

AMENDED IN SENATE JUNE 29, 2000  
AMENDED IN ASSEMBLY MAY 3, 2000  
AMENDED IN ASSEMBLY APRIL 13, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2124**

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**Introduced by Assembly Member McClintock  
(Coauthors: Assembly Members Campbell, Cox, Cunneen,  
Dickerson, Leach, and Zettel)**

February 23, 2000

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~~An act to amend the heading of Title 3 (commencing with Section 13000) of Part 4 of, and to add Chapter 3 (commencing with Section 13350) to Title 3 of Part 4 of, the *An act to amend Sections 13100.1 and 13100.2 of the Penal Code*, relating to crime prevention.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2124, as amended, McClintock. Crime prevention: criminal statistics.

~~Existing law requires the Department of Justice to collect data necessary for the work of the department, to process, tabulate, analyze, and interpret the data, to present an annual report to the Governor containing the criminal statistics of the preceding calendar year, and to periodically review the requirements of units of government using criminal justice statistics. The department's annual report is required to contain statistics showing the administrative actions taken by law enforcement, judicial, penal, and correctional agencies or~~

~~institutions in dealing with criminals or delinquents~~ Attorney General to appoint an advisory committee, with a specified membership, to the California-Criminal Index and Identification (Cal-CII) system, to assist in the ongoing management of the system regarding the operating policies, criminal records content, and records retention. The committee serves at the pleasure of the Attorney General and is required to meet twice annually.

This bill would expand and revise this provision to create in the state government the Integrated Justice Information System Task Force to include members as specified. The advisory committee would become part of the task force which would be required to establish a California integrated justice information system plan to be used as specified for the purpose of maximizing standardization of data elements and communications technology, reducing unnecessary duplication of data collection, storage, or entry and to formulate recommendations regarding the establishment of a permanent planning or development process.

The task force would be required to report its findings and recommendations to the Attorney General, the Judicial Council, the Speaker of the Assembly, the Senate Committee on Rules, and the Governor, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. This act shall be known and may be cited
- 2 as “The Integrated Justice Enterprise Information Act of
- 3 2000.”
- 4 SEC. 2. The Legislature finds and declares all of the
- 5 following:
- 6 (a) An automated justice system that shares and tracks
- 7 data concerning youth and adult offenders and cases in
- 8 the juvenile, dependency, probate, family and criminal
- 9 courts among all appropriate agencies will improve
- 10 public safety and school safety by making more timely,
- 11 accurate, and complete information available statewide
- 12 to all criminal justice, social service, and education



1 agencies and to individual decisionmakers in the system  
2 including police officers, sheriffs, prosecutors, public  
3 defenders, judges, corrections officers, probation officers,  
4 health and human services officers, and educators.

5 (b) Criminal justice, social service, and education  
6 agencies may currently employ different data base entry  
7 and management protocols and electronic data storage  
8 and communications technologies, some fully compatible  
9 with others, some not.

10 (c) Chapter 7 (commencing with Section 11700) of  
11 Part 1 of Division 3 of Title 2 of the Government Code  
12 establishes the Department of Information Technology  
13 to provide leadership, guidance, and oversight of  
14 information technology in state government, including,  
15 but not limited to, the following:

16 (1) Development of statewide strategy, policy,  
17 standards, and infrastructure for state government  
18 information technology.

19 (2) Implementation of efficient, effective, and timely  
20 information technology acquisition and project  
21 management procedures.

22 (3) Development and implementation of an  
23 information technology equipment and acquisition  
24 strategy to maximize efficiency in information  
25 dissemination and transfer.

26 (d) Rule 6.53 of Title Six of the California Rules of  
27 Court, the Judicial Administrative Rules, establishes the  
28 Court Technology Advisory Committee to promote,  
29 coordinate, and facilitate acquisition and implementation  
30 of information and communication technologies useful  
31 and appropriate to the courts and to recommend  
32 standards to ensure compatibility in the application of  
33 information and communication technology in the  
34 judicial branch.

35 (e) The United States Department of Justice is  
36 engaged in an effort to promote integrated criminal  
37 justice technologies nationwide and, among other things,  
38 will be sponsoring and facilitating discussions of  
39 nationwide technical standards for sharing criminal



1 justice information among all components of the criminal  
2 justice enterprise.

3 (f) Other states are engaged in similar efforts to  
4 promote the utilization by criminal justice agencies of  
5 information and communication technologies as a means  
6 for sharing criminal justice information.

7 ~~SEC. 3. The heading of Title 3 (commencing with~~  
8 ~~Section 13000) of Part 4 of the Penal Code is amended to~~  
9 ~~read:~~

10

~~TITLE 3. JUSTICE ENTERPRISE INFORMATION~~

11

12  
13 ~~SEC. 4. Chapter 3 (commencing with Section 13350)~~  
14 ~~is added to Title 3 of Part 4 of the Penal Code, to read:~~

15

~~CHAPTER 3. INTEGRATED JUSTICE INFORMATION SYSTEM~~  
~~TASK FORCE~~

16

17

18  
19 ~~13350. There is hereby created in the state~~  
20 ~~government the Integrated Justice Information System~~  
21 ~~Task Force.~~

22

~~13351. The task force shall include as members:~~

23

24 ~~(a) Three judges appointed by the Chairperson of the~~

25

26 ~~Judicial Council.~~

27

28 ~~(b) Two representatives appointed by the Attorney~~

29

30 ~~General.~~

31

32 ~~(c) One public member involved in privacy advocacy,~~  
33 ~~civil liberties advocacy, legal aid or public access~~

34

35 ~~appointed by the Governor; as well as one representative~~

36

37 ~~from each of the following state agencies, appointed by~~

38

39 ~~the Governor:~~

40

- ~~(1) The Department of Information Technology.~~
- ~~(2) The California State Library.~~
- ~~(3) The State Public Defender.~~
- ~~(4) The Office of Criminal Justice Planning.~~
- ~~(5) The Youth and Adult Correctional Agency.~~
- ~~(6) The State Department of Education.~~
- ~~(7) The State Health and Welfare Agency.~~
- ~~(8) The State Board of Control.~~
- ~~(9) The Department of the California Highway Patrol.~~



1 ~~(d) The Governor shall designate one representative~~  
2 ~~from each of the following local governmental agencies:~~

- 3 ~~(1) Police departments.~~
- 4 ~~(2) Sheriffs offices.~~
- 5 ~~(3) District attorneys' offices.~~
- 6 ~~(4) Local public defenders' offices.~~
- 7 ~~(5) Probation departments.~~

8 ~~(e) The Chairperson of the Judicial Council shall~~  
9 ~~appoint one of the three judges to serve as chair of the task~~  
10 ~~force.~~

11 ~~(f) The Speaker of the Assembly and the President pro~~  
12 ~~Tempore of the Senate shall each appoint two~~  
13 ~~representatives from recognized organizations involved~~  
14 ~~in privacy advocaey, civil liberties advocaey, legal aid or~~  
15 ~~public access.~~

16 ~~(g) Staff for the task force shall be provided by the~~  
17 ~~Office of Criminal Justice Planning.~~

18 ~~13352. (a) The task force shall create a California~~  
19 ~~integrated justice information system plan. The plan shall~~  
20 ~~set forth steps that need to be taken by justice system~~  
21 ~~agencies to develop and implement, in a cost-effective~~  
22 ~~manner, an integrated justice information system that~~  
23 ~~maximizes standardization of data elements and~~  
24 ~~communications technology and reduces unnecessary~~  
25 ~~duplication of data collection, storage, or entry. In~~  
26 ~~creating this plan, the task force shall consult with and~~  
27 ~~take into consideration existing information technology~~  
28 ~~planning efforts being undertaken by justice system~~  
29 ~~agencies. The task force's plan shall include a set of~~  
30 ~~privacy design principles to ensure that the public's~~  
31 ~~legitimate expectations of privacy are not undermined or~~  
32 ~~invaded by the development, implementation, or use of~~  
33 ~~integrated justice information systems.~~

34 ~~(b) For purposes of this section, "justice system~~  
35 ~~agencies" means state and local law enforcement~~  
36 ~~agencies, prosecutors, public defenders, the courts,~~  
37 ~~correctional institutions and agencies, human service~~  
38 ~~agencies, and educational institutions.~~

39 ~~13353. (a) The task force shall meet at least two times~~  
40 ~~within the first year of its creation, during which time it~~



1 shall formulate recommendations regarding the  
2 establishment of a permanent planning or development  
3 process for the purpose of achieving continuous  
4 collaboration among the various agencies that participate  
5 in the integrated justice information system.

6 (b) The task force shall oversee the planning or  
7 development process described in subdivision (a) for at  
8 least five years following the enactment of this chapter.

9 *SEC. 3. Section 13100.1 of the Penal Code is amended*  
10 *to read:*

11 13100.1. (a) The Attorney General shall appoint an  
12 advisory committee to the California Criminal Index and  
13 Identification (Cal CII) system to assist in the ongoing  
14 management of the system with respect to operating  
15 policies, criminal records content, and records retention.  
16 The committee shall serve at the pleasure of the Attorney  
17 General, without compensation, except for  
18 reimbursement of necessary expenses.

19 (b) *There is hereby created in the state government*  
20 *the Integrated Justice Information System Task Force for*  
21 *the purpose of providing ongoing review and integration*  
22 *of California's criminal justice information systems, at the*  
23 *local, state, and federal levels, to provide policies and*  
24 *procedures to consistently capture, transfer, and release*  
25 *criminal justice information. The task force is an*  
26 *expansion of the Advisory Committee to the California*  
27 *Criminal Index and Identification (Cal-CII) system. The*  
28 *task force, as a first priority, shall review the committee's*  
29 *current project agenda to maintain timely*  
30 *implementation and completeness schedules. The task*  
31 *force shall also incorporate the committee's mission and*  
32 *goals within the task force agenda.*

33 (b) *The task force shall be co-chaired by a designee of*  
34 *the Attorney General and a designee of the Chairperson*  
35 *of the Judicial Council, both of whom shall be selected*  
36 *from the membership of the task force.*

37 (c) *The task force shall serve at the pleasure of the*  
38 *chairpersons described in subdivision (b), without*  
39 *compensation, except for reimbursement of necessary*  
40 *expenses.*



1 (d) The ~~committee~~ *task force* shall consist of the  
2 following representatives:

3 (1) One representative from the California Police  
4 Chiefs' Association.

5 (2) One representative from the California Peace  
6 Officers' Association.

7 (3) Three representatives from the California State  
8 Sheriffs' Association.

9 (4) ~~One trial judge appointed by the Judicial Council.~~

10 ~~(5) Three judges, at least one of whom is an appellate~~  
11 ~~court justice, and two court administrators, all appointed~~  
12 ~~by the chairperson of the Judicial Council.~~

13 (5) *Three representatives from the Department of*  
14 *Justice.*

15 (6) One representative from the California District  
16 Attorneys' Association.

17 ~~(6) One representative from the California Court~~  
18 ~~Clerks' Association.~~

19 (7) One representative from the Office of Criminal  
20 Justice Planning.

21 (8) One representative from the Chief Probation  
22 Officers' Association.

23 (9) One representative from the Department of  
24 Corrections.

25 (10) One representative from the Department of the  
26 California Highway Patrol.

27 (11) *One representative from the Department of*  
28 *Information Technology.*

29 (12) *One representative from the California Youth*  
30 *Authority.*

31 (13) *One representative from a local public defender's*  
32 *office.*

33 (14) *Four representatives from recognized*  
34 *organizations involved in privacy advocacy, civil liberties*  
35 *advocacy, legal aid or public access, two of which are*  
36 *appointed by the Speaker of the Assembly and two of*  
37 *which are appointed by the Senate Committee on Rules.*

38 (15) One member of the public, appointed by the  
39 Senate Committee on Rules, who is knowledgeable and  
40 experienced in the *necessity and the* process of utilizing



1 ~~background—clearances~~ *criminal justice information*  
2 *system data or who has been involved in privacy*  
3 *advocacy, civil liberties advocacy, legal aid, or public*  
4 *access.*

5 ~~(12)~~

6 (16) One member of the public, appointed by the  
7 Speaker of the Assembly, who is knowledgeable and  
8 experienced in the *necessity and the* process of utilizing  
9 ~~background—clearances~~ *criminal justice information*  
10 *systems data or who has been involved in privacy*  
11 *advocacy, civil liberties advocacy, legal aid, or public*  
12 *access.*

13 SEC. 4. Section 13100.2 of the Penal Code is amended  
14 to read:

15 13100.2. ~~(a) The designee of the Attorney General~~  
16 ~~shall serve as chair of the committee.~~

17 ~~(b)~~

18 (a) The Department of Justice *and the Judicial*  
19 *Council* shall provide staff and support for the ~~committee~~  
20 *task force.*

21 ~~(c)~~

22 (b) The ~~committee~~ *task force* shall meet at least twice  
23 annually. Subcommittees ~~shall~~ *may* be formed and meet  
24 as necessary. All meetings shall be open to the public ~~and~~  
25 ~~reports shall be made available to the Legislature and~~  
26 ~~other interested parties.~~

27 (c) *The task force shall create a California integrated*  
28 *justice information system plan. The plan shall set forth*  
29 *steps that need to be taken by justice system agencies to*  
30 *develop and implement, in a cost-effective manner, an*  
31 *integrated justice information system that maximizes*  
32 *standardization of data elements and communications*  
33 *technology and reduces unnecessary duplication of data*  
34 *collection, storage, or entry. In creating this plan, the task*  
35 *force shall consult with and take into consideration*  
36 *existing information technology planning efforts being*  
37 *undertaken by justice system entities. As appropriate, the*  
38 *task force may circulate draft plans for comment to user*  
39 *groups such as educational institutions, child welfare*  
40 *agencies, and rape crisis centers. The task force’s plan*



1 shall include a set of privacy design principles to ensure  
2 that the public's legitimate expectations of privacy are  
3 not undermined or invaded by the development,  
4 implementation, or use of integrated justice information  
5 systems. The task force also shall formulate  
6 recommendations regarding the establishment of a  
7 permanent planning or development process for the  
8 purpose of achieving continuous collaboration among the  
9 various entities that participate in the integrated justice  
10 information system. The task force shall make  
11 recommendations to the Legislature regarding  
12 legislation to implement the plan.

13 (d) The goal of the task force shall be to share and  
14 coordinate planning efforts of justice system entities in  
15 order to promote opportunities for information  
16 integration.

17 (e) The task force shall oversee the planning or  
18 development process described in subdivision (c) for at  
19 least five years following the enactment of this act.

20 (f) On or before December 31, 2002, and annually  
21 thereafter, the task force shall report its findings and  
22 recommendations to the Attorney General, the Judicial  
23 Council, the Speaker of the Assembly, the Senate  
24 Committee on Rules, and the Governor.

