC CONVICTION DATA

*As Required By
The Laws of Minnesota 1997
Chapter 3, Section 46*

**Minnesota Bureau of Criminal Apprehension
1246 University Avenue
St. Paul, MN 55104
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Introduction

The Laws of Minnesota, 1997, Chapter 3, Section 46, require that the Bureau of Criminal Apprehension, in conjunction with the criminal and juvenile justice information policy group, shall report to the chairs of the committee on judiciary in the house of representatives and the senate and the chair of the committee on crime prevention in the senate by January 15, 1998, a plan for making public conviction data available at locations beyond the central office of the Bureau of Criminal Apprehension.

This report will provide an update into the activities that have already occurred to date to meet the requirement of providing public conviction data at various locations throughout Minnesota.

Background

In 1994, a legislative mandate was established to allow for public access to criminal history information. The current system, which was created to satisfy this mandate, allows for the retrieval of this data via one access point provided by a terminal housed in the lobby at the Bureau of Criminal Apprehension Central Office in St. Paul, Minnesota. The system enables a user to retrieve a record of an individual's criminal history upon entering that person's exact name and date of birth. The results are confined to ~~(felony and gross misdemeanor)~~ conviction information from the last fifteen years.

Proposed Solution

The proposed system will allow for the transmission of the same set of information via the use of Internet browser technology. The use of this technology will provide users with a friendlier interface to the product, and will ultimately allow for broader dissemination of the information beyond the central office of the Bureau of Criminal Apprehension. Such dissemination practices are closer to the intent of the original legislation; in addition, the implementation of this technology will also satisfy the needs of a new legislative mandate (Data Practices Bill, Special Session 1, Chapter 3, S.F. 47, Section 46), which requires the Bureau of Criminal Apprehension to extend the availability of public criminal history information beyond the central office of the Bureau of Criminal Apprehension. The use of this technology will also satisfy the requirements of an additional legislative mandate (Data Practices Bill, Special Session 1, Chapter 3, S.F. 47, Section 45), which requires the criminal and juvenile justice information policy group to facilitate remote electronic access to public criminal history data for public defenders across the State. As of the writing of this document, there is currently no means for State public defenders to access criminal history data from remote locations.

The entire project was broken into three phases. We are currently working on Phase two of the project by creating the Internet browser interface and supplying access to the Minnesota Public

Defenders statewide. In Phase 1 of this project, a demo was created to illustrate the utility of using Internet browser technology to provide remote access to criminal history information. Portions of this demo were highlighted in a Legislative Hearing on January 12, 1998, in which Robert Sykora summarized the activities of the Minnesota Board of Public Defense in meeting the aforementioned mandate regarding public defender access to criminal history information. In the second phase of this project, the public defender demo will be refined, changed, and expanded into a production system, incorporate new features since the demo was produced, and ultimately allow public defenders across the State of Minnesota to access criminal history information from remote locations.

The application will be developed in accordance with the software development methodology currently employed by the Office of Technical Support Services. Following the development of the application, the system will be tested first by employees of the Bureau of Criminal Apprehension and, following this phase, will be tested by a small group of individuals from the Public Defenders Board. The application will then be released to the group of State Public Defenders in accordance with BCA procedure.

The system is being built to meet the immediate needs of the Minnesota Public Defenders. ~~Phase three of the project will address the issue of getting public conviction data to the public utilizing the Internet for access.~~

Requirements Review

The following section represents a review of the requirements documentation created in the initial phase of this project and serves as a preface to the processing environment specifications which follow.

High level requirements of the new system.

The Bureau of Criminal Apprehension has a need for remote access to criminal history information which will:

Permit county-level public defenders across the 87 counties in Minnesota to access criminal history information about their clients from any location with Internet access.

Provide adequate system resources to ensure system reliability, increased geographic access and increased hours of availability. Given the technical limitations of end user workstations (many users do not yet have machines which are capable of supporting Internet browser technology), the estimated number of users during the first year of operation is around 40. The estimated number of users during the second year of operation is around 180.

Test Internet browser technology as a means of delivering criminal history information to users in

remote locations.

What Does the System Need To Accomplish?

This project will provide a method for distributing criminal history data to public defenders across the State of Minnesota, and will include the following action items:

~~_____~~ The proposed system must, at minimum, replicate the functionality of the current public access system.

~~_____~~ The proposed system must allow for a broader dissemination of the information in terms of geographic access points and hours of availability than is the case with the current public access system.

The system must only allow access to those public defenders who have registered with the Bureau of Criminal Apprehension, and who have an appropriate username and password.

~~_____~~ The system must preserve the integrity of the application, the data and the underlying network infrastructure.

~~_____~~ Secure the application, accompanying data and underlying network from unauthorized access;

~~_____~~ Broaden the availability of the system to include 24-hour access and a greater number of access points;

~~_____~~ Provide a browser interface to the database to allow for remote access to the data;

Allow public defenders who have registered with the Bureau of Criminal Apprehension to log on to the system using the username and password assigned to CCH users;

Allow user to query database based on exact name and date of birth;

~~_____~~ Retrieve and format data display results to user;

~~_____~~ Provide a means of analyzing traffic to the site and possible/actual attempts at system violation;

~~_____~~ Assemble information sheet for users which describes the functionality of the system and the accompanying legislation which mandated its production;

~~_____~~ Provide a means to recover the data, the program and associated functionality in the event of system disruption or failure.

The finished application will be accessible and operational from any public defender workstation that has Internet connectivity and is running Internet browser software. To access the system, a user must have a valid username and password assigned by the Bureau of Criminal Apprehension according to predefined access criteria defined by the Bureau.

Conclusion

Phase two of this project is scheduled to be completed by August 1, 1998. Phase three will begin following the successful completion of Phase two. Phase three will involve modifying the results of phase two for "public" access. This will enable the citizens throughout Minnesota to access public conviction data from any site where they can log onto the Internet. This would include from their homes, libraries, or work. The complicated portion of Phase three will be the commerce piece of the project. Although the access to the information will be widely available, there is the need to collect a fee for Internet access to the data. This could involve several methods of payment collection. Two of the most widely used methods would be the creation of an account that a user would refer to when logging onto the system (pre-paid access), or by using a personal credit card to pay the fee for each access to the data. Other states have been successful with these commerce systems in collecting fees to pay for the system. The concern that the BCA has with providing free access to criminal conviction data is the substantial affect this would have in their ability to operate at the present level. The BCA is dependent upon the fees raised through non-criminal justice record checks for funding CCH/Identification positions, improvements in the CCH system and ongoing operating expenses. This revenue stream provides approximately \$13 million dollars per year, perhaps 90% of which would have to be replaced by general funds or other sources in order to continue to provide the criminal history services and products presently available.

CJS

Data practices

Data Policy

data privacy

Decision

CCH Public Defender Project

Project Start Date: Mon 12/1/97
 Project Finish Date: Wed 7/15/98

*Karen -
 FYI -
 I have shared
 with Bob Sykora.
 June*

Task Data

ID	Task Name	Duration	Start Date	Finish Date
1	Initial Meeting Regarding CCH Web Project	1 day	Fri 11/21/97	Fri 11/21/97
2	Prepare Transfer/Conversion Programs to Move Data from BCA to OTSS	23 days	Mon 11/24/97	Wed 12/24/97
3	Prepare Requirements Documentation for Demo	15 days	Mon 12/1/97	Fri 12/19/97
4	Prepare GUI for Demo	2 days	Mon 12/22/97	Tue 12/23/97
5	Prepare Data Query Program for Demo	5 days	Fri 1/2/98	Thu 1/8/98
6	Demo Posted Online for BCA Review	1 day	Thu 1/8/98	Thu 1/8/98
7	Demo Released to MIS Public Defender Representative	1 day	Fri 1/9/98	Fri 1/9/98
8	Demo Concepts Presented in Hearing	1 day	Mon 1/12/98	Mon 1/12/98
9	Prepare System Design Documentation for Production System	10 days	Mon 1/19/98	Fri 1/30/98
10	Change Request Form Received by BCA(Add alias info)	1 day	Mon 2/2/98	Mon 2/2/98
11	Prepare New CCH Public Access Data Query Programs with Alias Info	39 days	Tue 2/3/98	Fri 3/27/98
12	Fix Error in CCH Public Data Fields	6 days	Fri 3/20/98	Fri 3/27/98
13	Prepare New Data Transfer Including Alias Info	5 days	Mon 3/23/98	Fri 3/27/98
14	New Data Including Alias Info Transferred to OTSS	1 day	Mon 3/30/98	Mon 3/30/98
15	First Automated Data Transfer to OTSS from BCA	1 day	Sun 4/5/98	Sun 4/5/98
16	Prepare New System Design Documentation and Project Plan Using Alias Info	28 days	Mon 4/6/98	Tue 5/12/98
17	Move CCH Programs to Production Web Server	1 day	Tue 4/28/98	Tue 4/28/98
18	Transfer Data from BCA to Production Web Server	1 day	Sun 5/3/98	Sun 5/3/98
19	Move Web Server to Optional Segment for Better Enterprise Network Security	1 day	Fri 5/8/98	Fri 5/8/98
20	Enhance System Security on Optional Segment of Firewall	5 days	Mon 5/11/98	Fri 5/15/98

21	Obtain Signatures on System Design Documentation	4 days	Tue 5/12/98	Fri 5/15/98
22	Prepare GUI/Data Query Program for Production System	26 days	Mon 5/18/98	Mon 6/29/98
23	Prepare User Documentation for System	6 days	Tue 6/23/98	Tue 6/30/98
24	Internal OTSS Testing of Production System	5 days	Wed 7/1/98	Tue 7/7/98
25	Document All Procedures, Backup all Files, Programs, Data Elements	5 days	Wed 7/1/98	Tue 7/7/98
26	BCA Testing of Production System	5 days	Wed 7/8/98	Tue 7/14/98
27	Initial Rollout of CCH Program to MIS Public Defender Representative	1 day	Wed 7/15/98	Wed 7/15/98

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August 18, 1998

SECOND REQUEST

TO: (C.M) Karen McDonald
Bureau of Criminal Apprehension
Office of the Superintendent
1246 University Avenue
St. Paul, MN 55104

INTEROFFICE

FROM: Marilyn Cathcart, Director

According to our records the following legislation mandated your agency to produce a report:

Cite: 1997 Minn. Laws First Spl. Session Chap. 3 Sec. 46
Topic: Plan for making public conviction data available at locations beyond the central BCA office
Due date: January 15, 1998

When the report is completed, you are required by statute to send six copies to the Legislative Reference Library (MS 3.195; MS 3.302).

Please help us track the status of this report.

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Thank you for your help. If you have questions, please contact Kim Gunderson (651-296-0586).