

## ***STATE OF IOWA***

### **MEMORANDUM OF UNDERSTANDING CRIMINAL JUSTICE INFORMATION SYSTEM (CJIS)**

#### **PURPOSE**

This Memorandum of Understanding (MOU) is entered into between the Governor of Iowa and the Chief Justice of the Iowa Supreme Court for the purpose of establishing a governance structure to guide the design, development and implementation of a statewide-integrated criminal justice information system that would enable automated information sharing in a common format between state, local and federal criminal justice agencies.

#### **BACKGROUND**

It is important to recognize the great strides made by criminal justice agencies across Iowa through the use of information technology. Many state and local criminal justice agencies currently operate automated information systems designed to meet agency-specific operational needs. In addition, some of these agencies, particularly many state agencies and the Judicial Branch, already share considerable information with each other through specialized electronic interfaces. But despite these successful initiatives, much criminal justice information is processed by paper-based procedures. This results in gaps, delays and redundancies in the exchange and processing of crucial information. The implementation of a statewide-integrated criminal justice information system would dramatically improve the criminal justice system, significantly benefiting the citizens of Iowa.

Nationally, there is wide support for the development of integrated criminal justice systems. The Crime Identification Technology Act, Public Law 105-251, authorized federal grants for states to promote the integration of justice system information and identification technology. The National Governor's Association and the National Center of State Courts encourage and support the integration of criminal justice information systems. Some states have begun operating integrated systems, while others are in the planning stages.

#### **BENEFITS OF CJIS**

The development of a statewide-integrated criminal justice information system would achieve many important objectives.

- It would enhance public safety by providing criminal justice agencies and officials, including police officers, judges, and corrections officers, with faster access to important criminal justice information at critical points in the justice process.
- It would improve the efficiency of criminal justice agencies by reducing redundant data collection and entry, and by reducing or eliminating labor intensive, time-consuming paper-based processes; and
- It would expand the pool of statistical data available to state and local officials for making and evaluating public policies.

This Memorandum of Understanding is Iowa's first step in achieving this ambitious goal.

## **STRUCTURE**

The undersigned agree to the establishment of a governance structure to guide the design, development and implementation of a statewide-integrated criminal justice information system that would enable automated information sharing in a common format between all facets of Iowa's criminal justice system. Because of the complexity of the issues involved and the diverse roles of the various criminal justice agencies, the governance structure will be composed of a broadly representative advisory committee that will devise strategies and make recommendations to an executive board.

**CJIS Board** —The Board shall include the Governor, the Chief Justice of the Iowa Supreme Court, the Director of the Department of Administrative Services or his or her designee, and the State Court Administrator. The members of the Board shall elect a chairperson at the first meeting.

**Board Duties** --- The Board shall review recommendations submitted by the Advisory Committee and set policy for the State relating to all aspects of an integrated criminal justice information system, including design, development, funding, implementation, and operation. The Board may adopt or disapprove the recommendations of the Advisory Committee.

**CJIS Advisory Committee** — The Advisory Committee shall be composed of the following members:

- Five representatives of the Judicial Branch appointed by the Chief Justice.
- Five representatives of the Executive Branch appointed by the Governor.
- One representative of each of the following associations: Iowa County Attorney's Association, Iowa State Sheriff's and Deputies Association, Iowa Association of Chiefs of Police and Peace Officers, Iowa League of Cities, and Iowa State Association of County Supervisors. The leadership of each association shall appoint the association's representative.
- Two members of the Iowa Senate, including one Democrat and one Republican, each to be appointed by the leadership of their respective caucus, to serve as ex-officio members.
- Two members of the Iowa House of Representatives, including one Democrat and one Republican, each to be appointed by the leadership of their respective caucus, to serve as ex-officio members.

Members shall serve three-year terms commencing on July 1 of the year the appointment is made. Members shall serve no more than three terms or nine years, whichever is less. To provide for staggered terms of the members, the first term of the following members shall be for two years: two representatives of the Judicial Branch, two representatives of the Executive Branch, the representatives of the Iowa County Attorney's Association, Iowa League of Cities, and Iowa State Association of County Supervisors; one Senator and one Representative.

The Board shall designate one of the members of the Advisory Committee as chair of the committee. The Division of Criminal and Juvenile Justice Planning shall provide project support and assist the Advisory Committee under the direction of the committee chair.

**Advisory Committee Duties** — Given the significance of the responsibilities of the Advisory Committee, the designated members will be required to regularly represent their agency or organization at the Advisory Committee meetings. Each association representative must serve as a high level decision-maker from within their organization with the authority to speak for their membership and make decisions and commitments for and on behalf of their agency or organization.

The Advisory Committee shall meet at the direction of the Board and serve as advisor to the Board. It shall conduct an in-depth examination of the existing criminal justice information systems that exist or are being developed around the state and assess their capabilities from both a technological and a procedural aspect. It shall make recommendations to the Board regarding policies. These recommendations will address the areas of privacy, security, standards, planning, funding, operations, technology, architecture, legislation and any other issues related to sharing criminal justice information among and between agencies.

The Advisory Committee may establish, as necessary, sub-committees, or work groups comprised of representatives of its membership or subject matter experts from outside its membership for the purpose of examining specific issues within the committee's venue. These sub-committees, task forces, or work groups will provide advice and make recommendations to the Advisory Committee.

#### **MISSION, SCOPE, AND OBJECTIVES**

The Board shall articulate the mission, define the scope, and establish the objectives of the integrated criminal justice information system, which shall be an addendum to, and become part of, this agreement. The Board shall provide the Advisory Committee with the mission, scope and objectives in advance of the committee's first meeting.

#### **RESOURCES, PRACTICES, AND PROCEDURES**

The Board shall strive to use existing resources to accomplish its goals. The Board shall not adopt policies or standards that directly or indirectly divert, reduce, or eliminate agency or Judicial Branch funds or resources without the prior approval of the affected agency or the Judicial Branch. The Board shall give preference to policies that allow individual criminal justice agencies and the Judicial Branch to maintain their existing procedures, business practices, and information systems or existing plans for systems, and accomplish integration through linkages and data transfers, as much as reasonably possible.

#### **EFFECTIVE DATE, MODIFICATION, AND TERMINATION**

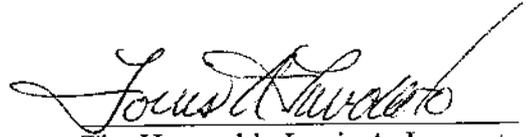
This agreement shall take effect immediately and shall remain in effect until terminated or modified. Either party may terminate this agreement for any reason with thirty days prior written notice. This agreement may be extended or modified by mutual written consent of the parties.

**SIGNATURES**

For the Office of the Governor:

  
The Honorable Thomas J. Vilsack  
Governor

For the Iowa Supreme Court:

  
The Honorable Louis A. Lavarato  
Chief Justice