

## SEARCH Resolution 09-54

Of the Membership Group of SEARCH, The National Consortium for Justice Information and Statistics

November 18, 2009

### **National Criminal Justice Commission Act**

**WHEREAS**, Senator Jim Webb (D-VA) has introduced a bill (S. 714) to establish a National Criminal Justice Commission (NCJC) and this would be the nation's first comprehensive, criminal justice commission created since 1967;

**WHEREAS**, the NCJC would be tasked with undertaking a comprehensive review of the criminal justice system; making findings related to current Federal, State, local, and tribal criminal justice policies and practices; and making reform recommendations for the President, Congress, State, local, and tribal governments to improve public safety, cost-effectiveness, and fairness in the implementation of the Nation's criminal justice system;

**WHEREAS**, over approximately the last 40 years, one of the most significant changes that has impacted criminal justice policy and practice has been the application of information sharing and identification technologies;

**WHEREAS**, SEARCH's primary objective for the past 40 years has been to identify and help solve the information management problems of state and local justice agencies confronted with the need to exchange information with other local agencies, state agencies, agencies in other states, or with the federal government;

**WHEREAS**, based on input from SEARCH staff, the version of S. 714 to be presented before the Senate Judiciary Committee now includes language that would require the NCJC to make findings, as appropriate, concerning:

an examination of the impact of justice information and identification technologies including the challenges and benefits of integrated information sharing systems, interoperability, and the sharing of information and identification infrastructure among and between criminal justice agencies and other first responder agencies;

**NOW, THEREFORE, BE IT RESOLVED** by the Membership Group of SEARCH, The National Consortium for Justice Information and Statistics, that:

'SEARCH applauds the efforts by Senator Webb and the Senate Judiciary Committee, and SEARCH is supportive of the establishment of a commission that would review the nation's criminal justice system in a holistic manner;

SEARCH believes that this bill would be improved by broadening the scope to look comprehensively at criminal justice policy and process;

(More)

SEARCH recommends that the bill include language to specifically address issues associated with the funding and governance of information technology and sharing practices, including, but not limited to, the following suggested language:

- An examination of the impact of justice information and identification technologies including the challenges and benefits of integrated information sharing systems; interoperability; the sharing of information and identification infrastructure among and between criminal justice agencies and other first responder agencies (including those receiving funding from homeland security appropriations);
- An examination of the impact, benefits and operational implications of broader information sharing, primarily with regards to enabling effective decision-making while properly securing information to protect privacy and civil rights and liberties;
- An examination of the impact and benefits of justice assistance, including the proportion of justice assistance expenditures for formula grants versus discretionary grants; the impact of, and need for, the National Criminal History Improvement program; the role of justice assistance in encouraging and facilitating state participation in national criminal history information systems and registries;
- An examination of the impact of the availability of criminal history record information, including purging and sealing, on re-entry and recidivism; and
- An examination of the importance of preserving state authority to authorize criminal history background checks and the importance of using state criminal history record repositories for criminal and non-criminal justice background checks, including the contribution that such checks make to the reliability and utility of background screening and the financial resources available to the states.

SEARCH recommends that the appointment process for membership on the NCJC be entirely nonpartisan and that at least one member of the NCJC be an individual with a distinguished reputation for expertise, knowledge and experience in criminal justice information and identification technology, interoperability and privacy and security.'