

Meeting in Brief:
Global Justice Information Sharing Initiative
Privacy and Information Quality Working Group
March 2, 2005

Pointe Hilton Squaw Peak Resort
7677 North 16th Street ♦ Phoenix, Arizona 85020

Background

The Bureau of Justice Assistance (BJA) and the Office of Justice Programs (OJP), U.S. Department of Justice (DOJ), convened the Global Justice Information Sharing Initiative (Global) Privacy and Information Quality Working Group (GPIQWG or Working Group) meeting, at 8:00 a.m., on March 2, 2005, in Phoenix, Arizona. Jeanette Plante, Esquire, GPIQWG chair,¹ and Robert Boehmer, Esquire,² GPIQWG vice chair, led the meeting in the furtherance of and alignment with the GPIQWG *Vision*³ and *Mission*⁴ Statements.

Attendees

Members

- Jeanette Plante, GPIQWG chair, *Executive Office for United States Attorneys*
- Robert Boehmer, GPIQWG vice chair, *Illinois Criminal Justice Information Authority*
- Alan Carlson, *The Justice Management Institute*
- Steven Correll, *NLETS – The International Justice and Public Safety Information Sharing Network*
- Cabell Cropper, *National Criminal Justice Association*
- Owen Greenspan, *SEARCH, The National Consortium for Justice Information and Statistics*
- Erin Kenneally, *San Diego Supercomputer Center*
- Thomas MacLellan, *National Governors Association*
- Wil Nagle, *Illinois Criminal Justice Information Authority*
- Cindy Southworth, *National Network to End Domestic Violence Fund*
- Martha Steketee, *National Center for State Courts*
- Carl Wicklund, *American Probation and Parole Association*

¹ This was the first meeting conducted by Chair Plante and Vice Chair Boehmer. Previously, Mr. Cabell Cropper, National Criminal Justice Association (NCJA), served as leader of the group, with Ms. Plante as second in command. Per Global governing bylaws, Mr. Boehmer's replacement of Mr. Cropper on the Global Advisory Committee (as the NCJA representative) necessitated a Working Group leadership change. In response, Ms. Plante assumed the Working Group chair position, Mr. Boehmer was nominated to the vice chair position, and Mr. Cropper remains involved as a GPIQWG member.

² *Ibid.*

³ ***GPIQWG Vision Statement:*** To accomplish justice information sharing that promotes the administration of justice and public protection by 1) preserving the integrity and quality of information; 2) facilitating the sharing of appropriate and relevant information; 3) protecting individuals from consequences of inappropriate gathering, use, and release of information; and 4) permitting appropriate oversight.

⁴ ***GPIQWG Mission Statement:*** To advance the adoption of privacy and information quality policies by justice system participants that promote the responsible collection, handling, management, review, and sharing of (personal) information about individuals.

Federal Official

- Bob Greeves, *BJA*

Staff

- Christina Abernathy, *Institute for Intergovernmental Research*
- Donna Rinehart, *Institute for Intergovernmental Research*

Primary Meeting Goal: To make significant progress towards completion of *The Privacy Policy Development Guidebook* (“Guidebook,” formerly termed “Workbook”).

Working Group members articulated the audience member(s) for the Guidebook would be the **“poor person(s)” charged with developing the privacy policy** and the corresponding need for the resource would be “to help him or her address those initial, prohibitive, seemingly insurmountable first steps.” More specifically, the group developed this target audience composite: **“Who is the user of this Guidebook? The person responsible for coping with the privacy implications associated with the collection and sharing of information, both internally and externally to their organization.** State-level analysis is the target, but this resource may be used by those at the regional level as well as being beneficial to those at the local level; however, with all of that said, **the key analysis needs to be trumping requirements at the state level.”**

Roundtable discussion⁵ led to a refinement of the Guidebook outline, including renaming of major sections. A copy of the final Guidebook Table of Contents is included as *Attachment A*.

Additional Agenda Topic: Updating Working Group members on complementary justice information sharing activities.

Chair Plante and Vice Chair Boehmer provided a **briefing on the Global Executive Steering Committee (GESC) Strategic Planning Session**, held January 20-21, 2005. Key GESC discussion issues that directly impact the GPIQWG were:

- The importance of attaching performance measures to Working Group recommendations.
- For Global strategic planning purposes, the need for Working Group leaders to assess anticipated resource needs (human and monetary) for 2005 activities.
- How the intersection of “privacy” and “information quality” issues should be handled (discussed later in this summary). The GESC requested a formal recommendation on this question.

⁵ Productive exchanges among Working Group members led to the Guidebook refinement. In the interest of brevity, the extensive member dialogue is ultimately represented by the Table of Contents in *Attachment A*. However, Global staff members took significant notes during this roundtable session, and parties interested in reviewing the discussion in its entirety should contact Donna Rinehart at (850) 385-0600, ext. 285.

- Subsumed in the above two bullet points is the question of membership: Are more Working Group members needed? Different members/different skill sets? Are privacy advocates adequately represented?

Bob Greeves provided the **OJP update** concerning:

- The National Information Exchange Model (NIEM),⁶ an interagency initiative to provide the foundation and building blocks for nationwide interoperable information sharing and data exchange. The NIEM project was formally announced at the Global Justice Extensible Markup Language (XML) Data Model (Global JXDM) Executive Briefing on February 28, 2005.⁷ It is initiated as a joint venture between the U.S. Department of Homeland Security (DHS) and DOJ with outreach to other departments and agencies. The base technology for NIEM is the Global JXDM. NIEM will leverage both the extensive Global JXDM reference model and the comprehensive XML-based framework and support infrastructure.
- The importance of GPIQWG cross-pollination with other Global Working Groups, particularly participation in Service-Oriented Architecture (SOA) activities (led by the Global Infrastructure/Standards Working Group [GISWG]). (This issue was discussed in detail later in the meeting.)
- A week prior to the meeting, DHS issued a press release announcing the appointment of twenty members to the Data Privacy and Integrity Advisory Committee (DHS Privacy Advisory Committee). According to the announcement:⁸

“This newest federal advisory committee to DHS was established to provide external expert advice to the Secretary and the Chief Privacy Officer on programmatic, policy, operational, and technological issues that affect privacy, data integrity, and data interoperability in DHS programs.

‘This Committee will provide the Department with important recommendations on how to further the Department’s mission while protecting the privacy of personally identifiable information of citizens and visitors of the United States,’ said Nuala O’Connor Kelly, the Chief Privacy Officer of DHS, ‘The diversity of experience and perspectives represented by this Committee will play an important role in advancing the national discourse on privacy and homeland security.’

The members of this Advisory Committee have diverse expertise in privacy, security, and emerging technology and come from large and small companies, the academic community, and the nonprofit sector. The members also reflect a depth of knowledge on issues of data protection, openness, technology, and national security. Members for the first term will serve staggered terms of two, three, or four years; and all subsequent members will serve for a period of four years.

⁶ More information on NIEM is available at <http://www.niem.gov>.

⁷ More information about the Executive Briefing is available at http://it.ojp.gov/topic.jsp?topic_id=195.

⁸ Located at http://www.dhs.gov/dhspublic/interapp/press_release/press_release_0625.xml.

The notice to establish the Committee and request for applicants was published in the *Federal Register* on April 9, 2004. More than 129 applications were received. The applications were reviewed by the Privacy Office, and former DHS Secretary Ridge accepted the recommendations of the Chief Privacy Officer. Future notices to serve on the Committee will be issued in advance of the expiration of terms to stabilize membership levels and to ensure continuing diversity of the privacy perspectives of the members.”

Working Group members expressed concern that GPIQWG is not represented on the DHS Privacy Advisory Committee, despite the application for membership by former Chair Cabell Cropper. Discussion focused on what steps should be taken, if any, to ensure DOJ and DHS privacy efforts are complementary—leveraging each other’s work—rather than operating in a vacuum (and perhaps even working at cross-purposes). The resolution was to keep the DHS Privacy Advisory Committee informed of GPIQWG recommendations (e.g., completion of the Guidebook) to ensure due diligence on Global’s part. GPIQWG members may wish to attend DHS privacy meetings as observers to assess operating procedures, areas of focus, and future plans. This information will help inform any “next steps” the Working Group might take to build a bridge between DOJ and DHS privacy efforts.

- The Global Training and Technical Assistance Committee (GTTAC) continues to facilitate Global JXDM adoption by the broader world through educational opportunities for both developers and users. To date, over 500 people have been trained, and four to five workshops are scheduled for 2005. In June, GTTAC will sponsor the inaugural Global JXDM Users’ Conference in Atlanta, Georgia. More information on this training is available at http://it.ojp.gov/topic.jsp?topic_id=193.
- Mr. Greeves noted that a chief program office concern is coordination of efforts. “One of our [OJP] objectives is to determine how to fit the pieces of ‘privacy’ together: the Guideline,⁹ Product I¹⁰ (the awareness piece), Guidebook (the process piece), Alan’s [Carlson] model policy/template piece We need to glue this stuff together; figure out how they support and complement each other”

Additional Agenda Topic: Determining GPIQWG treatment of “information quality,” both within the Guidebook and in future endeavors; related discussion – membership.

Chair Plante led a discussion regarding the intersection between “privacy” and “information quality,” addressing the following points:

1. How should these topics be handled in the Guidebook?
2. Moving forward, how should these topics be handled by the Working Group (structural implications)?
3. What is the next steps/next products forecast (pending resolution of the first two questions)?

⁹ *Justice Information Privacy Guideline*, located at <http://www.ncja.org/pdf/privacyguideline.pdf>.

¹⁰ *Privacy and Information Quality Policy Development for the Justice Decision Maker*, located at http://it.ojp.gov/documents/200411_global_privacy_document.pdf.

Resolutions

- Members unanimously expressed a strong opinion that these topics warrant separate products, and the timelines need not be synchronous. While the full Guidebook process (including vetting, feedback, and dissemination) will not be completed until summer 2005, Working Group members can immediately begin addressing information quality issues.
- In the Guidebook, information quality should be referenced in the “Process” section via an educational approach, such as raising awareness (“Your agency will need to address this . . .”), demonstrating/enumerating concerns, and providing basic information on the intersection between the two issues. The Guidebook should also contain a statement that GPIQWG will release best practices and recommendations on information quality in the future.
- GPIQWG attention to information quality issues may mean reconstitution of membership (excusing existing members and adding new members), addition of subject-matter experts (different than membership), and/or the creation of small, ad hoc task teams (e.g., a select group to shepherd the last stages of Guidebook refinement and distribution).

As a deliverable to the GESC, Chair Plante will report the following:

- As GPIQWG brings its privacy policy Guidebook to completion, the group will refocus its efforts, turning increased attention to the issue of information quality.
- At the next GPIQWG meeting, activities that will facilitate this refocusing include:
 - Determining specific goals and objectives related to information quality.
 - Securing subject-matter experts, as necessary, to help frame the issues fully.
 - As result of the above dialogue, determining membership needs.
- GPIQWG members plan to provide to the U.S. Attorney General (through Global and OJP) and the field with recommendations and guidance regarding information quality. The format of these recommendations will be determined through group dialogue and input from subject-matter experts.
- GPIQWG leadership does not anticipate increased need for resources.

Task: For the next GPIQWG meeting, Working Group members were requested to canvas their constituencies for information quality personnel/resources.

Additional Agenda Topic: Structural Issues—GPIQWG in the scheme of other Global Working Groups and subgroups; related discussion – membership.

Participants were asked to consider the following questions/issues:

- What should GPIQWG’s relationship be to the other Global Working Groups? What do they need from us, and what do we need from them?
- Regarding membership: are we “covered”? Do we need to involve more privacy advocates in the group or just in the vetting process?
- Should a GPIQWG representative be explicitly assigned to GISWG? Should one be assigned to all the other Global groups?
- Alternately, should GPIQWG participation be encouraged more surgically, at specific junctures when privacy-related input or feedback is appropriate (eliminating the need for GPIQWG members to physically attend other groups’ process-oriented meetings [“. . . watching the hole being dug . . .”])?

Resolution: Working Group leaders will recommend to the GESC two levels of cooperation between GPIQWG and other Global groups:

1. General Awareness—Ensuring each Global body is aware of “what we’re up to” and building relationships with all Global groups.
2. Peer Review on Global Documents—As Chair Plante explained, the other groups need to know that “We’re more than willing to review products in advance, with an eye toward privacy and information quality.” GPIQWG expertise and review services are deliverables to the GAC and should be utilized as such. **Special note:** Peer review necessitates strong shepherding by staff to ensure that review cycles and deadlines are met.

Other discussed cross-pollination items were as follows:

- **Task:** Placing a GPIQWG member on GISWG
 - **Responsible Party:** Chair Plante
 - **Follow-up Note:** The GISWG is currently undergoing leadership changes and minor membership adjustments. Once the structure is stabilized, Working Group leaders should discuss adding selected GPIQWG representative(s) with the new GISWG chair.
- **Task:** GPIQWG involvement on the Global XML Structure Task Force (GXSTF) or other Global technology-focused group
 - **Selected GPIQWG Representative:** Ms. Cindy Southworth
 - **Follow-up Note:** Ms. Southworth will meet with Mr. Greeves, Mr. Paul Embley (GXSTF chair), and other appropriate persons in Washington, DC. This exploratory meeting will hopefully initiate a dialog between the various technical and policy camps towards the development of an action plan regarding the incorporation of technology into privacy policy planning.

Next Steps, Next Meeting

For the April 27-28, 2005, Global Advisory Committee (GAC) meeting, GPIQWG leaders will deliver a solid draft of the Guidebook, with GAC member vetting to occur shortly thereafter.

The next meeting of the GPIQWG was forecast for a day and a half (Thursday - Friday, May 19-20, 2005) in an airline hub city (i.e., Denver, Chicago, or St. Louis). The agenda will center on completion of the Guidebook (including vetting, feedback mechanisms, and dissemination) and transitioning to issues of information quality.

The meeting was adjourned at 4:45 p.m.

GPIQWG 3-2 Meeting in Brief.doc

Attachment A: Privacy Policy Development Guidebook Table of Contents

Section 1 Message From the Chair

Section 2 Introduction

Section 3 Privacy Policy Overview *(bridges introduction to the "meat" of guide)*

- 3.1 What Is a Privacy Policy?
- 3.2 The Intersection Between Privacy and Information Quality
 - 3.2.1 What Is Information Quality?
 - 3.2.2 Impact of Data Quality on Privacy and Public Access
 - 3.2.2.1 Example of Impact of Poor Data Quality
 - 3.2.3 What Generates Data Quality Issues?
 - 3.2.4 Future Guidance Statement
- 3.3 Resources

Section 4 Governance

- 4.1 Identifying the Champion
- 4.2 Resource Justification
- 4.3 Identifying the Project Leader
- 4.4 Building the Project Team and Stakeholder Contacts
- 4.5 Resources

Section 5 Planning

- 5.1 Developing a Vision, Mission, Values Statement, and Goals and Objectives
 - 5.1.1 Vision Statement
 - 5.1.2 Mission Statement
 - 5.1.3 Values Statement
 - 5.1.4 Goals and Objectives
 - 5.1.4.1 Goals
 - 5.1.4.2 Objectives
- 5.2 Writing the Charter
- 5.3 Resources

Section 6 Process

- 6.1 Understanding Information Exchanges
 - 6.1.1 Tools to Assist With Understanding the Flow of Information
 - 6.1.1.1 Justice Information Privacy Guideline
 - 6.1.1.2 JIEM Tool
 - 6.1.1.3 Privacy Impact Assessment (PIA)
 - 6.1.1.4 Focus Groups (Interviews)

- 6.2 Analyzing the Legal Requirements
 - 6.2.1 Introduction
 - 6.2.2 Approach to the Legal Analysis
 - 6.2.3 Focusing on the Legal Analysis
 - 6.2.3.1 Suggestions for Approaching the Legal Analysis
 - 6.2.3.2 Potential Sources of Legal Authority and Limitations
 - 6.2.3.3 Particular Events and Actions
 - 6.2.3.4 Information Related to a Specific Person
 - 6.2.4 Performing the Legal Analysis
 - 6.2.4.1 Principles
 - 6.2.4.1.1 Collection of Information
 - 6.2.4.1.2 Information Quality Relative to Collection and Maintenance of Information
 - 6.2.4.1.3 Sharing and Dissemination of Information—Public Access
 - 6.2.4.1.4 Provisions Relevant to the Individual Whom Information Has Been Collected
 - 6.2.4.1.5 Information and Record Retention and Destruction
 - 6.2.4.1.6 Agency or Project Transparency
 - 6.2.4.1.7 Accountability and Enforcement
 - 6.2.4.2 Specific Laws to Examine
 - 6.2.5 Checklist
- 6.3 Using Federal Information Processing Standards (FIPS) as a Starting Point (*law enforcement exception discussion*)
- 6.4 Identifying Critical Issues and Policy Gaps
 - 6.4.1 Identify Committee Members' Privacy Concerns
 - 6.4.2 Use Legal Research as a Guide
- 6.5 Resources

Section 7 Product (Developing the Elements of the Privacy Policy)

- 7.1 Vision and Scope for the Privacy Policy
- 7.2 Outline and Organizational Structure
 - 7.2.1 Introduction
 - 7.2.2 Definitions
 - 7.2.3 Applicability
 - 7.2.3.1 Who Is Subject to the Policy?
 - 7.2.3.2 To What Information?
 - 7.2.4 Legal Requirements and Policy Guidance
 - 7.2.5 Accountability (*responsibility for implementation/compliance monitor*)
 - 7.2.6 Process for Revisions and Amendments
- 7.3 Writing the Privacy Policy
 - 7.3.1 Making the Policy Choices—Filling in the Gaps
- 7.4 Vetting the Privacy Policy
- 7.5 Sample Policy Outline
 - 7.5.1 Some Common Elements of Current Policies
 - 7.5.2 Policy Example(s)
- 7.6 Resources

Section 8 Implementation

- 8.1 Formal Adoption of the Policy
- 8.2 Publication
- 8.3 Outreach
- 8.4 Training
- 8.5 Evaluating and Monitoring
- 8.6 Resources

Appendix A

Case Study: Illinois Criminal Justice Information Authority and Illinois Integrated Justice Information System (IIJIS)

- A.1 Background
- A.2 The Challenge
- A.3 Objective
- A.4 Strategic Planning
- A.5 Project Team
- A.6 Project Process
- A.7 Lessons Learned
- A.8 Best Practices

Appendix B

Definitions

Appendix C

Acknowledgements

Appendix D

Compendium (*provided as a Web link*)