

KING COUNTY

Signature Report

Motion 16533

Proposed No. 2023-0346.1 **Sponsors** McDermott and Zahilay A MOTION acknowledging receipt of the CJ Enterprise 1 2 Data Hub implementation plan, in response to the 2023-3 2024 Biennial Budget Ordinance, Ordinance 19546, 4 Section 129, Proviso P2. 5 WHEREAS, the 2023-2024 Biennial Budget Ordinance, Ordinance 19546, 6 Section 129, Proviso P2, states that \$25,000 shall not be expended or encumbered until 7 the executive transmits a CJ Enterprise Data Hub implementation plan, and a motion 8 that should acknowledge receipt of the plan and the plan is passed by the council. The 9 plan should be developed based on information gathered during Phases 1 and 2 of the 10 CJ Enterprise Data Hub project and shall include, but not be limited to, the following: 11 A. An updated capital appropriation proposal form and benefit achievement 12 plan for the project; 13 B. The status of participation agreements with the agencies involved in the project, including, but not limited to, department of public safety, department of adult 14 15 and juvenile detention, superior court, district court and the prosecuting attorney's office; 16 17 C. An equity and social justice analysis of the project; 18 D. A discussion of the policy questions and objectives that the project will be 19 designed to address, a description of the criminal justice data categories that would be 20 included in the data hub and plans for creating a publicly accessible dashboard; and

| 21 | E. A plan for implementing the project, including identification of potential | | |
|----|---|--|--|
| 22 | funding sources and a project timeline, and | | |
| 23 | WHEREAS, the King County executive has transmitted to the council the CJ | | |
| 24 | Enterprise Data Hub implementation plan, and | | |
| 25 | WHEREAS, the report is submitted by the King County department of | | |
| 26 | information technology to fulfil the proviso's reporting obligations; | | |
| 27 | NOW, THEREFORE, BE IT MOVED by the Council of King County: | | |

- 28 The council acknowledges receipt of the CJ Enterprise Data Hub implementation
- 29 plan, Attachment A to this motion.

Motion 16533 was introduced on 10/17/2023 and passed by the Metropolitan King County Council on 2/27/2024, by the following vote:

Yes: 9 - Balducci, Barón, Dembowski, Dunn, Mosqueda, Perry, Upthegrove, von Reichbauer and Zahilay

KING COUNTY COUNCIL KING COUNTY, WASHINGTON

DocuSigned by:

Dave Upthegrove, Chair

ATTEST:

-- DocuSigned by:

Melani Hay —8DE1BB375AD3422...

Melani Hay, Clerk of the Council

Attachments: A. Criminal Justice Enterprise (CJE) Data Hub September 2023

Criminal Justice Enterprise (CJE) Data Hub

September 29, 2023



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II. Proviso Text

Of this appropriation, for capital project 1143993, CJ Enterprise Data Hub, \$25,000 shall not be expended or encumbered until the executive transmits a CJ Enterprise Data Hub implementation plan and a motion that should acknowledge receipt of the plan and a motion acknowledging receipt of the plan is passed by the council¹. The motion should reference the subject matter, the proviso's ordinance number, ordinance section and proviso number in both the title and body of the motion.

The CJ Enterprise Data Hub implementation plan should be developed based on information gathered during Phases 1 and 2 of the CJ Enterprise Data Hub project and shall include, but not be limited to, the following:

- A. An updated capital appropriation proposal form and benefit achievement plan for the project;
- B. The status of participation agreements with the agencies involved in the project, including, but not limited to, the department of public safety, the department of adult and juvenile detention, superior court, district court and the prosecuting attorney's office;
- C. An equity and social justice analysis of the project;
- D. A discussion of the policy questions and objectives that the project will be designed to address, a description of the criminal justice data categories that would be included in the data hub and plans for creating a publicly accessible dashboard; and
- E. A plan for implementing the project, including identification of potential funding sources and a project timeline.

The executive should electronically file the plan and motion required by this proviso no later than June 30, 2023², with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the budget and fiscal management committee, or its successor.

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¹ Ordinance 19546, Section 129, Capital Improvement Program, P2.

² Extended to September 30, 2023.

III. Executive Summary

The King County Information Technology (KCIT) department developed this report in response to a Proviso in the King County adopted budget, Ordinance 19546.

A data hub is a modern data storage system that helps organizations consolidate, integrate, and store data from other enterprise sources. Systems interact with the data hub by providing data into it or receiving data from it. The data hub provides an integration and management point, enabling access to integrated data and enabling data sharing by connecting producers of data with consumers of data.

The objective of a CJE data hub is to consolidate, integrate, and standardize criminal and legal data, enabling program evaluation, longitudinal tracking, cross-agency data sharing, policy analysis and program evaluation of the effectiveness of the criminal legal system, and equity impacts for people involved with the criminal legal system. Data categories under consideration for inclusion comprise arrests, jail bookings, arraignments, pretrial information, cases, and sentencing data.

In a 2020 Proviso response report, the pretrial reform workgroup highlighted the lack of data integration and unique identifiers among the County's various criminal legal agencies, making it challenging to track outcomes across the system. The workgroup recommended that King County establish an integrated criminal legal system, with an information technology project to address this need.³

The King County Department of Information Technology (KCIT) led and participated in 14 interviews from April 2020 to August 2020 with representatives from the Prosecuting Attorney's Office (PAO), Department of Judicial Administration (DJA), King County District Court (KCDC), the Department of Adult and Juvenile Detention (DAJD), King County Superior Court (KCSC), and the Department of Public Defense (DPD) to document policy questions, business goals, and use cases for criminal justice enterprise data analysis and reporting.

In the 2023-2024 biennial period, KCIT received funding to support initial planning activities for an enterprise-wide data hub focused on criminal legal data. From November 2022 to April 2023, KCIT held planning meetings with criminal legal agencies, focusing on drafting data sharing agreements. While all agencies participated, DAJD, DJA, KCDC, and PAO were deemed to have the most relevant data for initial mapping efforts due to their respective roles in the criminal legal system and how they interface with people in the system. A consultant was engaged to assist with data mapping and draft agreement development. See Appendix A for participants.

A critical component of this work, noted in the Proviso, is the participation agreements (known as data sharing agreements) with agencies involved in the project, without which meaningful information gathering and project planning could not occur. The lack of data sharing agreements is an insurmountable barrier to the planning phase of a data hub project as it limits detailed analysis and design work dependent upon access to agency source data systems.

Aside from an existing agreement with DAJD, after six months of earnest discussion and negotiation, King County's criminal legal agencies could not establish data sharing agreements. Open agency questions regarding the legal restrictions on data access to PAO, DJA, and KCDC databases pursuant to

³ Pretrial Reform Proviso Workgroup Report, p 6.

⁴ Ordinance 19546, Attachment A, Capital Improvement Program, p 40

state statute Revised Code of Washington (RCW) 10.97.050, 13.50.050), and the Health Insurance Portability and Accountability Act of 1996 (HIPAA) prevented KCIT from gathering information for this Proviso response.^{5,6,7}

Each criminal legal agency cited a lack of staffing resources as a constraint that hindered their ability to assist with assembling the appropriate data and participate in planning for the project. It is necessary to have the full participation of all criminal legal agencies to understand and interpret the data relationships and answer use questions.

Therefore, due to the lack of information and participation by King County's criminal legal agencies, the Executive is unable to provide an updated capital appropriation proposal form and benefit achievement plan, a plan for implementing the project, including identification of potential funding sources and a project timeline, or an equity and social justice analysis of the project.

⁵ RCW 10.97.050: Restricted, unrestricted information—Records. (wa.gov)

⁶ RCW 13.50.050: Records relating to commission of juvenile offenses—Maintenance of, access to, and destruction. (wa.gov)

⁷ Link to Health Insurance Portability and Accountability Act of 1996

IV. Background

Department Overview:

The King County Department of Information Technology (KCIT) supports King County employees, government agencies, and residents with a wide array of innovative technology services. KCIT is responsible fiscally accountable for the management of information technology operating resources within the executive branch and provides enterprise technology services to all county agencies.

Key Context:

The creation of a pretrial reform workgroup was required in the 2019-2020 King County Adopted Budget.⁸ The workgroup, composed of representatives of the various County criminal legal agencies, the Executive, the Council, and community and nonprofit agencies, was charged with (A) reviewing data, both quantitative and qualitative, about the number of adults being held pretrial in King County correctional facilities; (B) developing recommendations based on the review conducted in section A to reduce the number of nonviolent pretrial adults held in King County correction facilities; and (C) developing recommendations to improve collection and integration of King County data related to pretrial detention to allow for meaningful analysis.

The workgroup report noted several issues related to the data it sought to integrate into its evaluation and recommendations including "Criminal legal system agencies' data systems do not talk to one another; each agency's system has data unique to it. Different systems sometimes use the same terminology but mean different things. Answering simple questions cannot currently be auto populated or shared between systems" and "A data system integration plan is necessary and is, as a result of this work, being developed among the criminal legal system agencies and King County Information Technology."

A key insight from the pretrial working group was the need to "eliminate system-level infrastructure barriers that limit effective measurement and improvement efforts in the pretrial system as well as the criminal legal system broadly." The pretrial working group data subgroup started initial conversations on potential next steps including working with KCIT to design a technology project to address this need. ¹⁰ A working group focused on data integration continued beyond the pretrial working group and focused on developing a path to integrate these systems. This is referred to subsequently as the exploratory phase.

In the 2023-2024 biennial KCIT was funded to support initial planning activities to validate criminal legal agency agreement and concurrence to implement an enterprise-wide data hub project, focused on criminal legal system data. This project would allow the tracking of information related to people (subjects), cases, and resource allocations, thus enabling entities to respond to internal and external queries, quickly and with clearer, data informed insights. ¹¹ This is referred to subsequently as the planning phase.

⁸ Link to Ordinance 18835

⁹ Pretrial Reform Proviso Workgroup Report, p 36

¹⁰ Pretrial Reform Proviso Workgroup Report, p 6 & 36

¹¹ Ordinance 19546, Attachment A, Capital Improvement Program, p 40

Report Methodology:

KCIT developed this report based on exploratory phase work conducted prior to November 2022 and planning phase work occurring between November 2022 and April 2023. This work was performed with King County criminal legal agency partners and an external consultant. Participating criminal legal agency partners in the CJE data hub planning included the Prosecuting Attorney's Office (PAO), Department of Judicial Administration (DJA), King County District Court (KCDC), the Department of Adult and Juvenile Detention (DAJD), the King County Sheriff's Office (KCSO), King County Superior Court (KCSC), and the Department of Public Defense (DPD). See Appendix A for a list of participants.

This report details the work of KCIT, and the project's partner agencies based on interviews, planning meetings, a consultant engagement, and analysis including:

- A. In the exploratory phase, where KCIT business analysts, data architects, and data scientists conducted 14 interviews from April 2020 to August 2020 with the PAO, DJA, KCDC, DAJD, KCSC, and DPD to document policy questions, business goals, and use cases for enterprise criminal legal data integration and reporting. This analysis informed the policy questions and objectives that a data hub would be designed to address.
- B. Held five KCIT-facilitated implementation planning meetings with the partner agencies focused on drafting and adopting a data sharing agreement between November 2022 and April 2023.
- C. Development of data mapping (identifying agency data elements and mapping to target elements in the data hub) and the development of a draft data sharing agreement with assistance from an engagement consultant.
- D. Conducted planning phase discovery work with partner agencies to identify the key data points needed to perform identity matching on subjects.

KCIT drafted this report. All partner agencies were provided with an opportunity to review a draft of this report. Their feedback is incorporated throughout.

V. Report Requirements

This section aligns with the proviso requirements.

A. An updated capital appropriation proposal form and benefit achievement plan

An updated capital appropriation proposal form nor benefit achievement plan is not included in this report. This is because the King County's criminal legal agencies could not establish data-sharing participation agreements among themselves. Thus, without which meaningful information gathering and project planning could not occur.

B. The status of participation agreements with agencies involved in the project

Aside from an existing agreement with DAJD, data sharing participation agreements from King County's criminal legal agencies were not able to be secured by KCIT. The County's criminal legal agencies cited that the highly regulated environment of criminal legal data dictate restrictions on data access with a non-CJIS agency (KCIT). Their cited basis for not engaging in a data sharing agreement are:

- Legal restrictions on disseminating non-conviction data to non-criminal legal agencies (RCW 10.97.050) prevent criminal legal agencies from sharing operational data with KCIT or providing KCIT with direct access to its operational data.¹²
- Legal restrictions concerning access to juvenile offence records (RCW 13.50.050) prevent criminal legal agencies from sharing operational data with KCIT or providing KCIT with direct access to its operational data.¹³
- 3) Protections against unauthorized sharing of patient data enacted in the Health Insurance Portability and Accountability Act of 1996 (HIPAA).¹⁴

Ultimately, the County's separately elected criminal legal agencies view the separation of systems as necessary by distinct their respective agency responsibilities and legal mandates. That system separation has been characterized as non-negotiable by the parties.

It is important to note that the creation of a unified view of a person across multiple criminal legal agency databases with potentially different attributes and data definitions as a single "matched" individual, across the enterprise of criminal legal systems is a foundational problem to be solved in the design of a CJE data hub. Without data sharing agreements in place to access or be provisioned with relevant subject data, KCIT is unable to proceed with detailed planning, analysis, or design.

The status of each agency's data sharing agreement and any respective concerns with such an agreement are summarized in the table below.

¹² RCW 10.97.050: Restricted, unrestricted information—Records. (wa.gov)

¹³ RCW 13.50.050: Records relating to commission of juvenile offenses—Maintenance of, access to, and destruction. (wa.gov)

¹⁴ Link to Health Insurance Portability and Accountability Act of 1996

Table 1. Data Sharing Agreement Status

| Agency | Agreement Status | Primary Data Sharing Concerns |
|--|--|--|
| DAJD | Already shares data with KCIT through the Jail Management System (JMS) | None |
| Department of Judicial Administration (DJA) | No data sharing agreement | At a high level DJA is supportive of the data hub concept but would need to discuss topics such as public disclosure requests and retention policies prior to signing data sharing agreement. Citing legal concerns and insufficient staffing resources within their agency, DJA rejected KCIT requests to examine its data as part of the project information gathering process. |
| Department of Public Defense (DPD) | No data sharing agreement Did not participate | Chose not to participate; indicated it would like to be a consumer of CJE Data Hub reporting. DPD data not required for identified use cases. |
| King County District Court (KCDC) | No data sharing agreement | District Court did not share data with KCIT because of unresolved legal questions regarding the potential loss of control over the dissemination of data. |
| King County Superior Court (KCSC) | No data sharing agreement | Superior Court data required for project is managed by DJA; data managed solely by Superior Court was determined to not be relevant to the data hub project at this time. |
| King County Sheriff's Office (KCSO) | No data sharing agreement | KCSO system data is not essential at this early phase as it represents just a small slice of individuals who enter the county's criminal legal system; other jurisdictions hold law enforcement data, which would require King County to enter into interlocal agreements to access. |

| Agency | Agreement Status | Primary Data Sharing Concerns |
|--------|---------------------------|--|
| PAO | No data sharing agreement | At a high level, the PAO is supportive of |
| | | the data hub. However, the PAO was |
| | | unwilling to sign a data sharing |
| | | agreement and cited legal concerns, |
| | | insufficient staffing resources within its |
| | | agency, and uncertainties regarding |
| | | control over data dissemination. The |
| | | PAO rejected KCIT requests to examine |
| | | its data as part of the project |
| | | information gathering process. |
| | | |

C. An equity and social justice analysis of the project

Because KCIT was unable to advance a project proposal due to the inability of participant agencies to achieve a data sharing agreement involved in the planning effort, an equity and social justice impact analysis in the form of an Equity Impact Review (EIR) was not conducted. It would not be possible to conduct a meaningful EIR without a material project proposal, finalized design, or detailed understanding of benefits and likelihood of benefit achievement.

D. A list of the policy questions and objectives that the project is designed to address, a description of the criminal justice data categories that would be included in the data hub, and plans for creating a publicly accessible dashboard

Objectives the project is designed to address:

The objectives of the data hub project reflect the recommendation from the pretrial working group Proviso response report: to eliminate system-level infrastructure barriers that limit effective measurement and improvement efforts in the criminal legal system broadly is the organizing principle of the CJE data hub exploratory and planning phases. This objective was broadly recognized and shared by the participating partner agencies working on this Proviso response.

A data hub is a modern data storage system that helps organizations consolidate, integrate, and store data from other enterprise sources. Systems interact with the data hub by providing data into it or receiving data from it, and the hub provides an integration and management point, enabling access to integrated enterprise data and enabling data sharing by connecting producers of data with consumers of data.

The objective of the CJE data hub is to provide an integrated, unified law and justice data system that allows for program evaluation and tracking data by point-in-time and longitudinally. Additionally, the CJE data hub would include relevant data gathered across agencies and systems to enable high-level program evaluation related but not limited to incident response, arrests, diversion, case resolution, and recidivism and be composed of data that use industry standard, cross-agency data definitions.

Policy Questions:

KCIT conducted interviews with PAO, DJA, KCDC, DAJD, KCSC, and DPD to identify policy questions and use cases for CJE data reporting. The agencies expressed the desire to capture demographic data of people who are incarcerated in King County and document their journey through the King County criminal legal system. The CJE data hub could report on several different demographic characteristics such as race, gender, socio-economic status. These findings were shared and discussed collectively with all stakeholder agencies to ensure agreement and are summarized here. Such data could address potential policy and equity questions such as:

Effectiveness of the Criminal Legal system

- 1. Lookup of all criminal legal history and interactions for populations (e.g., racial/ethnic identity, age cohorts) within the King County criminal legal system
- 2. Measure the average number of days for cases, trials, and Subjects' time spent in custody (from charge to resolution)
- 3. Pending cases/filings¹⁵
- 4. Ratio of filings compared to resolutions
- 5. Recidivism rates among Subjects

Equity impacts for People in Secure Detention

- 1. Are there differences in criminal legal system outcomes across all demographic groups?
- 2. Do staff demographics mirror the community being served? ¹⁶
- 3. Does the population in detention mirror the population of King County? 17
- 4. Are criminal charges treated the same across groups of people by race/ethnicity, age, and gender?
- 5. What are the trends in a geographic area in crime type?¹⁸

Description of criminal justice data categories that could be included in a Data Hub:

Initial planning work focused on mapping subject data from criminal legal agency systems into the data hub design to create a unified, or matched, view of individuals across the criminal legal ecosystem. This data mapping work included the following agencies and systems:

¹⁵ This information is already publicly available: https://cdn.kingcounty.gov/-/media/king-county/depts/dja/stats/stats2023/criminalrpt202306.pdf?rev=31a59630a88746f9b8e5e5c28258b438&hash=0308CB1
https://cdn.kingcounty.gov/-/media/king-county/depts/dja/stats/stats2023/criminalrpt202306.pdf?rev=31a59630a88746f9b8e5e5c28258b438&hash=0308CB1
<a href="https://cdn.kingcounty.gov/-/media/king-county/depts/dja/stats/stats2023/criminalrpt202306.pdf?rev=31a59630a88746f9b8e5e5c28258b438&hash=0308CB1

¹⁶ Staff demographic data is available through the county's BI Insights reporting tool. This tool is not available to the public.

¹⁷ Detention demographics are collected and reported by DAJD. The most recent report is from 2021 and is available here: <u>2021-07 - KC DAR Monthly Breakouts.ashx (kingcounty.gov)</u>

¹⁸ Note: Cities' law enforcement data would need to be included to provide comprehensive geographic trends.

Table 2. Agency Systems

| Agency | Description |
|-------------------------|------------------------------|
| DAJD | Jail Management System (JMS) |
| DJA (on behalf of KCSC) | KC Script system |
| KCDSC | eCourt system |
| PAO | Prosecutor by Karpel (PbK) |

Table 1: Agency data systems evaluated for subject data mapping.

Additional data categories possible for inclusion in the data hub but not mapped include:

- 1) Arrests
- 2) Jail bookings and booking outcomes
- 3) Arraignments and arraignment outcomes
- 4) Pretrial
- 5) Cases
- 6) Sentencing

Plans for creating a publicly accessible dashboard:

KCIT is confident that the technical delivery of a publicly accessible dashboard is within the County's expertise. Such dashboards already exist on an individual agency basis. For example, the PAO produces a dashboard that is updated monthly with case, demographic, and other data¹⁹. However, due to the lack of data-sharing agreements between the criminal legal agencies, KCIT was unable to move forward with planning for an enterprise data hub. The primary criminal legal agencies were unable to reach consensus regarding key features of the dashboard such as what metrics the dashboard should report, and who would "own" the responsibility of maintaining the dashboard.

E. A plan for implementing the project, including identification of potential funding sources and a project timeline

A plan to implement the CJE Data Hub project, including potential funding sources and a project timeline is not included in this report. This is due to the lack of data-sharing participation agreements among King County's criminal legal agencies, without which meaningful information gathering and project planning could not occur.

¹⁹ The PAO dashboard is available here: https://kingcounty.gov/depts/prosecutor/criminal-overview/CourtData.aspx

VI. Conclusion

The barriers that exist to the creation of a CJE data hub are not technological. KCIT has participated with agencies across King County to design, create, manage, and maintain single agency and enterprise data hub environments, enabling analytical capabilities in the transportation and public health domains. However, unresolved partner agency questions regarding legal restrictions on data access are a barrier that has prevented the planning on the project from moving forward.

VII. **Appendices**

Appendix A – Participants

| Agency | Participants | |
|--|---|--|
| DAID | Steven Larsen, Deputy Director | |
| DAJD | Alan Browning, IT Project Manager | |
| | Barbara Miner, Clerk/Director-Judicial Administration-SC | |
| DJA | Catherine Cornwall, Clerk/Director-Judicial Administration -SC | |
| | Shuyi Hu, Technology Division Director | |
| DPD Stephen Weidlich, Strategic Planning Manager | | |
| KCDC | Othniel Palomino, Chief Administrative Officer | |
| | David Mendel. Interim Deputy Chief information Officer | |
| | Stephen Heard, Chief Technology Officer | |
| KCIT | Temujin Baker, Data & Analytics Manager | |
| | Ram Chandrasekaran, Data Services Manager | |
| | Michelle McKeag, Enterprise Data Architect | |
| KCSC | SC Jorene Reiber, Deputy Chief Administrative Officer | |
| KCSO | Elizabeth Massa, Research & Technology Supervisor-Crime Analysis Unit | |
| KC3U | Mike Leahy, AFIS Regional Manager | |
| DAO | Nicole Franklin, IT Director | |
| PAO | David Baker, Data & Analytics Director | |

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Dave Upthegrove

dave.upthegrove@kingcounty.gov

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Melani Hay

melani.hay@kingcounty.gov

Clerk of the Council King County Council

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| Intermediary Delivery Events | Status | Timestamp |
| Certified Delivery Events | Status | Timestamp |
| Carbon Copy Events | Status | Timestamp |
| Witness Events | Signature | Timestamp |
| Notary Events | Signature | Timestamp |

| Envelope Summary Events | Status | Timestamps | |
|--|------------------|-----------------------|--|
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| Certified Delivered | Security Checked | 2/29/2024 7:25:04 AM | |
| Signing Complete | Security Checked | 2/29/2024 7:25:10 AM | |
| Completed | Security Checked | 2/29/2024 7:25:10 AM | |
| Payment Events | Status | Timestamps | |
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How to contact King County-Department of 02:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

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ii. send us an email to cipriano.dacanay@kingcounty.gov and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process.

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: https://support.docusign.com/guides/signer-guide-signing-system-requirements.

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To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

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- Until or unless you notify King County-Department of 02 as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by King County-Department of 02 during the course of your relationship with King County-Department of 02.