

Leanne A. Shimabukuro 06/13/97 05:05:58 PM

Record Type: Record

To: Jose Cerda III/OPD/EOP

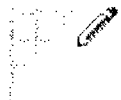
cc:

Subject: gang tracking network

It is my understanding that PERF submitted a preliminary implementation plan for the gang tracking network to NIJ this week.

I think PERF had committed to submit an implementation plan in June, and upon approval, NIJ would release a portion of the grant they received to do the network. Can you call Jeremy Travis to convey our interest and make sure they don't sit on this plan? This may be the draft plan, but I guess it may be good to know if the plan is totally out of the ballpark (see e.g., tracing initiative) so PERF can revise and resubmit quickly. The network is way behind schedule and we need to make sure it doesn't get permanently stalled.

Thanks.



Christa Robinson
06/11/97 05:14:40 PM

Record Type: Record

To: Jose Cerda III/OPD/EOP

cc:

Subject: Latest info. on Gang Tracking Network

----- Forwarded by Christa Robinson/OPD/EOP on 06/11/97 05:19 PM -----



Christa Robinson
05/16/97 10:44:05 AM

Record Type: Record

To: Michelle Crisci/WHO/EOP

cc: Leanne A. Shimabukuro/OPD/EOP, Jose Cerda III/OPD/EOP, Barry J. Toiv/WHO/EOP

Subject: Latest info. on Gang Tracking Network

The President announced last year this week in a Gang Event in the East Room that DOJ would grant \$1 million to CT, NY, VT, RI, MA, MD, and FL to develop a gang tracking network where information could be shared to track gangs that move from city to city. The grants were to go to the Police Executive Research Forum (PERF) who is the project manager.

PROGRESS REPORT:

In October, NIJ authorized a grant to PERF of \$424,701 as a phase I grant -- the money has not been released to PERF yet b/c NIJ has requested implementation plans before they will release the money. The implementation plan will be submitted in June, and because it was decided to break the grant into phases the only states participating and ultimately receiving the phase I grant are: MA, CT, VT, RI, and NY.

As soon NIJ releases the money the states will begin to buy the necessary hardware. There are plans underway to have ONDCP contract out the software and hardware connections because they have similar technological models which should mean it can be functional rather quickly. The network is expected to be functioning by the Fall.

(Although MD and FL are not currently working on this project, they are expecting to get involved in this project in some way after phase I grant is implemented. There is no decision yet by NIJ to continue the project after phase I, and that is something we will need to clarify.)

We could release the list of equipment that the New England States have agreed to purchase with the grant money if you think that is helpful. We are still looking into examples of how sharing information on gangs has been helpful in the past to use as anecdotes.

YOUTH VIOLENCE
GANG TRAFFICKING
NETWORK
POSSIBLE: (1) EVENTS
(2) TECHNOLOGY

Leanne A. Shimabukuro 06/13/97 05:05:58 PM

Record Type: Record

To: Jose Cerda III/OPD/EOP

cc:

Subject: gang tracking network

It is my understanding that PERF submitted a preliminary implementation plan for the gang tracking network to NIJ this week.

I think PERF had committed to submit an implementation plan in June, and upon approval, NIJ would release a portion of the grant they received to do the network. Can you call Jeremy Travis to convey our interest and make sure they don't sit on this plan? This may be the draft plan, but I guess it may be good to know if the plan is totally out of the ballpark (see e.g., tracing initiative) so PERF can revise and resubmit quickly. The network is way behind schedule and we need to make sure it doesn't get permanently stalled.

Thanks.



Christa Robinson
06/11/97 05:14:40 PM

Record Type: Record

To: Jose Cerda III/OPD/EOP

cc:

Subject: Latest info. on Gang Tracking Network

----- Forwarded by Christa Robinson/OPD/EOP on 06/11/97 05:19 PM -----



Christa Robinson
05/16/97 10:44:05 AM

Record Type: Record

To: Michelle Crisci/WHO/EOP

cc: Leanne A. Shimabukuro/OPD/EOP, Jose Cerda III/OPD/EOP, Barry J. Toiv/WHO/EOP

Subject: Latest info. on Gang Tracking Network

The President announced last year this week in a Gang Event in the East Room that DOJ would grant \$1 million to CT, NY, VT, RI, MA, MD, and FL to develop a gang tracking network where information could be shared to track gangs that move from city to city. The grants were to go to the Police Executive Research Forum (PERF) who is the project manager.

PROGRESS REPORT:

In October, NIJ authorized a grant to PERF of **\$424,701 as a phase I grant** -- the money has **not** been released to PERF yet b/c NIJ has requested implementation plans before they will release the money. The implementation plan will be submitted **in June**, and because it was decided to break the grant into phases the only states participating and ultimately receiving the phase I grant are: MA, CT, VT, RI, and NY.

As soon NIJ releases the money the states will begin to buy the necessary hardware. There are plans underway to have ONDCP contract out the software and hardware connections because they have similar technological models which should mean it can be functional rather quickly. The network is expected to be functioning by the Fall.

(Although MD and FL are not currently working on this project, they are expecting to get involved in this project in some way after phase I grant is implemented. There is no decision yet by NIJ to continue the project after phase I, and that is something we will need to clarify.)

We could release the list of equipment that the New England States have agreed to purchase with the grant money if you think that is helpful. We are still looking into examples of how sharing information on gangs has been helpful in the past to use as anecdotes.



Christa Robinson
05/16/97 10:44:05 AM

Record Type: Record

To: Michelle Crisci/WHO/EOP

cc: Leanne A. Shimabukuro/OPD/EOP, Jose Cerda III/OPD/EOP, Barry J. Toiv/WHO/EOP

Subject: Latest info. on Gang Tracking Network

The President announced last year this week in a Gang Event in the East Room that DOJ would grant \$1 million to CT, NY, VT, RI, MA, MD, and FL to develop a gang tracking network where information could be shared to track gangs that move from city to city. The grants were to go to the Police Executive Research Forum (PERF) who is the project manager.

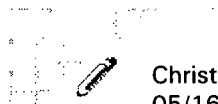
PROGRESS REPORT:

In October, NIJ authorized a grant to PERF of **\$424,701 as a phase I grant** -- the money has **not** been released to PERF yet b/c NIJ has requested implementation plans before they will release the money. The implementation plan will be submitted **in June**, and because it was decided to break the grant into phases the only states participating and ultimately receiving the phase I grant are: MA, CT, VT, RI, and NY.

As soon NIJ releases the money the states will begin to buy the necessary hardware. There are plans underway to have ONDCP contract out the software and hardware connections because they have similar technological models which should mean it can be functional rather quickly. The network is expected to be functioning by the Fall.

(Although MD and FL are not currently working on this project, they are expecting to get involved in this project in some way after phase I grant is implemented. There is no decision yet by NIJ to continue the project after phase I, and that is something we will need to clarify.)

We could release the list of equipment that the New England States have agreed to purchase with the grant money if you think that is helpful. We are still looking into examples of how sharing information on gangs has been helpful in the past to use as anecdotes.



Christa Robinson
05/16/97 10:44:05 AM

Record Type: Record

To: Michelle Crisci/WHO/EOP

cc: Leanne A. Shimabukuro/OPD/EOP, Jose Cerda III/OPD/EOP, Barry J. Toiv/WHO/EOP

Subject: Latest info. on Gang Tracking Network

The President announced last year this week in a Gang Event in the East Room that DOJ would grant \$1 million to CT, NY, VT, RI, MA, MD, and FL to develop a gang tracking network where information could be shared to track gangs that move from city to city. The grants were to go to the Police Executive Research Forum (PERF) who is the project manager.

PROGRESS REPORT:

In October, NIJ authorized a grant to PERF of **\$424,701 as a phase I grant** -- the money has **not** been released to PERF yet b/c NIJ has requested implementation plans before they will release the money. The implementation plan will be submitted **in June**, and because it was decided to break the grant into phases the only states participating and ultimately receiving the phase I grant are: MA, CT, VT, RI, and NY.

As soon NIJ releases the money the states will begin to buy the necessary hardware. There are plans underway to have ONDCP contract out the software and hardware connections because they have similar technological models which should mean it can be functional rather quickly. The network is expected to be functioning by the Fall.

(Although MD and FL are not currently working on this project, they are expecting to get involved in this project in some way after phase I grant is implemented. There is no decision yet by NIJ to continue the project after phase I, and that is something we will need to clarify.)

We could release the list of equipment that the New England States have agreed to purchase with the grant money if you think that is helpful. We are still looking into examples of how sharing information on gangs has been helpful in the past to use as anecdotes.

1120 CONNECTICUT AVENUE, N.W., SUITE 930
WASHINGTON, D.C. 20036
PHONE: (202) 466-7820
FAX: (202) 466-7826
TTY: (202) 466-2670



POLICE EXECUTIVE
RESEARCH FORUM

EXECUTIVE DIRECTOR
EXECUTIVE DIRECTOR

CC: Jose
Leame

TELECOPIER INFORMATION SHEET

TIME: 11:40 AM P.M.

DATE: 5/16/97

This transmission is _____ pages (including cover sheet).

TO: Christa Robinson

Agency/Organization: White House

FROM: C. Karchmer

COMMENTS:

NIS progress report with
Selected Appendix material

~~If you do not receive~~ all pages, please call PERF at (202) 466-7820

Progress Report:
New England Region Gang Information System
Cooperative Agreement No. 96-LB-VX-K007

This report covers the period from the inception of the project concept (which preceded the actual project award by approximately six months) through the first six months of the project's history. The focus on the project's inception is intended to shed light on the rationale for proceeding in the manner outlined in the PERF proposal to NIJ, and by so doing, begin to explain departures from the original concept.

1. Background and Origin of the Project

The origin of the project can be traced to several conversations and meetings in 1996, involving Massachusetts State Police (MSP) gang unit personnel, staff from AT&T, and various personnel from the Department of Justice and White House Office of Domestic Policy. The meetings and conversations produced consensus on the need for a demonstration that the solution to the basic problem to be addressed--the migration of gang members from one jurisdiction to another, and across state lines--could be addressed best by creation of a proprietary communications network open only to participating investigators. Furthermore, the parties involved believed that the foundation for the system should be Lotus Notes, as that had already been chosen as the reporting medium by the Boston Police and also MSP. A particular feature of Lotus Notes was the reported ease of conducting test based searches for specific identifiers and other information.

In the spring of 1996 President Clinton attended a demonstration of the rudimentary MSP system and announced that there would be a demonstration of the gang information database concept. On several occasions thereafter, the President either personally stated his commitment to the information system or it was contained in his remarks and White House briefing materials on the Administration's program to combat violent gangs.

Early in the summer of 1996, PERF began to have discussions with MSP, AT&T staff and consultants, and NIJ staff on the basic configuration of the proposed system, and the need to treat the effort not just as a demonstration (which conceivably could succeed or fail), but as an experiment in the definition of a technological solution to a law enforcement problem, where police personnel (from MSP) undertook to define a considerable portion of the system architecture and, in effect, bootstrap a version of the proposed system using their own internal resources and their own (if limited) technological capabilities.

PERF believed that a chronology of this process, and a longer history of the project prepared as a case study, would provide insights into the dynamics of interaction between police criminal investigative and non-enforcement technology providers; and that an analysis of this interaction that could well inform subsequent collaborations by pointing toward better planning and strategy development processes. It is also possible that when police perform their own technology

assessments, pointing toward particular systems and perhaps even vendors they have in mind beforehand, they commit errors that could call for outside assistance early in the project.

It should be noted that, in this context, all types of organizational and technological problems are instructive. That is because such problems represent obstacles that police, and only police, must develop strategies to address if they are to lead their agencies in the investment of technology and extract maximum benefit from those systems. As such the processes of encountering and overcoming problems represent learning experiences and thus have a positive benefit that may not be appreciated at the time they occur.

In August 1996, PERF submitted a proposal to NIJ for a demonstration project that would provide for a communications infrastructure linking the five core state police agencies, and any local departments working with them on this project, together in a proprietary gang information exchange system. The core states were Massachusetts, New York, Vermont, New Hampshire and Connecticut. Their initial selection was based on the mobility of gang members along the Interstate 91 (I-91) corridor.

NIJ awarded the project to PERF in October, 1996, with a substantial number of special conditions that are important to note because those conditions raised compliance issues that directly affected the timing and implementation plans for the project, and add further legal and administrative requirements to the initial mix of criminal investigation and technology components.

II. Activities and Progress to Date

Although the official NIJ award was made in October, 1996, in anticipation of a certain award there were a number of preliminary meetings between NIJ and PERF staff on central issues involving special condition compliance. Specifically, the federal regulations governing the automated transmission of intelligence and investigative information is covered in 28 CFR 23 et seq. Based on initial questions on whether the central project feature of an investigator database could even comply, the preliminary meetings were held to explore whether DOJ could find an exception to the compliance requirements, or in some way grant it an exemption. A determination was made prior to the NIJ award that no exemption would be sought by NIJ and that the project would have to comply with 28 CFR. That meant that each project component that might pose compliance questions would have to be reviewed by the Office of Justice Programs (OJP) legal counsel in order to determine the exact nature of the compliance issue, and if it could be determined, what might need to be done of the system architecture in order to facilitate compliance.

Beginning with the grant award initial meeting in October, there were several meetings and requests by the MSP and PERF for clarification of the compliance issues. General information was provided by the OJP counsel in the form of a letter (not an advisory opinion) provided to MSP. While helpful, that letter left open central questions about the most central and also most

troublesome features of the system: the investigator e-mail and gang investigative databases.

To help promote compliance and ensure that the project stayed on track, NIJ and PERF requested technical assistance from the Institute for Intergovernmental Research (IIR), a non-profit technical assistance entity that reviews Justice Department funded programs where 28 CFR issues are involved, and provides training and other assistance to help promote compliance. In October, NIJ staff traveled to Massachusetts to meet with state police and gang unit officials to learn specifics of the system and discuss compliance issues (Note: PERF staff did not attend that meeting and therefore it is not actually a part of this report.)

On November 20, a meeting was held at MSP headquarters in Framingham, attended by IIR, PERF, NIJ, OJP (counsel) participating state, and other personnel to review compliance issues and to discuss next steps in the project. The purpose of the meeting was to discuss the issue of 28 CFR compliance and the conditions under which the gang investigation database would actually function to collect investigative leads. That discussion, led by Paul Kendall of the OJP legal counsel office, clarified matters considerably. However, it also created an issue not previously framed about the necessary division of each investigator's own files into investigative leads and criminal intelligence, and the further logical issue of how to provide for the purging after 90 days of affected text.

Although the OJP counsel's interpretation of actions to ensure compliance were becoming clearer, the issue presented to participating agencies was the time and manpower required to make the distinctions within each investigative or incident report, and the need for some type of oversight mechanism (not heretofore provided for) to audit information in the system to ensure that participating agencies were complying.

The discussion at that meeting was followed up by a November 26 letter from IIR Executive Vice President Emory Williams to Paul Kendall, General Counsel of OJP (see Appendix for a copy of that letter). Notwithstanding the importance of these issues, the clarification provided by IIR at the November meeting and subsequent letter were probably the most important milestone in the first six months of this project. In addition to ensuring that this project would have the opportunity to cross the legal threshold toward implementation, the clarification also stand as important precedent on how other automated information sharing systems can provide for the sharing of investigative information and still comply with stringent federal safeguards.

One of the principle outcomes of the November 20 meeting was the decision to have IIR provide training on 28 CFR issues and compliance questions for the personnel from each participating state. That training was set for January 25 at the MSP headquarters in Framingham. The session was extremely productive in further clarifying operational issues and refining exactly what each state's system administrator and individual investigators participating in the system would have to do with different kinds of files and in various situations to comply. When the training meeting concluded, no significant legal or procedural impediments remained to 28 CFR compliance, save investigators' finding time to distinguish what text in their files would require compliance after the 90 day period during which subject information is characterized as lead

specific and not intelligence. It should be noted that a discussion followed, led by MSP personnel, that each investigator would take the time, and would have to find time, to perform that separation of information in gang files, but that it was possible to effect this.

The January training session was extremely useful in further explaining the 28 CFR issues and exploring how the compliance requirements would impact information in the gang database. The proceeding also brought together the key individuals from the five participating states. IIR distributed a 28 CFR policy manual, Criminal Intelligence Policy: Operations Manual that covered each 28 CFR compliance issue.

On February 6, project personnel met with MSP staff and representatives from each of the participating states; by that time Rhode Island had been added as a sixth state site. The purpose of that meeting was to develop a list of basic equipment that each state needed that would constitute an operational system. Each state sent two representatives, one versed in technical issues and the other a gang investigator who would use the system. That approach worked out very well, as the technical person would probably become the state system administrator and needed to interact with personnel from other states on equipment as well as policy (e.g. 28 CFR issues).

The eventual equipment list consisted of at least one state server, several personal computers and laptops (the latter in states which had no field computer support for investigators), and a minor assortment of peripherals. PERF and MSP were assisted in the equipment assessment by the firm XL Connect, which had performed similar work for MSP. XL Connect staff provided a neutral third party approach to the review of equipment and also began the process of pricing the equipment to make sure that there were sufficient project funds to support each state's infrastructure. XL Connect later prepared an equipment inventory in cooperation with MSP personnel.

Following the Massachusetts February meeting, PERF and NJ staff met on February 18 to discuss a realistic schedule for the demonstration, what the demo would entail, and the need for a schedule of the important events that would bring about the demo as the major project activity. At that meeting it was finalized that the demo would involve more than one state, and hopefully all participating states, and that live information would be exchanged that was in compliance with 28 CFR. Further, as result of consensus reached among staff at the earlier meeting in Framingham, a schedule was needed for the equipment acquisition, implementation, and training of system administrators and others in both policy (28 CFR) and Lotus Notes issues.

Toward the beginning of March, MSP staff drafted a very detailed work plan providing tight but workable schedules for the equipment purchase, installation, training, etc., but soon thereafter communication broke down between PERF staff and MSP personnel. The equipment purchase schedule and other significant project milestones were thrown off track, and in April MSP notified PERF that a lieutenant then assigned to INTERPOL in Washington would return to Boston in early May to take over administration of the project and work on implementation on a full time basis.

Appendixes:

Correspondence on Compliance with 28 CFR et seq., and

Estimates of Equipment Needs



KATHLEEN M. O'TOOLE
SECRETARY

COLONEL REED V. HILLMAN
SUPERINTENDENT

The Commonwealth of Massachusetts

Department of State Police

Division Of Investigative Services

470 Worcester Road

Framingham, Massachusetts 01701

September 25, 1996

Mr. David Boyd, Director
Office of Science & Technology
National Institute of Justice
633 Indiana Avenue, NW
Washington, DC 20531

Dear Mr. Boyd:

The purpose of this letter is to request clarification about how 28 CFR 23 will be applied to the gang information system currently being developed by the Massachusetts State Police and being considered for a grant award. The information system consists of five related components built on a secure electronic messaging system. The purpose of this system is to increase the effectiveness of gang investigators through improved communication and information management. In this respect, only a relatively small percentage of the system focuses on "intelligence." If compliance to 28 CFR 23 is demanded of every component of the system, it would be counter productive, rendering the system ineffective and remove all incentives for using this technology.

In this letter I will describe each of the system components and the reason I do not believe they are governed by 28 CFR 23. The one exception to this is the gang database. However, you must understand that this file also contains many documents which are investigative in nature and are not controlled by 28 CFR 23. Our decision to include intelligence information in this file was based on our desire to use all available information to evaluate this data. For this component of the system, I request a waiver of 28 CFR Part 23 by authority granted in section 23.20, subsection (c). However, if a waiver cannot be granted, provided you agree with my analysis, the intelligence aspect of the system could be isolated into a separate database and made to comply with 28 CFR 23.

The system is built around a messaging system which includes electronic mail (E-Mail). The benefits of E-Mail are widely known and saves both time and money. Almost any type of information can be quickly sent using E-Mail. In fact, information which can be distributed by fax, teletype, phone, radio or in face to face communications can be easily sent by E-Mail and directed to one or many people. 28 CFR 23 does not control the use of facsimile machines, phones, teletypes or radios and it should not be used to limit the usefulness of E-Mail. The integrated E-mail will enhance the day to day communications of law enforcement officers, as well as to provide timely announcements relating to available training, changes in statute law and other important information which may effect officer safety.

A second component of the system is an officer directory. It will provide a simple method to find and contact the resources in an area. Many of these people will be available on-line through the E-Mail system. This type of database is clearly not limited by 28 CFR 23.

The third element of the information system is what we refer to as a "Discussion Database." This database is an open forum which encourages communication and collaboration. The discussion database will be used to expand the collective knowledge of gang investigators. It may be used to post information and to solicit responses from other investigators. In the past, it has been used to post articles, training and conference announcements, missing children's pictures, and articles concerning dangerous weapons. One investigator can ask a question or request the identity of a person or item in a picture. Other investigators who know the answers can provide them and every investigators who did not know the answer will benefit because they can read the responses. This database can not be restricted by 28 CFR 23 and remain effective. It is not an intelligence database. It is an important communication tool which facilitates law enforcement collaboration by interaction and exchanging information.

The fourth database is the publication database. This is an electronic collection of gang related material obtained through newspapers, periodicals and professional journals which can be accessed by gang investigators. This type of information is not governed by 28 CFR 23.

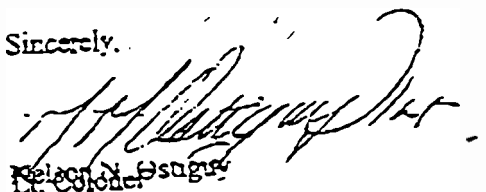
The fifth database is the gang database. This database contains both investigative and intelligence files. The majority of the information in the database are police reports including arrest reports, case reports, and affidavits. As such, much of this information is public record and could be shared with other agencies, via facsimile machine or US mail, without restrictions. The system provides an easy way to organize these files and share them. Because this investigative information is in an electronic format it should not be subjected to 28 CFR 23.

Only a small percentage of the data in the gang database is "intelligence". It is possible that the intelligence aspect of this database could be segregated into a separate database. This division would reduce overall system effectiveness and will place substantial administrative burdens on everyone involved in the project. Therefore, I believe that the interest of law enforcement warrants a waiver of 28 CFR 23 as authorized by section 23.20 (c). However, with adequate project support, compliance with 28 CFR 23 could be built into this one aspect of the system. This would of course be more expensive to design, develop, implement and maintain.

To summarize, the State Police gang information system can best be described as a "communications" and "information management" system which allows the efficient transfer of knowledge from one investigator to others. This technology can be a substantial "force multiplier". However, if every component is forced to comply with 28 CFR 23, the system will be ineffective and in essence will become a "force reducer." Privacy protections are a genuine concern of the Massachusetts State Police. The project recognizes the need of written directives for access to and use of this system. However, we must balance these needs with our duty to protect the public and to that end we must not allow these out-of-date regulations to thwart this innovative law enforcement effort.

Please contact me with any questions or concerns that you might have and thank you for your assistance in the matter

Sincerely,



Lt. Colonel



INSTITUTE FOR INTERGOVERNMENTAL RESEARCH

William Lee Reed
President

Emory S. Williams
Executive Vice President

Post Office Box 12729
Tallahassee, Florida 32317
Phone (904) 385-3600
Fax (904) 422-3529
<http://www.iir.com>

November 26, 1996

Paul Kendall, Esquire
General Counsel
Office of Justice Programs
Suite 1245-E
655 Indiana Avenue, NW
Washington, DC 20531

Dear Paul:

This letter is a follow-up to our meeting last week with you, representatives of the Massachusetts State Police, Mike Waldron (National Institute of Justice), and Cliff Karchmer (Police Executive Research Forum) regarding the implementation and operation of the New England Gang Information System. Specifically, we discussed the System with respect to compliance with 28 CFR Part 23 (Criminal Intelligence System Operating Policies). IIR's participation in these discussions was pursuant to direction from the Bureau of Justice Assistance as a part of our Statewide Intelligence Systems Program technical assistance and training efforts.

Based on the presentation and information we received on the New England Gang Information System components and operation, we offer the following comments on each component:

E-Mail Capability

The New England Gang Information System proposes to provide secure e-mail capability for each participating agency representative and to use the e-mail for exchange of investigative and intelligence information between officers and agencies regarding law enforcement matters. The e-mail messages will be private; will remain in the ownership of the officers sending/receiving the mail, and will not be aggregated (pooled) in a central repository for subsequent searching and retrieval. Subsequent access will be only by the owner of the message. We do not believe these types of transactions are affected by 28 CFR Part 23.

Discussion Database

The Discussion Database is envisioned as a capability for posting requests for information regarding subjects of criminal investigations to a shared access electronic bulletin board, in which other law enforcement officers and agencies are requested to respond by posting their responses to this bulletin board. It is anticipated that this capability will also be used for rapid and general dissemination of investigative information, to post investigative questions about law enforcement investigations, and to receive responses to each of these. It is possible for the information to be maintained for an unlimited period of time and searched and shared by all participants to the bulletin board.

This process borders on being an interjurisdictional intelligence system and, as such, would not be in compliance with the requirements of 28 CFR Part 23 without assuring compliance of each posting and exchange of information on the bulletin board with the requirements of 28 CFR Part 23. The Massachusetts State Police officials advised that to do so would not be consistent with the intended purpose of this component.

We believe, however, that the Discussion Database is actually an investigative lead index and is clearly distinguished from an intelligence database. To clarify matters, we would recommend the Discussion Database be retitled as the Investigative Lead Index and that it be used exclusively for asking for and responding to investigative leads in conjunction with active criminal investigations. In addition, we would recommend that no information be maintained in the Index longer than 90 days, after which time that information could be transferred to the Gang Database (criminal intelligence database), assuming the information meets the requirements of 28 CFR Part 23, or to the agency case management file of the particular case under investigation.

Officer Profile Component

This component is a directory of all officers participating in the New England Gang Information System and provides information on expertise and resources available in a geographic area for contact purposes. Operated as described, we do not believe this component comes under 28 CFR Part 23 requirements.

Resource Library

This component is planned to be a collection of gang-related publications obtained through public sources (e.g., newspapers, periodicals, and professional journals) which can be accessed by gang investigators participating in the System. We do not believe this component would be governed by 28 CFR Part 23.

Gang Database

This component is designed for use in receiving, storing, and disseminating criminal intelligence information about gangs and members of gangs. It clearly must comply with 28 CFR Part 23 and, with a few additions to the submission data elements, the design will make it suitable for compliance assuming all entries to the database are tested for compliance. We are attaching a list of data elements usually found in interjurisdictional intelligence databases which we believe will assist in properly implementing this component. As discussed at the meeting, we would recommend a formal training program for all participants in the requirements of 28 CFR Part 23.

We are impressed with the goals and objectives of the New England Gang Information System and their use of technology for successful implementation. If we can assist you or the Massachusetts State Police further, please let us know.

Sincerely,



Emory B. Williams

EBW:ra
kendallmassgang

Enclosures

cc: Mr. Mike Waldron, NIJ
Mr. Jose McLoughlin, BJA
Mr. Cliff Karchmer, PERF

DATA FIELDS TO ASSIST IN COMPLYING WITH 28 CFR PART 23 REGULATIONS

SOURCE RELIABILITY CONTENT RELIABILITY

- Information maintained must be labeled to indicate levels of sensitivity and levels of confidence (Section 23.20 (g), 28 CFR Part 23).

DISSEMINATION RECORD

- An audit trail is required when information is disseminated from the database. A record must be kept indicating who has been given information, the date disseminated, and reason for release of the information (Section 23.20 (g), 28 CFR Part 23). This record does not have to be created automatically by the database; policies and procedures could be implemented to handle the audit trail manually.

CRIMINAL ACTIVITY

- Information on individuals and organizations may be maintained only if an individual or organization is reasonably suspected of criminal activity and the information is relevant to that criminal activity (Section 23.20 (a) and (b), 28 CFR Part 23). This provision applies to all names maintained in the database—primary subjects, associates, gangs, groups, organizations, business, employers, employees, relatives, attorneys, and so forth. Provisions should be made in the system to link all names entered to a criminal activity.

SUBMITTAL DATE or PURGE DATE

- All information retained in the system must be reviewed and validated for continuing compliance with submission criteria before the expiration of its retention period, which in no event shall be longer than five (5) years (Section 23.20 (h), 28 CFR Part 23). The review, validation, and purge process may be a manual process or an automated process or a combination of both. A data field is needed so that a determination can be made of how long the information has been in the system and when it is due for purge. The purge date could be calculated (either manually or automatically) based on the submittal date or the purge date could be manually entered.
- 28 CFR Part 23 allows all information entered in the criminal intelligence database to be retained for up to five years before review and validation or update for continuing retention. Certain types of updates may occur prior to end of the five (5) year retention period which may automatically extend the retention period. Updates must be substantive updates of the criminal activity of the individual or organization in order to extend the retention period. Updates to data such as physical description, address, or like data do not qualify for extending the retention period.

Two additional items are not required by 28 CFR Part 23, but are recommended for consideration. One is a data field for DISSEMINATION CODE. RISS projects utilize this field for their participating agencies to designate any restrictions on the release of the information they submit to the system. The other is an affirmation that the information submitted meets the 28 CFR Part 23 requirements. The regulations require that the project must either receive sufficient information to make a determination that reasonable suspicion requirements have been met and that the information was not obtained in violation of applicable federal, state, or local law, or this responsibility may be delegated to the submitting agency. The suggested affirmation could be a statement on the hard copy submission form or a data field such as 28 CFR Part 23 COMPLIANCE, or both.

All of the above discussed data fields are provided for in the RISSNET II intelligence database, which has been implemented at the RISS projects. The data codes or values being used by the RISS projects for these fields are included in the RISSNET II written documentation.

Public record databases, such as telephone toll/subscriber directories and motor vehicle files, are exempt from 28 CFR Part 23. Public record files should be maintained separately from criminal intelligence database files subject to 28 CFR Part 23. Telephone subscriber names, as is the case with all names entered in the intelligence database regulated by 28 CFR Part 23, may not be entered and maintained in the intelligence database unless the subscriber is reasonably suspected of criminal activity and the information is relevant to that criminal activity.

Remote terminal access by system participants must be approved by OJP (Section 23.20(i)(1), 28 CFR Part 23). Attached are the system protection measures which should be implemented for remote terminal access (28 CFR Part 23. Discussion of Comments, pp 16-18).

REMOTE TERMINAL ACCESS SYSTEM PROTECTION MEASURES

1. Procedures for identification of authorized remote terminals and security of terminals;
2. Authorized access officer (remote terminal operator) identification and verification procedures;
3. Provisions for the levels of dissemination of information as directed by the submitting agency;
4. Provisions for the rejection of submissions unless critical data fields are completed;
5. Technological safeguards on system access, use, dissemination, and review and purge;
6. Physical security of the system;
7. Training and certification of system-participating agency personnel;
8. Provisions for the audit of system-participating agencies, to include: file data supporting submissions to the system; security of access terminals; and policy and procedure compliance; and
9. Documentation for audit trails of the entire system operation.



LOTUS NOTES PROJECT PROPOSAL

PROJECT:
NEW ENGLAND GANG INFORMATION
SYSTEM

PREPARED FOR:

POLICE EXECUTIVE
RESEARCH FORUM

PREPARED ON 02/25/97 BY:

SANJAY KALRA SENIOR CONSULTANT

XLConnect Solutions Inc.
245 Winter Street
Suite 450, Waltham, MA 02154
Phone: (617) 487-7722
Fax: (617) 487-7796

Equipment Requirements

State	Location	Qty	Description	Specification*
NY	Central	1	Server - File and Print (Novell 10 user)	Pentium 166 MHz, 64MB RAM, 2 GB HD
NY	Central	1	Server - Notes (NT)	Pent. Pro 200 MHz, 96 MB RAM, 4.3 GB HD RAID 5 Configuration.
NY	Central	2	Desktop PC's	Pentium 100 Mhz, 24 MB RAM, 1 GB HD
NY	Central	1	Printer - Network	
NY	TBD	1	Scanner	28.8 KBs Min.
NY	TBD	2	Modems External	Pentium 100 Mhz, 24 MB RAM, 1 GB HD. Rugged Eqpt. Recommended
NY	TBD	1	Laptop Computer	
NY	TBD	1	Portable Printer	
NY	TBD	1	Modem PCMCIA	28.8 KBs Min.
CT	Meriden	1	Server Upgrade	
CT	TBD	10	Ethernet Cards	
CT	TBD	5	Modems External	28.8 KBs Min.
CT	TBD	6	Laptop Computers	Pentium 100 Mhz, 24 MB RAM, 1 GB HD. Rugged Eqpt. Recommended
CT	TBD	6	Modems - PCMCIA Cellular Fax	28.8 KBs Min.
RI	Scituate SPHQ	1	Server - Notes (NT)	Pent. Pro 200 MHz, 96 MB RAM, 4.3 GB HD RAID 5 Configuration.
RI	Scituate SPHQ	2	Scanners	
RI	Providence PD	1	Server - Notes (NT)	Pent. Pro 200 MHz, 96 MB RAM, 4.3 GB HD RAID 5 Configuration.
RI	TBD	1	Laptop Computer	Pentium 100 Mhz, 24 MB RAM, 1 GB HD. Rugged Eqpt. Recommended
RI	TBD	1	Portable Printer	
RI	TBD	1	Modem PCMCIA	28.8 KBs Min.
VT	Waterbury SPHQ	1	Server - Notes (NT)	Pent. Pro 200 MHz, 96 MB RAM, 4.3 GB HD RAID 5 Configuration.
VT	Waterbury SPHQ	1	Scanner	
VT	Waterbury SPHQ	1	Printer Network	
VT	Waterbury SPHQ	1	Modem External	28.8 KBs Min.
VT	St. Johnsbury	1	Desktop PC	Pentium 100 Mhz, 24 MB RAM, 1 GB HD
VT	St. Johnsbury	1	Printer - Color Inkjet	
VT	Brattleboro	1	Desktop PC	Pentium 100 Mhz, 24 MB RAM, 1 GB HD
VT	Brattleboro	1	Printer - Color Inkjet	
VT	TBD	1	Laptop Computer	Pentium 100 Mhz, 24 MB RAM, 1 GB HD. Rugged Eqpt. Recommended
VT	TBD	1	Portable Printer	
VT	TBD	1	Modem PCMCIA	28.8 KBs Min.

MA	Agawam	1	Server - Notes (NT)	Pent. Pro 200 MHz, 96 MB RAM, 4.3 GB HD RAID 5 Configuration.
MA	Frammingham SPHQ		Server - Notes (NT)	Pent. Pro 200 MHz, 96 MB RAM, 4.3 GB HD RAID 5 Configuration.
MA	TBD	1	Laptop Computer	Pentium 100 Mhz, 24 MB RAM, 1 GB HD. Rugged Eqpt. Recommended
MA	TBD	1	Portable Printer	28.8 KBs Min.
MA	TBD	1	Modem PCMCIA	

* Minimum recommended specifications.