

National Conference on Privacy, Technology and Criminal Justice Information

May 31-June 1, 2000
Hyatt Regency (Capitol Hill)
Washington D.C.

*Sponsored by the
Bureau of Justice Statistics,
U.S. Department of Justice, and
SEARCH, The National Consortium for
Justice Information and Statistics*

AGENDA
ROSTER OF SPEAKERS
SPEAKER BIOGRAPHIES

W elcome to the National Conference on Privacy, Technology and Criminal Justice Information. This National Conference caps a two-year “Millennium Privacy Project” undertaken by BJS and SEARCH. The conference will highlight the report of the National/International Task Force on Privacy, Technology and Criminal Justice Information, including findings and recommendations for managing criminal justice information in the new technological environment. In addition, the results of the first-ever professionally commissioned public opinion survey to assess the public’s attitudes and opinions on a comprehensive range of relevant criminal justice privacy issues will be released.

AGENDA

National Conference on Privacy, Technology and Criminal Justice Information

DAY ONE

The Challenges of Privacy in the 21st Century

Conference Moderator **Prof. Kent Markus**
Capital University Law School, Ohio

9:00 am - 9:15 am	Welcome Gary R. Cooper Executive Director SEARCH
9:15 am - 10:15 am	Keynote Address Peter P. Swire Privacy Counselor to the President
10:15 am - 10:30 am	Break
10:30 am - Noon	Privacy and Public Opinion David H. Flaherty (Moderator) David H. Flaherty Inc. Privacy and Information Policy Consultants <i>Public Attitudes Toward Uses of Criminal History Information</i> Jeffrey T. Resnick Chief Executive Officer US Group Opinion Research Corporation International <i>Balancing Privacy and Public Uses of Criminal History Information</i> Dr. Alan F. Westin Professor Emeritus Columbia University
Noon - 1:30 pm	Lunch (on your own)
1:30 pm - 2:30 pm	The Role of Confidentiality in Collecting Statistical Information Dr. Jan M. Chaiken Director Bureau of Justice Statistics U.S. Department of Justice
2:30 pm - 2:45 pm	Break
2:45 pm - 4:30 pm	Report of the National Task Force on Privacy, Technology and Criminal Justice Information Robert R. Belair Task Force Chair SEARCH General Counsel

DAY TWO

The Stakeholders of Privacy Interests

8:45 am	Day Two Opening
9:00 am - 9:30 am	Opening Address John T. Bentivoglio Counsel to the Deputy Attorney General U.S. Department of Justice
9:30 am - 10:15 am	Government Holders of Criminal Justice Information <i>The Role of the Courts - Should the Courts Continue To Be An Open Public Records Source for Criminal History Record Information? What Are the Implications for Juvenile Records?</i> Francis L. Bremson (Moderator) Director of Courts Programs SEARCH Honorable Thomas Cecil Sacramento County, California Superior Court Honorable Gordon A. Martin Jr. Massachusetts Trial Court Visiting Professor, University of Mississippi School of Law
10:15 am - 10:30 am	Break
10:30 am - 11:30 am	The Role of Law Enforcement and the State Criminal History Repositories - Should the States Continue to Impose Restrictions on Access to Criminal History Record Information Held in Repositories? Ronald P. Hawley (Moderator) North Carolina Chief Operations Officer David Gavin Chair, FBI Advisory Policy Board Assistant Chief of Administration Crime Records Service Texas Department of Public Safety Iris Morgan Senior Management Analyst Florida Department of Law Enforcement Criminal Justice Information Services Roger W. Ham Chief Information Officer Los Angeles Police Department
11:30 am - Noon	The Media Perspective - Can the Media's Dissemination of Criminal History Record Information Be Regulated? Should It Be? Prof. Jane E. Kirtley Silha Professor of Media Ethics and Law School of Journalism and Mass Communication University of Minnesota
Noon - 1:30 pm	Lunch (on your own)

1:30 pm - 2:30 pm	<p>Privacy Advocates</p> <p>Privacy and Criminal History Record Information - <i>In the Age of the Internet, Is There Still A Role for Privacy? What Should It Be?</i></p> <p>Prof. Kent Markus (Moderator) Visiting Professor, Capital University Law School Director, Dave Thomas Center for Adoption Law</p> <p>International Perspective - A European View of Privacy Protection and Its Relevance to the United States</p> <p>Dr. John N. Woulds Director of Operations Office of the Data Protection Commissioner United Kingdom</p> <p>Privacy for the 21st Century</p> <p>James X. Dempsey Senior Staff Counsel Center for Democracy and Technology</p> <p>Identity Fraud and the Case for Privacy Protections</p> <p>Beth Givens Director, Privacy Rights Clearinghouse</p>
2:30 pm - 2:45 pm	Break
2:45 pm - 3:30 pm	<p>Criminal History Record Consumers - <i>Should Certain Categories of Consumers Be Allowed Access to Criminal History Record Information? What Are the Determining Factors?</i></p> <p>Jack Scheidegger (Moderator) Chief Executive Officer Western Identification Network Inc.</p> <p>Donald F. Harris President, HR Privacy Solutions</p> <p>Lawrence F. Potts National Director, Administration Boy Scouts of America</p>
3:30 pm - 4:30 pm	<p>Commercial Providers of Background Information - <i>Should Commercial Providers Be Regulated? If Commercial Providers Should Be Regulated, How? — In the Same Manner as Courts and Law Enforcement, or By Other Specially Applied Regulations?</i></p> <p>Ronald L. Plessner (Moderator) Partner, Piper & Marbury</p> <p>Peter L. O'Neill Chief Executive Officer, CARCO Group Inc.</p> <p>Stuart Pratt Executive Vice President, Governmental Relations Associated Credit Bureaus Inc.</p> <p>Jack H. Reed Vice President, DBT Online Inc.</p>
4:30 pm	Conference Wrap-up

ROSTER OF SPEAKERS

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SPEAKER BIOGRAPHIES

National Conference on Privacy, Technology and Criminal Justice Information

Robert R. Belair

SEARCH General Counsel Robert R. Belair is a partner with the Washington D.C., law firm of Mullenholz, Brimsek & Belair. Mr. Belair is also chief executive officer of Privacy and Legislative Associates, a legal and policy consulting firm. The principal emphases of his practice are privacy and information law involving administrative, legislative and litigation activity. His practice includes counseling in all aspects of privacy and information law, including credit and financial, educational, criminal, juvenile, medical and employment records; telecommunications; defamation; intellectual property, including software copyright; constitutional law; and criminal justice administration.

As SEARCH General Counsel, Mr. Belair participates in SEARCH's privacy and security programs and has written many studies in criminal justice information law and policy. He was actively involved in the development of *Technical Report No. 13: Standards for the Security and Privacy of Criminal History Record Information* (Third Edition), SEARCH's revised standards for criminal history record information.

Mr. Belair has served as consultant to numerous federal agencies and commissions on information policy and law. He is former deputy general counsel and acting counsel of the Domestic Council Committee on the Right of Privacy, Office of the President.

Mr. Belair is a graduate of Kalamazoo College (Michigan) and Columbia University School of Law.

John T. Bentivoglio

Mr. John T. Bentivoglio is an associate deputy attorney general at the U.S. Department of Justice. Mr. Bentivoglio serves as the senior adviser to the attorney general and deputy attorney general on computer and high-tech crime, health care fraud and e-commerce. He also serves as the department's chief privacy officer, a position created in 1998 to provide greater high-level attention within the department to privacy issues.

Prior to joining the Justice Department, Mr. Bentivoglio served from 1986 to 1992 as a professional staff member to the then-chairman of the U.S. Senate Judiciary Committee, Sen. Joseph Biden Jr. (D-Delaware). From 1993 to 1996, he worked for the Washington D.C. law firm of Miller, Cassidy, Larroca & Lewin, which specialized in white-collar criminal defense.

Francis L. Bremson

SEARCH Courts Program Director Francis L. Bremson manages two major court projects funded by the U.S. Department of Justice (DOJ): The Court Information Systems Technical Assistance Project, and the Drug Courts Evaluation and Management Information Systems Training and Technical Assistance Program.

The Courts Project, funded by DOJ's Bureau of Justice Assistance, seeks to develop practical resources for state and local court efforts to automate and integrate information systems, both within the courts and among courts and other justice agencies. Mr. Bremson also provides staff support to the 22-member National Task Force on Court Automation and Integration, which oversees the project.

The Drug Courts Program, funded by DOJ's Drug Courts Program Office, offers no-cost, expert assistance to drug courts in planning, designing, developing, procuring and/or implementing drug court evaluation and management information systems. Prior to joining SEARCH in 1997, Mr. Bremson held a variety of management positions in state and federal courts. He served as: circuit executive for the Ninth U.S. Circuit in San Francisco; director of the Alaska Judicial Council in Anchorage; regional director of the National Center for State Courts in St. Paul, Minnesota; and director of the Cleveland, Ohio, Court Management Project. He also served in government marketing positions for legal publishers LEXIS-NEXIS and Legitech.

Mr. Bremson holds a BA from Hobart College. He obtained his JD from the Georgetown Law Center. He is also a Fellow of the Institute for Court Management.

Hon. Thomas M. Cecil

Judge Thomas M. Cecil has served on the Sacramento County, California, Superior and Municipal Courts since March 1989. During his tenure on the bench, Judge Cecil has presided over each criminal department in both the Municipal and Superior Courts. He was selected presiding judge for the courts in September 1997 and served in that role through 1999.

During the five years that preceded his selection as presiding judge, Judge Cecil conducted felony trials, primarily homicides. For six years prior to his appointment to the bench, Judge Cecil served as chief counsel and deputy director of the California Department of Consumer Affairs. His responsibilities

included lobbying the California Legislature on issues impacting consumers, press relations, consumer education and overseeing the department's legal staff.

As an attorney, Judge Cecil practiced in a variety of areas, including bankruptcy, general business litigation and corporate, family and political law. He also served as special counsel to the Joint Select Committee on Municipal Liability Insurance (1976) with the California Legislature.

Judge Cecil previously served as a member and chair of the Pacific Bell Telecommunications Consumer Advisory Panel (1988-91). He is a member and past chair of the California Judicial Council's Advisory Committee on Court Technology. Judge Cecil is currently a member of the council's Advisory Committee on Trial Court Presiding Judges.

Judge Cecil holds a BA from California State University, Fullerton, and a JD from the McGeorge Law School, University of the Pacific, where he serves as an adjunct professor teaching courses in Advanced Criminal Procedure and Sentencing, and Post-Conviction Remedies.

Dr. Jan M. Chaiken

Dr. Jan M. Chaiken has served as director of the Bureau of Justice Statistics (BJS), U.S. Department of Justice, since his appointment by President Clinton in 1994. As BJS director, Dr. Chaiken focuses on the use of modern information technologies to provide the public with quick and easy access to research data, to facilitate the rapid interstate exchange of criminal history information, to advance implementation of the FBI's National Incident-Based Reporting System (NIBRS), and to improve computerized tracking of arrestees and defendants going through the criminal justice process.

Dr. Chaiken has been presented with two distinguished national awards in recognition of his efforts at BJS. He was the 1999 recipient of SEARCH's *O.J. Hawkins Award for Innovative Leadership and Outstanding Contributions in Criminal Justice Information Systems, Policy and Statistics in the United States*, the only nationally recognized, competitive award for contributions to the field of criminal justice information management. Dr. Chaiken was also the 1998 recipient of the Institute for Operations Research and the Management Sciences (INFORMS) *President's Award*, which recognizes effective and important contributions to the public's interest.

Prior to joining BJS, Dr. Chaiken worked for nine years as a principal scientist in law and justice at Abt Associates in Cambridge, Massachusetts, one of the country's largest for-profit government and business consulting and research firms. There, he contributed to a number of criminal justice projects and was instrumental in the development of NIBRS. Dr. Chaiken came to Abt Associates from the RAND Institute, where he pursued research on modeling the criminal justice system, studies of the criminal investigation process, and analysis of career criminals.

Dr. Chaiken earned his PhD in Mathematics at the Massachusetts Institute of Technology. He was an assistant professor at Cornell University's Mathematics Department, and he also served as an adjunct associate professor at the University of California at Los Angeles' System Sciences Department.

James X. Dempsey

Mr. James X. Dempsey is senior staff counsel at the Center for Democracy and Technology (CDT). Mr. Dempsey joined CDT in 1997. He works on Fourth Amendment and electronic surveillance issues. Prior to joining CDT, Mr. Dempsey

was deputy director of the Center for National Security Studies. From 1995 to 1996, Mr. Dempsey also served as special counsel to the National Security Archive, a non-governmental organization that uses the Freedom of Information Act to gain the declassification of U.S. foreign policy documents.

From 1985 to 1994, Mr. Dempsey was assistant counsel to the House Judiciary Subcommittee on Civil and Constitutional Rights, where his primary responsibilities were FBI oversight, privacy and civil liberties. He worked on issues at the intersection of national security and constitutional rights, including terrorism, counterintelligence and electronic surveillance, as well as on crime issues, including the federal death penalty, remedies for racial bias in death sentencing, information privacy and police brutality. Mr. Dempsey has spoken on civil liberty issues in Russia, Poland, Hungary, Bulgaria, Guatemala, Chile and Argentina.

From 1980 to 1984, Mr. Dempsey was an associate with the Washington D.C., law firm of Arnold & Porter, where he practiced in areas of government and commercial contracts, energy law and anti-trust. He also maintained an extensive pro bono representation of death row inmates in federal habeas corpus proceedings. He clerked for the Hon. Robert Braucher of the Massachusetts Supreme Court.

Mr. Dempsey is co-author of *Terrorism & the Constitution: Sacrificing Civil Liberties in the Name of National Security* (with Prof. Davie Cole of Georgetown Law School). He graduated from Yale College in 1975 and from Harvard Law School in 1979.

Dr. David H. Flaherty

Dr. David H. Flaherty is principal officer of David H. Flaherty Inc. Privacy and Information Policy Consultants.

Dr. Flaherty previously served as British Columbia's first Information and Privacy Commissioner, independently monitoring the administration of the government's Freedom of Information and Protection of Privacy Act. Appointed by the government of British Columbia in 1993, Dr. Flaherty served a six-year, nonrenewable term in office.

Dr. Flaherty has more than 20 years of experience with privacy protection and access to information as an academic, a teacher, an advisor, a consultant, and an advocate. He is recognized as one of the world's leading experts on privacy and data protection.

Dr. Flaherty has been a full-time academic in the United States and Canada since 1965. He received a BA in History with honors from McGill University (1962), and an MA (1963) and a PhD (1967) in history from Columbia University. He taught at Princeton University from 1965 to 1968, and at the University of Virginia from 1968 to 1972. In 1972, Dr. Flaherty joined the faculty at the University of Western Ontario, where he taught history and law until his appointment as Information and Privacy Commissioner. His research and teaching fields include American and Canadian legal history, information law and policy, and privacy and data protection in modern industrial societies.

From 1971 to 1972, Dr. Flaherty was a Fellow in law and history at Harvard Law School; from 1978 to 1979, a Visiting Fellow at Magdalen College, Oxford; from 1985 to 1986, a Visiting Scholar at Stanford Law School; during the 1992-93 academic year, a Fellow of the Woodrow Wilson International

Center for Scholars in Washington D.C.; a Canada-U.S. Fulbright Fellow (Law); a Visiting Scholar at the Georgetown National Law Center; and a Fellow of the Kennedy Institute for Ethics at Georgetown University. From 1985 to 1987, Dr. Flaherty served as a consultant for the Standing Committee on Justice and Solicitor General of the Canadian House of Commons for its report on the functioning of the federal access to information and privacy acts.

Dr. Flaherty has written and published four books and edited two international bibliographies on privacy and data protection policy. His major book, *Protecting Privacy in Surveillance Societies: The Federal Republic of Germany, Sweden, France, Canada and the United States* (1989), examined how public sector privacy and data protection laws work in practice. In addition, he has also been an editor and co-editor of six publications relating to various aspects of Canadian and American studies, including *Challenging Times: The Women's Movement in Canada and the United States* (1992). Several of Dr. Flaherty's writings emanated from his role as Information and Privacy Commissioner and discussed the principles and practical application of information and privacy law in British Columbia.

David Gavin

Mr. David Gavin has worked for the Texas Department of Public Safety for 21 years. Since 1991, Mr. Gavin has served as assistant chief of the department's Administration Division. He held prior positions with the Texas Crime Information Center, the Texas Uniform Crime Reporting Program, the Texas Computerized Criminal History File, and the Texas Automated Fingerprint Identification System. Mr. Gavin's current duties include responsibilities for all those programs.

Within the FBI's Criminal Justice Information Services advisory

process, he has served as chair, Western Regional Working Group; chair, National Crime Information Center Subcommittee; and is currently chair of the Advisory Policy Board. His education includes a Master's Degree from the University of Texas in Austin.

Beth Givens

Ms. Beth Givens is director of the Privacy Rights Clearinghouse (PRC), a nonprofit advocacy, research and consumer education program located in San Diego, California. The clearinghouse, established in 1992 with funding from the California Public Utilities Commission's Telecommunications Education Trust, is a project of the Utility Consumers' Action Network, a nonprofit consumer advocate regarding telecommunications, energy and the Internet.

The clearinghouse maintains a complaint/information hotline on information privacy issues and publishes a series of consumer guides on a variety of related privacy topics. These publications and other materials are available online at www.privacyrights.org. (Many of Ms. Givens' speeches are accessible at the Web site through the "Other PRC Resources" link.)

Ms. Givens frequently speaks, conducts workshops, and is interviewed by the media on privacy issues. She has testified on privacy-related public policy concerns before the California Legislature, the California Public Utilities Commission, the National Telecommunications and Information Administration, the U.S. Comptroller of the Currency, and the Federal Trade Commission.

In addition, Ms. Givens has participated on several task forces studying the privacy impacts of technology on society, including: the California Legislature's Joint Task Force on Personal Information and Privacy; the California Judicial Council's Subcommittee on Privacy and Access; the Internet Policy

Committee of the San Diego Public Library; and the Mayor of San Diego's City of the Future Task Force.

Ms. Givens is author of *The Privacy Rights Handbook: How to Take Control of Your Personal Information* (Avon Books, 1997), and *Citizens' Utility Boards: Because Utilities Bear Watching* (1991). She is co-author of *Privacy Piracy: A Guide to Protecting Yourself from Identity Theft*, and *The California Channel: A New Public Affairs Television Channel for the State* (1989), a two-year study on the feasibility of a cable television network for state government. Ms. Givens is also co-author and editor of the PRC's 22 fact sheets.

Ms. Givens holds a Master's Degree in Communications Management from the Annenberg School for Communication, University of Southern California (1987). She has a background in library and information services, with experience in online research services and library network development (MLS, University of Denver, 1975).

Roger W. Ham

Chief Roger W. Ham is the Los Angeles, California, Police Department's (LAPD) first chief information officer (CIO). Chief Ham serves at the deputy chief level and commands five divisions, including Emergency Command and Control Communications Systems, Communications, Information Resources, Crime Analysis Section, and Systems Development Task Force. He manages a professional and operational staff of more than 900 people, including sworn commanding officers and civilian managers. As commanding officer, he is responsible for the conduct of operations and the efficient utilization of the financial and human resources of the Information and Communications Services Bureau. Chief Ham directs and manages a technology budget of more than \$400 million.

As CIO, Chief Ham is developing information systems divisions, which are centers of competency with speed, maneuverability, responsiveness, flexibility and accountability. He has focused on a synergistic approach through which all units under his command work together toward the LAPD's shared vision and goals.

Chief Ham has almost 30 years of experience in technological development. His career began at the Mobil Oil Corporation, where he worked as a project engineer managing command and control of field operations through automated systems.

Chief Ham also served as bureau commander, communications systems administrator, and information systems manager for the City of Huntington Beach, California, Police Department for more than 21 years.

Chief Ham holds an MBA from the University of Southern California and a BS in Electrical Engineering from California State University at Long Beach. He has served on many professional and business organizations.

Dr. Donald F. Harris

Dr. Donald F. Harris, president of HR Privacy Solutions, is an internationally recognized expert, industry leader, author, speaker and conference producer on topics relating to privacy in the employment context. He has managed sensitive data and developed privacy policies for major private and public sector organizations during a 25-year career in human resources, payroll and labor relations.

Founder and chair of the International Association for Human Resource Information's Privacy Committee, HR Data Consortium co-chair, Dr. Harris holds a PhD in Philosophy from Columbia University and an MBA in Information Systems from New York University.

Ronald P. Hawley

Mr. Ronald P. Hawley has been Chief Operating Officer of North Carolina's Office of Information Technology Services (ITS) since November 1999. Mr. Hawley came to ITS from the North Carolina State Bureau of Investigation (SBI), where he served as an assistant director. At ITS, Mr. Hawley leads a management team that provides for the information technology needs of North Carolina's state and local governments. He is responsible for the day-to-day operations of ITS' three major sections: Computing Services, State Telecommunications Services, and Business Technology Services.

Mr. Hawley began serving in July 1993 as manager of SBI's Division of Criminal Information, which operates the state's law enforcement telecommunications network and its fingerprint-based central repository of criminal history record information. Shortly after this assignment, Gov. James B. Hunt Jr. appointed Mr. Hawley to co-chair the Criminal Justice Information Network (CJIN) Study Committee. In 1994, the committee recommended that North Carolina's criminal justice information be integrated. Since that time, many of the committee's recommendations, including the legislative establishment of a CJIN governing board, have been initiated. Attorney General Michael F. Easley appointed Mr. Hawley as CJIN representative. Mr. Hawley has also served as CJIN vice chair and, most recently, as chair. These responsibilities led to his membership as the CJIN representative to the Information Resource Management Commission. His participation has led to several committee appointments by Lt. Gov. Dennis Wicker, commission chairman.

Mr. Hawley's contributions to criminal justice information system efforts in North Carolina have been recognized throughout the nation, resulting in his appointment to

leadership positions in several national organizations working toward integration of criminal justice systems. He was a member of the FBI's Criminal Justice Information Services (CJIS) Advisory Policy Board and chaired its Security and Access Subcommittee.

In addition, Mr. Hawley served as SEARCH vice chair. His peers selected him as the 1998 recipient of the *Board of Directors' Award for Meritorious Service* in recognition of his contributions to SEARCH and to more effective management of criminal justice information.

The North Carolina Department of Justice, recognizing changes in information systems support mechanisms, began a study to determine a proper organizational structure for its information technology specialists. As a result, several of the state's information technology sections were merged into one organizational unit. Mr. Hawley was asked to direct the new unit, first as acting chief information officer and then as the state's chief operating officer.

This new challenge is Mr. Hawley's first for a North Carolina agency other than the Department of Justice. He began his career as an SBI special agent in August 1973, only eight days after obtaining his graduate degree from the University of Maine. Mr. Hawley performed his undergraduate work at Campbell College (University). He held numerous assignments during his 26-year career, including special agent in charge responsible for field investigations in two districts.

Jane E. Kirtley

Ms. Jane E. Kirtley has been the Silha Professor of Media Ethics and Law (endowed by former Minneapolis *Star* and *Tribune* publisher Otto Silha and his wife, Helen) at the University of Minnesota's School of Journalism and Mass

Communication since August 1999. Ms. Kirtley joined the university's faculty after serving for 14 years as executive director of The Reporters Committee for Freedom of the Press in Arlington, Virginia.

Ms. Kirtley speaks frequently on First Amendment and freedom of information issues in the United States and abroad, including in the Czech Republic, Poland, Russia, Belarus, Latvia, Mongolia, Hong Kong and Chile. Her column, "The Press and the Law," appears monthly in the *American Journalism Review*.

Before joining the Reporters Committee staff, Ms. Kirtley was an attorney for five years with the law firm of Nixon, Hargrave, Devans & Doyle in Rochester, New York, and in Washington D.C. She is a member of the New York, District of Columbia and Virginia bars. Ms. Kirtley also worked as a reporter for the Evansville, Indiana, *Press* and for the Oak Ridge *Oak Ridger* and Nashville *Banner* in Tennessee.

Ms. Kirtley's many awards and honors include induction into the Medill School of Journalism's Hall of Achievement in 1999 and the FOI Hall of Fame in 1996. In 1993, she received the *John Peter Zenger Award for Freedom of the Press and the People's Right to Know* from the University of Arizona.

Ms. Kirtley holds a JD from Vanderbilt University School of Law (1979). She holds a BA and Master's Degree in Journalism from Northwestern University's Medill School of Journalism.

Prof. Kent Markus

Prof. Kent Markus is a visiting professor at Capital University Law School in Columbus, Ohio, where he teaches Administrative Law, Remedies, and a seminar on the Role of the Prosecutor. Prof. Markus also serves as director of Capital University's new "Dave

Thomas Center for Adoption Law," the first law school-based institution focused on adoption law in the United States.

Before heading to Capital in the fall of 1998, Prof. Markus served as deputy chief of staff at the U.S. Department of Justice (DOJ) and as the highest-ranking adviser to Attorney General Janet Reno. During his five years at DOJ, Prof. Markus was responsible at various times for: implementing nationally the Brady Handgun Violence Prevention Act, and the Violent Crime Control and Law Enforcement Act of 1994; establishing and directing the Community Oriented Policing Services (COPS) Office; managing DOJ's congressional dealings; and serving as DOJ's point person on crime policy in general, with special attention to juvenile crime, gun violence and criminal record systems.

Prior to his DOJ service, Prof. Markus was chief of staff for the Democratic National Committee. Previously, he served as chief of staff for former Ohio Attorney General Lee Fisher. Prof. Markus, a Cleveland, Ohio, native, worked earlier in his career at law firms in Australia, Alaska and Washington D.C., before heading home to clerk for U.S. District Judge Alvin I. "Buddy" Krenzer, practice law and teach at Cleveland State Law School. On Capitol Hill, Prof. Markus worked for former U.S. House Speakers Carl Albert and Tip O'Neill, and for former House Rules Committee Chairman Richard Bolling.

He is a 1981 graduate of Northwestern University's School of Speech, a 1984 Honors Graduate of Harvard Law School, and a graduate of the Kennedy School's Program for Senior Executives in State and Local Government.

Hon. Gordon A. Martin Jr.
Judge Gordon A. Martin Jr. was appointed in 1983 to the Massachusetts Trial Court. He headed one of the nation's frontline urban district courts, which handled the most gun, drug and domestic violence cases in the state. Judge Martin now operates a special assignment session for cases from various eastern Massachusetts courts.

Judge Martin was a trial attorney with the Civil Rights Division of the U.S. Department of Justice during the Kennedy Administration and, thereafter, First Assistant U.S. Attorney for the District of Massachusetts. He was subsequently a commissioner on the Massachusetts Commission Against Discrimination before organizing the firm in which he was a partner until becoming a judge.

Judge Martin was honored in 1994 by Casa Myrna Vasquez, New England's largest program for battered women, for his work on behalf of abused women. That same year, Judge Martin was designated as one of three initial U.S. House of Representatives "practitioner" appointees to the federal Coordinating Council on Juvenile Justice and Delinquency Prevention, which was chaired by U.S. Attorney General Janet Reno. In that capacity, he helped prepare *Combating Violence and Delinquency: The National Juvenile Justice Action Plan*. He was re-appointed to the council in 1998. Judge Martin is also completing his second term as a trustee of the National Council of Juvenile and Family Court Judges.

Judge Martin co-authored *Civil Rights Litigation: Cases and Perspectives* (Carolina Press 1995). He has written law review articles on a wide range of topics. Judge Martin's articles on juvenile justice have appeared in the *Connecticut Law Review* and the *New England Journal on Criminal and Civil Confinement*.

Judge Martin is a graduate of Harvard College and the New York University School of Law.

During 2000, Judge Martin is a Visiting Professor teaching Civil Rights and Legal Ethics at the University of Mississippi School of Law.

Iris Morgan

Ms. Iris Morgan is a senior management analyst II for the Criminal Justice Information Services (CJIS) Program Area located within the Florida Department of Law Enforcement (FDLE). She currently coordinates the delivery of information services statewide, supervises the CJIS Help Desk and is project leader for the development and installation of the Florida Crime Information Center (FCIC) II Workstation Software Project. Prior to assuming that role, she was responsible for conducting FCIC/ National Crime Information Center (NCIC) audits of criminal justice agencies accessing FCIC and NCIC.

Ms. Morgan has two decades of experience with FDLE and the CJIS Program Area. During this time, she has served in a variety of technical, analytical and supervisory positions. She has also been instrumental in designing several major criminal justice information system enhancements, including the Offender-Based Transaction System, Uniform Offense and Arrest Reports, the National Fingerprint File Program, the Uniform Crime Reports Program, and the Criminal Justice Data Element Dictionary, as well as a redesign of the Computerized Criminal History file.

Peter L. O'Neill

Mr. Peter L. O'Neill co-founded CARCO Group Inc. in 1977. CARCO is a privately held corporation that provides fraud detection services to niche markets. Mr. O'Neill has served as CARCO's president and chief executive officer since 1977, and as chairman of the company's

Board of Directors since 1984. Mr. O'Neill is an attorney admitted to practice law in New York and before the U.S. Supreme Court. He has more than 30 years of experience in security and law enforcement. Mr. O'Neill previously served as a vice president of The Wackenhut Corporation, as former assistant general counsel of ARA Services (ARAMARK), and as a special agent for the FBI.

Mr. O'Neill holds a BA from Colgate University, and a Law Degree from the New York University School of Law. He is a member of the FBI Agents Association, the American Society of Industrial Security, and the International Security Management Association. He is also a director of the New York Law Enforcement Foundation.

The National Ethnic Coalition of Organizations presented Mr. O'Neill with the *Ellis Island Medal of Honor* in May 1999 for his commitment to charitable work.

Ronald L. Plesser

Mr. Ronald L. Plesser is a partner with the Washington D.C., law firm of Piper & Marbury, specializing in issues relating to the emergence of new information technologies. In January 2000, Mr. Plesser was named to the Federal Trade Commission's Advisory Committee on Online Access and Security.

He served as deputy director of the Science, Space and Technology Cluster for the Clinton-Gore transition team in 1992. Mr. Plesser has also served as an adjunct professor of law at George Washington University, and was past chair of the American Bar Association's Individual Rights and Responsibilities Section.

He joined the Center for Study of Responsible Law in 1972 and was primarily responsible for litigation and legislative activities concerning the Freedom of Information Act. Mr. Plesser served as general

counsel to the U.S. Privacy Protection Study Commission in 1975.

He is a graduate of George Washington University with a degree in English Literature and Law.

Lawrence F. Potts

Mr. Lawrence F. Potts is director of the Boy Scouts of America's (BSA) Administrative Group, where he manages Information Systems, Properties and Treasury.

Mr. Potts has served with the National Council of the Boy Scouts since 1982 and in his current position since 1992. He has also served as the Scout's Treasury Division director. Prior to joining the National Council, he had extensive experience in the casualty insurance industry, holding the positions of controller and treasurer and serving on several boards of directors. He also served with the U.S. Armed Forces, attaining the rank of captain.

Mr. Potts was an original member of the BSA Youth Protection Task Force, where he was instrumental in creating several tools for the prevention of child abuse in society and in scouting.

He was also an original member of the National Collaboration for Youth Sexual Abuse Task Force, an association of 16 not-for-profit youth-serving organizations seeking to prevent child sexual abuse. The task force pioneered efforts in educating and sharing information about sexual abuse among youth-serving agencies. Mr. Potts is the author of a paper on a model program's efforts to prevent child abuse.

Through BSA, Mr. Potts can communicate with more than 4.4 million youths and 1.1 million adults of mixed ethnic and racial backgrounds, and many others throughout society. Currently, he chairs the BSA Youth Protection Task Force, the Child Abuse Expert Advisory Panel, and the National

Collaboration for Youth Child Sexual Abuse Task Force, and is a member of the National Child Abuse Coalition. He was a member of the U.S. Advisory Board on Child Abuse and Neglect from 1992-96. As a certified public accountant, Mr. Potts is a member of the American Institute of Certified Public Accountants and the Texas Institute. He also is a member of the Association of Investment Analysts, the Southwest Pension Conference and the Sentinel Institute.

Mr. Potts is a graduate of the University of Texas at Austin, and is a member of Beta Alpha Psi and Phi Kappa Phi organizations.

Stuart K. Pratt

Mr. Stuart K. Pratt is vice president for Government Relations for Associated Credit Bureaus Inc., an international trade association representing approximately 800 credit bureaus, 600 collection agencies and 112 mortgage credit reporting companies across North America and internationally.

Mr. Pratt is responsible for monitoring federal and state legislative issues, managing industry lobbyists and coordinating the industry's lobbying efforts when issues of concern arise on Capitol Hill or in a given state. In addition, he acts as a liaison between the credit reporting industry and allied industries on federal and state legislative issues. He also monitors trends in state legislation for long-range planning purposes, and has developed and implemented an ongoing state-level grassroots campaign.

The Greater Washington Society of Association Executives and the American Bankruptcy Institute are among Mr. Pratt's industry-related activities. He holds a BA from Furman University in Greenville, South Carolina, and is currently pursuing his MBA at the University of Maryland.

Jack H. Reed

Mr. Jack H. Reed is vice president of Government Relations for DBT Online Inc., a leading nationwide provider of organized online public record data and other information. Mr. Reed's career began in personal finance, where he spent nine years serving in various management positions. He has been a licensed private investigator since 1964, the year he founded the private investigation firm JHRI Inc. Mr. Reed entered Western State University's College of Law in 1966. His graduation was delayed until 1972 due to a serious injury that left him quadriplegic. During his recovery period, JHRI continued to grow with Mr. Reed at the helm.

Mr. Reed founded IRSC in 1979. He began selling public record and nonpublic information to private investigators, corporations, insurance companies and financial institutions in 1983. IRSC was acquired by DBT in May 1999.

Mr. Reed is a member of the California Association of Licensed Investigators. He served the organization as president, and on the Board of Directors as vice president of investigations, district director and director at large. Mr. Reed served on the Legislative Committee for more than 20 years.

Mr. Reed has served as president of the National Council of Investigation & Security Services, and also as chair of its Legislative Committee overseeing federal legislation issues in 1997-98. He is an active member of various other state, national and international professional associations, and serves on various committees within these organizations.

Mr. Reed was appointed by the Software/Information Industry Association Board of Directors to serve on the Executive Committee of the Public Policy and Government Relations Council. He also serves on the association's

Committee on Privacy and Information Regulation and chairs the State Issues Working Group and Government Information Policy Committee. Additionally, Mr. Reed served on a privacy task force spearheaded by California State Sen. Steve Peace (D-EI Cajon).

Mr. Reed is a founder of the Washington D.C.-based Individual Reference Services Group, a collection of leaders in the information industry formed to address privacy concerns.

Jeffrey T. Resnick

Mr. Jeffrey T. Resnick is chief executive officer of Opinion Research Corporation International's US Group (ORC International). He is also a member of the Worldwide Managing Board for ORC International. During his 20 years of experience in consulting and research, he has provided strategic direction to domestic and international clients in a variety of industries on issues such as customer retention, reputation management and strategic market positioning, international expansion, product design/new product introduction, pricing strategy and customer database management.

Mr. Resnick holds a BS degree from Pennsylvania State University and a MA from Western Michigan University.

Jack Scheidegger

Since 1996, Mr. Jack Scheidegger has been chief executive officer of Western Identification Network Inc., a coalition of western states that electronically share fingerprints and criminal history record information. Prior to his appointment, Mr. Scheidegger was chief of the Bureau of Criminal Identification and Information for the California Department of Justice.

He previously served the department as chief of its Bureau of Forensic Services, and as director of its Bureau of Medi-Cal Fraud and

Patient Abuse. Mr. Scheidegger also served as legislative advocate for the California Attorney General's Office.

Mr. Scheidegger has been a member of the SEARCH Board of Directors, chair of SEARCH's Law and Policy Program Advisory Committee, and chair of the Bureau of Justice Statistics/SEARCH National Task Force on Increasing the Utility of the Criminal History Record. He has also been a member of the California Peace Officers Association, the American Society of Crime Laboratory Directors, and the National Crime Information Center/FBI Western Regional Working Group (Control Terminal Officer).

Mr. Scheidegger holds a BA in Public Administration from California State University at Sacramento, and a MA in Public Administration from the University of Southern California.

Peter P. Swire

Mr. Peter P. Swire is the Clinton Administration's first chief privacy counselor, advising the White House on policies governing the use of personal information in government and industry. Mr. Swire, a privacy law specialist and law professor at Ohio State University (OSU), has written extensively on privacy issues and other matters of law. He was co-author of the book *None of Your Business: World Data Flows, Electronic Commerce, and the European Privacy Directive*, which was published by Brookings Institution Press in 1998.

Mr. Swire's OSU research focuses on privacy, cyberbanking and electronic commerce.

Mr. Swire also advises the U.S. Department of Commerce on issues relating to data flow between the European Union and the United States. He served as editor of the American Association

of Law Schools' Section on Defamation and Privacy newsletter, and currently sits on *Electronic Banking Law & Commerce Report's* Editorial Advisory Board.

Previously, Mr. Swire served as associate professor at the University of Virginia School of Law, as an associate at Powell, Goldstein, Frazer & Murphy in Washington D.C., and as a judicial clerk to the Honorable Ralph K. Winter Jr., United States Court of Appeals for the Second Circuit.

Mr. Swire holds an AB from Princeton University and a JD from Yale Law School. He also studied at the Universite Libre de Bruxelles, Belgium, under a Rotary International Fellowship.

Dr. Alan F. Westin

Dr. Alan F. Westin is professor emeritus of Public Law and Government at Columbia University; publisher of *Privacy & American Business*; and President of the Center for Social & Legal Research. He has written or edited 26 books on constitutional law, civil liberties and civil rights, and American politics.

Dr. Westin's major books on privacy — *Privacy and Freedom* (1967) and *Databanks in a Free Society* (1972) — were pioneering works in the field of privacy and data protection, as were his field studies for the U.S. National Bureau of Standards, *Computers, Health Records, and Citizen Rights* (1976) and *Computers, Personnel Administration, and Citizen Rights* (1979).

Over the past 40 years, Dr. Westin has been a member of federal and state government privacy commissions and an expert witness before many state and federal legislative committees and regulatory agencies. These activities have covered privacy issues in fields such as financial services, credit and consumer reporting, direct marketing, medical and health,

telecommunications, employment, law enforcement, online and interactive services, and social services.

Dr. Westin has been a privacy consultant to many federal, state, and local government agencies and private foundations. He has also consulted on privacy for more than 100 major and start-up companies, including IBM, Security Pacific National Bank, Equifax, American Express, Citicorp, Bell, Prudential, Bank of America, Chrysler, AT&T, SmithKline Beecham, News Corporation, Visa and Glaxo Wellcome.

He has spoken at more than 500 national and international business and government meetings on privacy issues since the early 1960s, and appeared on all major U.S. television networks to discuss current privacy developments in business or government.

Between 1978 and 1998, he was the academic adviser to Louis Harris & Associates for 20 national surveys of public and leadership attitudes toward consumer, employee and citizen privacy issues in the United States and Canada. He has also

worked with Opinion Research Corporation on a dozen proprietary privacy surveys for companies and industry associations.

In 1993, with SEARCH General Counsel Robert R. Belair, he founded the national newsletter and information service, *Privacy & American Business (P&AB)*, to provide expert analysis and a balanced voice on business-privacy issues. *P&AB* conducts an annual national conference in Washington, D.C., on "Managing the Privacy Revolution," attended by 250 representatives of business, government, academic and public interest groups. *P&AB* also conducts a Corporate Privacy Leadership Program, and a Global Business Privacy Policies Project.

Dr. Westin holds a BA from the University of Florida, an LLB from Harvard Law School and a PhD in Political Science from Harvard University. He is a member of the District of Columbia Bar and has been listed in *Who's Who in America* for three decades.

Dr. John N. Woulds

Dr. John Woulds is director of operations at the Office of the Data

Protection Commissioner, the supervisory authority established in the United Kingdom under the 1998 Data Protection Act.

Dr. Woulds has been in the Office of the Data Protection Commissioner (previously the Data Protection Registrar) since March 1985. As director of operations, he is a member of the Commissioner's Management Board and is responsible for all operational aspects of the work of the commissioner's office. This includes notification, assessments casework, investigations, compliance casework and policy advisory work in all sectors. Dr. Woulds also has management responsibility for the commissioner's role in freedom of information.

Prior to his appointment with the Data Protection Commissioner, Dr. Woulds worked for several years in computer management in scientific computing centers. Before that, he was an active research scientist in the field of high energy particle physics.

Dr. Woulds is a Magistrate and a Fellow of the Royal Society of Arts.

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