CRIMINAL AND JUVENILE JUSTICE INFORMATION AND BUREAU OF CRIMINAL APPREHENSION ADVISORY GROUP

2023-2024 BIENNIAL REPORT TO THE GOVERNOR, SUPREME COURT AND LEGISLATURE ON CRIMINAL JUSTICE INFORMATION INTEGRATION

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[Minnesota Statutes § 299C.65, subdivision 3(a)](#) requires the Criminal and Juvenile Justice Information and Bureau of Criminal Apprehension Advisory Group to file a biennial report providing: 1) a status and review of current integration efforts and projects; 2) any recommendations made to the legislature concerning legislative changes or appropriations that are needed to ensure that criminal justice information systems operate accurately and efficiently; and 3) a summary of the activities of the Advisory Group. This report endeavors to fulfill that requirement.

The Advisory Group is the state advisory group on statewide criminal justice information policy and funding issues. The Advisory Group studies and makes recommendations to the governor, the state Supreme Court and the legislature on criminal justice information funding and policy issues such as data practices, individual privacy rights and data on race and ethnicity; information sharing at the local, state and federal levels; technology education and innovation; the impact of proposed legislation on criminal justice information systems and business processes; and data and identification standards. In addition, the Advisory Group advises the Minnesota Department of Public Safety Bureau of Criminal Apprehension (BCA) as requested on audits, reports, policies, emerging technologies and other operational activities.

BACKGROUND

More than 1,600 agencies and branches of local, state, and federal government oversee the justice and public safety services delivered in Minnesota at a cost of more than $2 billion per year to the public, according to past census estimates and auditors' reports. Each of these agencies needs timely and accurate information at key decision points throughout the criminal justice process. To ensure the information is accessible and managed from a statewide perspective, the legislature in 1993 created the Criminal Justice Policy Group and Task Force in Minnesota Statutes § 299C.65.

The Policy Group gathered a wide range of state and local criminal justice stakeholders and policymakers to address issues related to the statewide integration of criminal justice information from a broad-based perspective. The Task Force assisted the Policy Group in these duties. Starting in 2001, these efforts were coordinated by the CriMNet Program Office, which was part of the Minnesota Justice Information Services (MNJIS) section at the BCA. Together, the Policy Group, Task Force and MNJIS executive director provided key leadership in managing the direction of criminal justice information integration activities statewide.

Early integration-related activities focused on filling significant gaps in statewide criminal and juvenile justice data such as statewide predatory offender data, electronic booking photos, and complete criminal history information. Systems to collect that information from agencies across Minnesota are now in place.

In 2014, the Policy Group and Task Force began a strategic planning effort to examine their current and future role in the development of criminal justice information integration policy, direction and laws. Acting on a Task Force recommendation, the Policy Group in 2016 proposed an amendment to its enabling statute to formally combine the Policy Group and Task Force into the Criminal and Juvenile Justice Information Advisory Group (Advisory Group). The legislature established the Advisory Group on Aug. 1, 2016. The statutory language identified following general areas of focus:

- Criminal justice-related data practices.
- Individual privacy rights and data on race and ethnicity.
- Information sharing at the local, state and federal levels.

- Technology education and innovation.
- The impact of proposed legislation on the criminal justice system related to information systems and business processes.
- Data and identification standards.

The Advisory Group in 2023 proposed that its enabling statute be changed to expand its role to include advising the BCA in several areas including audits, reports, policies, emerging technologies, and other operational activities as requested by the superintendent to help the agency be more responsive to criminal justice partners and the public and ensure that it receives input on its activities from diverse stakeholders.

- The Commissioner of Corrections or designee.
- The Commissioner of Public Safety or designee.
- The state Chief Information Officer or designee.
- Three members of the Judicial Branch appointed by the Chief Justice of the Supreme Court.
- The Commissioner of Administration or designee.
- The State Court Administrator or designee.
- Two members appointed by the Minnesota Sheriffs Association, at least one of whom must be a sheriff.
- Two members appointed by the Minnesota Chiefs of Police Association, at least one of whom must be a chief of police.
- Two members appointed by the Minnesota County Attorneys Association, at least one of whom must be a county attorney.
- Two members appointed by the League of Minnesota Cities representing the interests of city attorneys, at least one of whom must be a city attorney.
- Two members appointed by the Board of Public Defense, at least one of whom must be a public defender.
- Two corrections administrators appointed by the Association of Minnesota Counties representing the interests of local corrections, at least one of whom represents a Community Corrections Act county.
- Two probation officers appointed by the Commissioner of Corrections in consultation with the president of the Minnesota Association of Community Corrections Act Counties and the president of the Minnesota Association of County Probation Officers.
- Four public members appointed by the governor representing both metropolitan and greater Minnesota for a term of four years using the process described in section 15.059, one of whom represents the interests of victims, and one of whom represents the private business community who has expertise in integrated information systems and who, for the purposes of meetings of the Advisory Group, may be compensated pursuant to section 15.059.
- Two members appointed by the Minnesota Association for Court Management, at least one of whom must be a court administrator.
- One member of the house of representatives appointed by the Speaker of the House, or an alternate who is also a member of the House of Representatives, appointed by the Speaker of the House.
- One member of the Senate appointed by the Majority Leader, or an alternate who is also a member of the Senate, appointed by the Majority Leader of the Senate.
- One member appointed by the Attorney General.
- Two members appointed by the League of Minnesota Cities, one of whom works or resides in greater Minnesota and one of whom works or resides in the seven-county metropolitan area, and at least one of whom is an elected official.
- Two members appointed by the Association of Minnesota Counties, one of whom works or resides in greater Minnesota and one of whom works or resides in the seven-county metropolitan area, and at least one of whom is an elected official.
- The director of the Sentencing Guidelines Commission or a designee.

LEGISLATIVE RECOMMENDATIONS

Pursuant to [Minnesota Statutes § 299C.65, subdivision 3a](#), the Advisory Group must provide a report to the legislature by Jan. 15 every other year detailing the statutory changes and/or appropriations necessary to ensure the efficient and effective operation of criminal justice information systems. The Advisory Group offered the following recommendations for the legislature's consideration during the 2023 and 2024 legislative sessions.

2023 RECOMMENDATIONS

The Advisory Group presented one recommendation in November 2022 for legislative action during the 2023 legislative session. The Advisory Group proposed that its enabling statute ([Minnesota Statutes 299C.65](#)) be changed to expand its role to include advising the BCA in several areas in order to help the agency be more responsive to criminal justice partners and the public and ensure that it receives input on its activities from diverse stakeholders. The proposal included advising the BCA in the following areas:

- Audits, accreditation reports and internal reviews of BCA operations.
- Emerging technologies in the law enforcement and forensic science fields.
- Policies and practices that impact individual privacy interests.
- Other programmatic and operational initiatives of the BCA at the request of the agency's superintendent.

The Advisory Group initially submitted the proposal in 2021 for the 2022 session but the legislature did not consider it. The proposal passed as written in 2023.

2024 RECOMMENDATIONS

The Advisory Group did not make any recommendations to the legislature for consideration during the 2024 legislative session.

ACTIVITIES OF THE CRIMINAL AND JUVENILE JUSTICE INFORMATION AND BUREAU OF CRIMINAL APPREHENSION ADVISORY GROUP

The Advisory Group in 2023 and 2024 made significant progress in its efforts to examine issues and solutions critical to criminal justice information integration and the safety of its practitioners and subjects in Minnesota. The Advisory Group considered criminal justice information integration systems, policy issues and implications of relevant topics as noted below.

Because the Advisory Group is composed of subject matter experts from across the criminal justice spectrum, the legislature and the public, it is in a unique position to provide advice on real-world solutions for criminal justice information integration. Each member, including appointees from the legislature and the public, informs the discussions and decisions made by the group.

The Advisory Group continued its efforts to fully seat and diversify its membership in 2023 and 2024. The Advisory Group welcomed several new members over the past two years; however, as of the publication of this report, there remains five open seats out of 36 seats that make up the Advisory Group. Unfilled seats are a gap in the breadth of voices and diversity of the group and, as such, Advisory Group chairs will continue to encourage entities that have not appointed members to do so.

STRATEGIC PLANNING RETREAT

Advisory Group members held a strategic planning retreat in 2023 to evaluate and determine its focus and goals for the coming years while keeping with its statutory purpose. Topics included:
- Examination of the Advisory Group role in decision making about policies and business practices.
- Renewed focus on information systems and information integration.
- How the absence of dedicated Advisory Group funding for integration work affects the group's influence.
- Improved outreach to government representatives.
- Function that is better understood by outside entities.
- Identifying technology improvement needs and advocating for funding with the legislature.
- The ultimately successful proposal to expand the group's responsibilities to include the role of advisor to the BCA.

The desired action items included:
- A dedicated staff and budget for the Advisory Group.
- Increase the Advisory Group's influence.
  - Look at other systems and national groups.
  - Create a cross-agency roadmap for communication.
  - Collaborate with forums of other criminal agencies.
- Provide feedback on the BCA's data policy and practices.

OVERVIEW OF BCA DATA SYSTEMS

As a part its renewed focus on information systems and integration, the Advisory Group throughout 2024 invited the BCA and other criminal justice agencies to provide an overview of the functionality and value of their respective data systems and information-sharing services. They include:

- Law Enforcement Message Switch (LEMS): The system law enforcement uses to search and immediately obtain results in systems including Minnesota hot files; the Minnesota Department of Public Safety's Driver and Vehicle Services (DVS) division; certain FBI data systems; and Nlets (International Justice and Public Safety Network), which includes all 50 states and 28 federal agencies.
- Portal XL: A user interface application available to authorized criminal justice users to access data through LEMS queries.
- Permit Tracking System: A system designed for Minnesota sheriff's offices to maintain data on firearms permit to carry applicants in their jurisdiction.
- Gun Permit Background Check: A system used by law enforcement for firearms permit to carry and permit to purchase/transfer applicants.
- License Plate Reader: BCA-compiled information on stolen or wanted vehicles that includes FBI, BCA and DVS data.
- Predatory Offender Registry (POR): A computer system containing data on individuals required to register as predatory offenders in Minnesota.
- Livescan: Automated devices used to capture biometric fingerprint data and send it to the BCA.
- RapidID: A tool that can be used by law enforcement to identify people using biometric fingerprint data.
- Automated Biometric Identification System (ABIS): Processes and stores biometric fingerprint data for use in Minnesota and with the FBI.
- Criminal History System (CHS): State repository for Minnesota criminal history record information.
- Minnesota Repository of Arrest Photos (MRAP): Database of Minnesota arrest and booking photos and other identifying information submitted by law enforcement agencies.
- eCharging: A statewide electronic workflow and document system that moves criminal justice charging information between Minnesota criminal justice agencies.
- Crime Reporting System (CRS): Collects Minnesota crime reporting data in compliance with the FBI's National Incident-Based Reporting System (NIBRS) program.
- Minnesota Crime Data Explorer: An interactive online tool that allows law enforcement and the public to see and understand Minnesota Uniform Crime Report data.

OVERVIEW OF CRIMINAL JUSTICE DATA AND INFORMATION SHARING SYSTEMS

The Advisory Group gathered information through presentations from several criminal justice agencies regarding data collection, the information systems that are used, and where there are gaps in communication. Those invited by the Advisory Group to provide overviews of their systems included:

- Justice Counts — A platform not currently used in Minnesota that collects data to help policymakers and criminal justice practitioners make informed decisions.
- Minnesota Department of Corrections — Discussed the need to improve data quality and communication.
- Minnesota Judicial Branch — Emphasized the uniqueness that Minnesota has with a centralized statewide court system in addition to the availability of the BCA's centralized Criminal History System and eCharging.
- Public defense — Identified major roadblocks with its current records management system and detailed improvements being made that have significantly increased efficiency.
- Prosecution — Provided an overview of the Minnesota Judicial Branch IT systems' interaction and integration with BCA's eCharging.

OVERVIEW OF FORENSIC INVESTIGATIVE GENETIC GENEALOGY (FIGG)

The Advisory Group learned about forensic investigative genetic genealogy (FIGG), which is developing investigative leads through the process of searching unidentified DNA profiles through publicly available genetic genealogy databases of people who gave approval for law enforcement use to identify possible related individuals. FIGG testing requires advanced technology and specialized training. Implementing FIGG at the BCA would include the use of the agency's current mitochondrial DNA and missing persons units and would eliminate the need to send samples out to private companies. The BCA currently assists local agencies interested in pursuing FIGG by working with the agencies' selected vendors to provide needed forensic materials. The Advisory Group encouraged gathering stakeholder feedback and insight on responsible use of FIGG technology as law enforcement agencies and BCA consider expanded use of FIGG in solving crimes.

THE CHANGING NATURE OF HOMICIDE

The Advisory Group continues to hear updates on the changing nature of homicide study, which is funded by the Joyce Foundation in partnership with the BCA. The study focuses on homicides in Hennepin and Ramsey counties from 2018 to 2022. All public media reports and police department records were used to collect the data. A team of Hamline University students assisted with the research; the project is co-led by Advisory Group member James Densley, a professor of criminology and criminal justice at Metro State University.

Research was being done to understand the cause of a sudden increase in violent crimes during and following the COVID-19 years (2020 and 2021) that is just beginning to decline today. While the cause has not yet been established, trends are leaning toward state systems and the lack of data sharing or communication between them.

VIOLENT CRIME SUBCOMMITTEE

During the Advisory Group's strategic planning retreat in summer 2023, the Advisory Group established a subcommittee to help enhance the effectiveness of the governor's Violent Crime Reduction Initiative through better data. The subcommittee meets quarterly to address topics such as improving data sharing about violent crime between criminal justice entities, identifying and addressing data gaps that may affect crime reduction efforts, and enhancing the overall quality of data.

OVERVIEW OF INTERNET CRIMES AGAINST CHILDREN (ICAC) AND HUMAN TRAFFICKING

The BCA special agent in charge of ICAC and Human Trafficking helps to lead statewide task forces focused on internet crimes against children and human trafficking. In a briefing for Advisory Group members she noted that the state's Predatory Offender Registry has 20,000 registered offenders and cybertips about child sexual abuse material (CSAM) have increased by over 100 percent in less than 10 years. She also explained that Minnesota does not currently have a statue prohibiting the placement of artificial intelligence-generated CSAM on the internet.

The BCA's Human Trafficking Investigators Task Force conducts proactive operations and reactive investigations and maintains data on its efforts. While the BCA's aggressive and high-profile approach to the issue has earned the state a skewed reputation as a "sex trafficking hub," investigators widely believe that the issue is worse than the current data supports. The presenter requested input on opportunities to collect additional data on the topic to help inform policy makers and the communities about the issue.

EXTREME RISK PROTECTION ORDERS

A former BCA MNJIS product manager provided an overview of Minnesota's new law regarding Extreme Risk Protection Orders (ERPO), which went into effect Jan. 1, 2024. Also referred to as the "Red Flag Law," it allows certain people to request an order from the court to prohibit someone from purchasing or possessing a firearm. Full-year data on the new orders is not yet available as of the writing of this report.

CONCLUSION

The Criminal and Juvenile Justice Information and Bureau of Criminal Apprehension Advisory Group is the only group of its kind with representation from all disciplines across Minnesota's criminal justice community along with legislative, public and municipal representation.

As it moves into 2025 and 2026, the Advisory Group will continue to focus on identifying gaps in information and opportunities to close those gaps through criminal justice information systems, processes and integrations. The ultimate goal of the Advisory Group is to ensure it is best serving the needs of the legislature, criminal justice stakeholders and the people of Minnesota. As it has for more than three decades, this unique collection of experts, practitioners and others will continue to provide valuable knowledge and real-world experience that can help shape the future of Minnesota criminal justice information integration.