

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



Office of the Commissioner

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February 20, 2004

James R. Nobles
Legislative Auditor
Centennial Building
658 Cedar Street
St. Paul, MN 55155

Dear Mr. Nobles:

On behalf of the Department of Public Safety, I want to thank you and your staff for all your efforts to produce such a thorough and comprehensive report on such a complex program as CriMNet and related criminal justice projects. We feel the report represents a fair and accurate assessment of the criminal justice projects and the CriMNet program.

Your staff did an excellent job of crafting this report and identifying the issues that agencies face when developing complex, multi-disciplined projects. We recognize that many of the early projects, while delivering additional information and infrastructure, did not address integration. That is precisely the reason the legislature originally adopted the CriMNet plan in 2001. Since my appointment as Commissioner of Public Safety in February, 2003, we have made a concerted effort to focus our attention on many of the areas that were identified in the report. We acknowledge the issues that CriMNet faced in its early years but believe that significant progress has been made and that many of the issues are continuing to be addressed.

CriMNet is a program that requires collaboration from stakeholders at all levels of government. Not everyone agrees what constitutes CriMNet or what should be included in the scope of CriMNet. At times, it is difficult to get consensus among all these stakeholders, but we are confident that CriMNet is now moving in the right direction. It is important to remember that no other state has achieved successful integration in this area. This is new territory; Minnesota is a pioneer state and is seen as a national leader in the area of criminal justice information integration.

While there is no national model, there are a number of national groups and other states who are working diligently in this area and recognize that successful criminal justice information integration is critical to improving public safety. CriMNet is a major player in this national effort and will continue to participate at the national level with groups such as: Search, Global, National Governor's Association and National Association of Chief Information Officers.

Your office identified a number of findings and recommendations for the CriMNet program. We generally agree with these findings and recommendations, and in many cases, have already taken action to rectify problem areas. One major conclusion of the report is that the CriMNet program is inadequately staffed. Significant progress has recently been made in this area and a permanent staff should be in place in the very near future. Once that hurdle is behind us, CriMNet can focus on the additional recommendations that need to be addressed. The report included a list of summary recommendations at the end, and we would like to take the opportunity to respond to these:

1. Strengthen CriMNet Project Management.

The CriMNet Office fully agrees with implementing program/project management best practices as defined by the state Office of Technology Project Management Office. Over the past year, much progress has been made to implement these guidelines and the CriMNet Office regularly consults with the Office of Technology on processes and related tools. The goal is for all projects to follow consistent guidelines for scope statements, phase reviews and decisions points. CriMNet has also implemented a consistent status reporting system for the program and associated projects to make sure that key stakeholders are kept informed of program/project status, issues and changes. We are currently tracking budgets at the CriMNet program level but recognize the need to address tracking budgets at the project level.

2. Fully Staff the CriMNet Office.

Over the last three years, the CriMNet Office has not produced the desired results and outcomes largely in part due to insufficient staffing. Currently, CriMNet is comprised of a number of temporary Rule 10 positions and a number of contractors that have worked on different projects at various times. The program has recently hired five permanent staff, including the executive director, and is in the process of hiring an additional 21 permanent positions. The majority of these positions are technical positions and business analyst positions. We feel very positive about the difference having a full-time, permanent staff will make to strengthen the future of the program.

3. Complete the Planning Process.

The major hurdle to complete the planning process has been the lack of a defined scope statement. The CriMNet Office currently has a stakeholder delivery team that is working on the scope statement and should have a draft available for the Task Force and Policy Group to review in early 2004. And, for the past nine months, the program has been operating under a work plan and will continue to do so. The work plan will coincide with the approved scope statement and will include current projects and key milestones. A long-term strategic plan will be developed once the scope statement is complete and will cover a three to five year period.

4. Improve Communication and Accountability.

We feel the utilization of the status reporting system, as described in recommendation number one, will dramatically improve both communication and accountability to the Task Force, Policy Group and other stakeholders. A formal communication plan, which includes communication with not only stakeholders, but with the legislature and the public, is currently being developed.

5. Address Data Practice Issues.

A delivery team, made up of a number of interested parties and stakeholders, has been meeting for the past year and a half to discuss and seek some resolution on data practice issues. With a strong majority, the group was able to reach some consensus and made a number of recommendations to the Task Force, Policy Group and ultimately the legislature. A bill has been introduced in the House and Senate, which addresses the initial issues relating to data practices as CriMNet moves forward. There is still much work to be done in this area, and this delivery team plans to continue to meet regularly and plan for the next steps.

6. Modify CriMNet's Governance Structure.

The Department of Public Safety and the CriMNet Office appreciate the input and recommendations offered by the Legislative Auditor but would defer to the Task Force and Policy Group to address these recommendations. The Policy Group is looking forward to the opportunity to provide a formal response and will be convening in early March to discuss your findings.

Again, I would like to express my appreciation on behalf of the department and the CriMNet Office for the efforts of the auditor's staff to produce an objective look at the CriMNet program. The road has not been easy over the past three years, but CriMNet is alive and well, and we feel very confident with the direction CriMNet is now moving. The people involved with CriMNet are dedicated and committed people who believe in the value of criminal justice information integration and what that means to the safety of citizens across the state of Minnesota. We look forward to a continued positive working relationship with the legislature to ensure the success of CriMNet.

Sincerely,

/s/ Rich Stanek

Rich Stanek
Commissioner



State of Minnesota
Minnesota Department of Corrections
Office of the Commissioner

February 18, 2004

James R. Nobles
Office of the Legislative Auditor
658 Cedar, Room 140
St. Paul, MN 55155

Dear Mr. Nobles:

The Department of Corrections would like to thank you for the opportunity to review the final draft of the CrimNet Program Evaluation. We understand that this has been a sizeable endeavor involving multiple agencies and commend you and your staff for their work. Your staff has been receptive to our concerns and we have appreciated the opportunity to share our efforts in successfully implementing the Statewide Supervision System.

As you indicated, Minnesota has indeed made significant progress in integrating parts of its criminal justice system. The Statewide Supervision System is one example noted as a key improvement by providing probation and detention data previously available only at each individual agency.

In addition, as mentioned, the experience of the Department of Corrections in working with local agencies and various vendors can be of significant value for future CrimNet efforts in addressing remaining gaps in Minnesota's integration efforts.

We would like to thank Deborah Junod as project manager and her staff for their work on this report. We look forward to continued collaboration with our state and local partners.

Sincerely,

/s/ Joan Fabian

Joan Fabian
Commissioner

THE SUPREME COURT OF MINNESOTA
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February 20, 2004

Mr. Jim Nobles
Office of the Legislative Auditor
Centennial Building
658 Cedar St
St. Paul, MN 55155

Dear Mr. Nobles:

Thank you for the opportunity to review the Legislative Auditor's program evaluation of the CriMNet Project. We acknowledge the professional work of the staff in preparing the report and identifying recommendations for program improvement. As you know, the Policy Group, which represents more than a single agency perspective, did not have an opportunity to consider the report or its recommendations in advance. The recommendations identified by the report are worthy of careful consideration by the full Policy Group, which will next meet on March 8, 2004.

In general, the report recognizes the complexity of the CriMNet project, the diversity of perspectives and components, the significant work that has been accomplished to date, and the commitment of the organizations involved to work toward a satisfactory solution.

You have the Judiciary's commitment to carefully consider the report and to work expeditiously through the Policy Group process toward resolution of the issues that you have identified. I expect that a formal response will be provided by the Policy Group after it has had the opportunity to meet as a body and review this report as a body.

Sincerely yours,

/s/ Sue K. Dosal

Sue K. Dosal
State Court Administrator

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April 6, 2004

Mr. James Nobles
Legislative Auditor
Centennial Building
658 Cedar Street
St. Paul, MN 55155
Dear Mr. Nobles:

On behalf of the Criminal and Juvenile Justice Policy Group (Policy Group), this letter is a follow-up response to the letter we sent to you on March 10, 2004. Since then, the Policy Group met on March 17, 2004 to hear personally from you and your staff regarding the findings and recommendations from the report as they specifically related to the Policy Group, and we met again at our regularly scheduled Policy Group meeting on March 24, 2004 to discuss the actions that will be taken. We appreciate the input and comments from your office and thought the discussion brought about some thoughtful dialogue.

While our discussions as a Policy Group have only begun, we did want to take the opportunity to outline the recommendations submitted in the report and provide a response to them.

Improve Communications and Accountability

Improve timeliness and quality of information on CriMNet program status:

- The Policy Group should develop a policy about CriMNet project costs funded with general operating funds or with general information system funds, and direct agencies to identify those costs in the accounting system or other records in a way that allows them to be included in the overall analysis, monitoring, and reporting of CriMNet program financial activity.
- The Policy Group should work with the agencies to identify resources currently available for the CriMNet program and to define which projects and costs are CriMNet program costs.
- The Policy Group should require state agencies implementing CriMNet projects to establish a common coding structure in the state's accounting system that will allow for overall analysis, monitoring, and reporting of CriMNet financial activity.

- Policy Group members should ensure (1) that state agency CriMNet project teams report all needed status information, including budget, schedule, and outcome data, to the CriMNet Office and (2) that local grant contracts include the same requirement.

The Policy Group has not come to any resolution regarding these four recommendations. They are all related to the definition of CriMNet, CriMNet projects and agency criminal justice projects and initiatives. Each agency has dealt with their accounting and reporting requirements according to their internal agency requirements. The Policy Group has agreed that a working group made up of the Department of Finance, finance representatives from the major criminal justice agencies and the appropriate systems' business representatives from those agencies would begin to meet and develop options for recording criminal justice expenditures. There is still an issue of what a CriMNet project is and what an agency project is. The Policy Group, Task Force and CriMNet Office are working on a scope statement that will address some of these issues. Once that has been determined, decisions can be made regarding accounting and status reporting practices. The Policy Group expects that thoughtful discussion will continue on these recommendations. Over the next few months, the Policy Group plans on holding several working sessions focused on specific topics.

Scope Statement

April – May

Governance/Roles & Responsibilities

May - June

- The Policy Group should implement a communications plan that (1) balances external publicity with information sharing and communication among CriMNet project teams and stakeholder groups; (2) defines the parameters of private sector involvement in promoting CriMNet; and (3) includes a requirement for review and approval of key messages and communication materials.

The Policy Group agrees that communication at all levels is a major issue that needs to be addressed. Effective internal communication between the CriMNet Program Office, the Task Force and the Policy Group is an immediate need that has been lacking since CriMNet's inception. The CriMNet Office has implemented a consistent status reporting system for the program and associated projects to make sure that key stakeholders (primarily the Task Force and Policy Group) are kept informed of program/project status, issues and changes. CriMNet is also in the process of hiring a new communications position. The focus of that position will be gathering input from CriMNet stakeholders and building consensus regarding what CriMNet's message will be, what the best way is to communicate that message, and how the Task Force and Policy Group will provide the necessary review and approval of key messages and communication materials. The goal is to develop an effective process for internal communication and an overall, formal communication plan. One of the first tasks for the new communications position will be to develop a quarterly newsletter aimed at the Policy Group, Task Force and stakeholders. The purpose of the newsletter will be to highlight all of the key initiatives within criminal justice agencies and CriMNet.

Provide more meaningful oversight:

- The Policy Group and Task Force, in collaboration with the CriMNet Office, should adjust meeting agendas and schedules as needed to ensure that CriMNet program status is regularly and rigorously reviewed.

As stated above, in the last year, the CriMNet Office has made a diligent effort to make sure that Task Force and Policy Group members receive a written status report of the CriMNet program at their monthly/quarterly meetings. This status report includes status on budget, schedule and scope and details if those areas are green, yellow or red (controlled, caution, critical) and what the next steps are to rectify problem areas identified. On a fairly regular basis, there are so many agenda items that need to be covered at both the Policy Group and Task Force meetings that the status report is not given adequate time to be discussed; however, members always receive a written report that they are able to review. The utilization of this status reporting system should dramatically improve both communication and accountability to the Policy Group, the Task Force and other stakeholders. The Policy Group has changed the agenda order to ensure that program and project status updates are the first order of business to be reviewed. The Task Force will review the order of agenda items to determine if any changes are required. There are times when it has been determined that the status reports do not have to be reviewed and that other items are of a higher priority.

Improve its ability to evaluate CriMNet budget requests:

- The Legislature should require the Policy Group to present during the biennial appropriation process a comprehensive spending plan showing the status of current projects, the amount of continued funding requested, high-level outcomes expected in the coming biennium, and priorities among new project proposals. In addition, legislative finance and policy committees of jurisdiction should consider specific agency criminal justice information systems requests in light of this overall CriMNet plan.

The Policy Group agrees that CriMNet should participate in the legislative biennial appropriation process as long as the program continues to receive state funds. The Courts, the Department of Corrections and the Department of Public Safety may request appropriations for CriMNet-related activities for each of their agencies within their own base budget requests, but the Policy Group will provide an overall spending and project plan for CriMNet for the fiscal year 2006/2007 process.

Address Data Practice Issues

To address deficient and conflicting Minnesota statutes pertaining to criminal justice data practices and to ensure that individuals have an appropriate level of access to data about themselves:

- The Legislature should during the 2004 legislative session, consider and act on the Policy Group's December recommendation to modify the Data Practices Act.

The Policy Group did approve language to revise the data privacy statutes as they relate to CriMNet and forwarded those recommendations to the legislature. This CriMNet data privacy bill was introduced in the House and Senate. We will know more by the end of the legislative session as to how the legislature would like to see CriMNet proceed with related data practices issues. The Policy Group remains committed to addressing data practices issues as they arise and fully supports the Task Force Data Practices Delivery Team as they continue to study and make recommendations on data practices.

- In future years, the Policy Group should ensure that it makes timely recommendations to the Legislature regarding additional data practices issues requiring legislative action.

The legislative language approved by the Policy Group this year includes a requirement that the Task Force report to the Policy Group by December 1st on any recommendations that need to be considered for future legislative action.

Modify CriMNet's Governance Structure

- To better ensure that the perspectives of local jurisdictions are considered in setting CriMNet policy, the Legislature should amend the law to add local representatives to the Policy Group.

The Policy Group has discussed the merits of this issue on more than one occasion. There are Policy Group members who see value to adding local representation to the Policy Group. Particularly the Chairs of the Task Force, who currently serve as non-voting members on the Policy Group, have expressed their endorsement of adding Task Force representation to the Policy Group. However, there are also concerns expressed by Policy Group members to add local representation. One concern is that Task Force members on the Policy Group will be voting on their own recommendations made to the Policy Group. Another concern is that local representatives will be making decisions regarding state funding that will impact them as locals. The Policy Group expects that thoughtful discussion will continue on this recommendation. As discussed earlier, the Policy Group expects to hold a series of working meetings in the May – June timeframe to address governance and roles and responsibilities.

- To provide stronger day-to-day support and oversight of CriMNet Office operations, the Commissioner of Public Safety and the Policy Group as a whole should clarify for the CriMNet Executive Director distinctions between the Policy Group's strategic authority and the Department of Public Safety's day-to-day management authority.

In November 2003, the CriMNet Office moved its operations to the new Bureau of Criminal Apprehension (BCA) building under the Department of Public Safety (DPS).

DPS has given CriMNet the operational support needed as well as the perception that CriMNet is accountable as part of a state agency to improve the credibility CriMNet was lacking. The Policy Group still maintains the strategic oversight of CriMNet and is involved in major decisions that affect the program. The Policy Group will work with the Executive Director to clarify roles and authority by distinguishing strategic oversight decisions from day-to-day management decisions. This should be an outcome from the discussion on roles and responsibilities that the Policy Group plans to hold.

Strengthen CriMNet Project Management

To help facilitate criminal justice integration and mitigate costs for the state, Policy Group members should ensure that CriMNet projects managed by their respective agencies:

- Have documented baseline expectations regarding project schedules, budgets, and scope.

The Policy Group agrees that baseline expectations regarding these items have been inadequate in the past. The Policy Group does support the steps the CriMNet Office has taken to implement program/project management best practices as defined by the Office of Technology Project Management Office. Over the past year, much progress has been made to implement these guidelines and the CriMNet Office regularly consults with the Office of Technology on processes and related tools. The goal is for all projects to follow consistent guidelines for scope statements, phase reviews and decision points. The CriMNet Office currently tracks budgets at the program level but recognizes the need to track budgets at the project level. To that end, the CriMNet Office will work with the Policy Group and the Task Force to develop project level budgets and reports. The CriMNet Office is committed to having specific project budget information available by the June 2004 Policy Group meeting.

- Have adequately identified and addressed prerequisite decisions regarding users' requirements, data practices, and other criminal justice practices.

As stated above, data practices are key issues for the implementation of CriMNet. The Task Force has a delivery team, which developed the 2004 legislative recommendations, that is continuing to review and analyze data practice requirements for integration and information sharing. This group will be developing its recommendations by December 1, 2004. That delivery team is specifically tasked to address: (1) providing web-access to CriMNet data by data subjects; (2) use of CriMNet data for non-criminal justice purposes; (3) advisability of public access; (4) standards for dissemination of CriMNet data to entities that are not subject to chapter 13; (5) effects of federal requirements on the rights of individuals under chapter 13; (6) implementing the Minnesota Government Data Practices Act and court rules of access requirements regarding disclosure of disputed data held by CriMNet. The CriMNet Office recognizes the need to work on user requirements and other criminal justice practices. The business requirements should be the key drivers to

future CriMNet initiatives. One recently hired business analyst has already begun meeting with counties to develop user requirements. Another project will be started in April that focuses on developing the standards for data and document exchanges. A detailed work plan addressing these areas and several more is under development and is expected to be completed within the next of couple of months as staff is hired.

- Coordinate and communicate with stakeholders on other CriMNet projects.

As stated previously, the CriMNet Office has developed a consistent status reporting system to improve communication with both the Task Force and Policy Group. However, the Policy Group agrees that CriMNet could improve its communication regarding all current projects. The Policy Group, as well as other stakeholders, has expressed frustration that there is not a comprehensive list of current CriMNet projects and their status. Once the scope of CriMNet is defined, there should be more clarity of which projects fall within CriMNet's scope. As discussed under the communications section, a quarterly newsletter will be developed as one of the methods of communications. Another is to post all Policy Group and Task Force meeting information on a web site accessible to stakeholders.

Fully Staff the CriMNet Office

- To provide appropriate staffing for the CriMNet Office, the Commissioner of Public Safety should expedite filling open CriMNet staff positions.

The Policy Group approved an organizational chart of staffing positions in June of 2003. Since that time, the current staff has worked on drafting position descriptions and vetting them through the state human resources process. To date, five permanent positions have been filled, 17 positions are beginning the interview process and four positions are still being created or audited. Many of CriMNet's difficulties have stemmed from the lack of staff to get the work done. The Policy Group recognizes the need to expedite the staffing process and supports the efforts of DPS Human Resources and the CriMNet Office to complete the current organizational structure. It is expected that the majority of the positions will be filled by mid-May 2004.

Complete the Planning Process

- The CriMNet Office, in coordination with local governments, should inventory local governments' criminal justice information systems and integration plans and estimate the resources that will be required to bring needed information into CriMNet.

The Policy Group recently approved a resolution to support the development of a state and local user implementation plan. The resolution requested that the Task Force work on recommendations to identify a plan, timetable and funding mechanism to achieve statewide state and local participation in CriMNet. The plan will assess local governments' criminal justice information systems and provide the cost estimates to

achieve integration. The input for the implementation plan will consist of the technical analysis of state and local agencies capabilities and data systems, business requirements analysis of agency needs, gap analysis regarding information, business process redesign requirements, standards development for connectivity, event and exchange points standards, and document standards for those events and exchanges. A detailed work plan addressing these areas is under development and is expected to be completed within the next couple of months as staff is hired.

To fully articulate the state's incremental approach to integrating criminal justice information, the Policy Group should:

- Ensure that the CriMNet scope statement outlining projects and program controls is completed and approved as soon as possible.

The Policy Group recognizes that the scope statement is the fundamental document to guide CriMNet as the program moves forward; therefore, finalizing the scope statement is the number one priority for the Policy Group. A delivery team has been working on a draft scope document for the Task Force to review at its April 2004 meeting. Once the Task Force reaches consensus, the Policy Group will convene as a working group to review and finalize the scope statement. This is expected to be done in the April – May timeframe depending on legislative activities and the approval of the scope statement by the Task Force.

- *Ensure that the agreed-upon scope of CriMNet projects in 2004 and 2005 adequately address the need to complete work practice, data, and technical requirements as quickly as possible.*

The business and technical practices piece of the program is critical to the success of CriMNet. Until 2004, there has not been staff specifically assigned to business and technical processes and standards. As part of the new organizational structure, the CriMNet Office has hired one business analyst and is in the process of hiring an additional six business and technical positions that will primarily focus on these requirements.

- *Require the CriMNet Office to provide a comprehensive work plan showing time, budget, and outcome milestones for key activities and projects.*

The status reports referred to previously do provide milestones and deliverables for some of the key activities and projects; however, the Policy Group agrees that there is some confusion as to what is included in the overall scope of CriMNet projects and activities. Policy Group members have expressed a lack of clarity of what CriMNet is currently involved in due to the lack of a comprehensive work plan. The CriMNet Office is confident that these issues will be resolved once the scope statement is

approved and finalized. A work plan is under development and as staff are hired, more definitive timelines should be available. For existing initiatives, CriMNet will begin to develop and track the project budget components and expects to provide the Policy Group this information at the regularly scheduled June Policy Group meeting

- *Initiate, as soon as practical, the process of setting integration priorities for 2006/2007.*

Again, once the scope statement is finalized, a comprehensive work plan can be completed and the priorities established for the next biennium. As work is performed to develop the implementation plan, it is expected that various initiatives will be identified. CriMNet expects to complete the comprehensive Implementation Plan by December 2005.

As Chair of the Policy Group, you have my commitment that the Policy Group will continue our discussions on these findings and recommendations and will work to resolve these issues. I would like to take the opportunity again to thank you and your staff for all your efforts, to not only write a fair and accurate report, but to provide sincere and insightful recommendations that will help us, as policymakers, to guide CriMNet and ensure CriMNet's success.

Sincerely,

/s/ Rich Stanek

Rich Stanek, Chair

On behalf of the Criminal and Juvenile Justice Policy Group

cc: *Policy Group Members
Task Force Members
Governor Tim Pawlenty
Chief Justice Kathleen Blatz
Senator Jane Ranum
Senator Leo Foley
Representative Steve Smith*