



# LAW ENFORCEMENT INFORMATION SHARING TASK FORCE

EDiscovery Initiative Final Report



**LAW ENFORCEMENT INFORMATION SHARING  
TASK FORCE**

**EDiscovery Initiative**

**PA99-0874**

**Final Report**

**December 1, 2017**

## **Analysis**

The Law Enforcement Information Sharing Task Force (Task Force) reviewed the mission set forth in PA 99-0874 and determined that the imminent technological possibilities were a priority. Moreover, while PA 99-0874 highlights the importance of studying information sharing technologies and processes for the purpose of improving the criminal discovery process, the Task Force determined that the state's role in facilitating information sharing for public safety and criminal justice agencies must go beyond criminal discovery. Illinois must advance its efforts for using technology to improve multi-jurisdictional, cross-boundary, information sharing between local and state public safety agencies and criminal justice agencies. The Task Force believes that the charge set forth by PA 99-0874 could serve as an effective use case for state and local governments to collaboratively initiate the development of a comprehensive statewide information sharing environment for the public safety and criminal justice domain. However, the Task Force also agreed that it did not have the resources and or capacities to fully examine this complex issue, which would include, at a minimum, a deeper analysis of the different information systems local jurisdictions use, how the state could promote more effective information sharing practices among local jurisdictions, and the real cost and benefits of implementation. As such, the Task Force offers this report as a preliminary analysis and set of recommendations to promote more effective and efficient state and local information sharing practices and systems.

For the purpose of this report, information sharing is defined as the ability to share critical information at key decision points throughout the public safety and criminal justice environment. In order to achieve this environment, Illinois must address information sharing as an enterprise-wide issue rather than something that one agency or one branch of government must undertake on its own.

The most efficient and effective information sharing environment will adhere to the following principles:

- Information is captured at the originating point rather than reconstructed at subsequent points;
- Information is captured once and reused rather than re-captured when needed at a later date;
- Integrated systems fulfilling these functions are comprised of or derived from the operational systems of the participating agencies;
- Public safety and criminal justice organizations retain the right to design, operate, and maintain systems to meet their own operational requirements; however, as with any network capability, participants must meet agreed-upon data, communication and security requirements, and standards in order to participate.
- Whenever appropriate, standards will be defined, with user input, in terms of performance requirements and functional capabilities rather than hardware and software brand names;
- Security and privacy are priorities in the development of integrated justice capabilities and in the determination of standards;
- Integration builds on current infrastructure and incorporates capabilities and functionality of existing information systems where possible;

- Because of singular consequences of decision making throughout the justice enterprise, establishing and confirming the positive identity of the recorded subject is crucial;
- Integrated efforts should focus on sharing information related to people, place, and things and be detached from past practices concerned with forms and paper-based processes.

## **Criminal Discovery**

The Illinois criminal discovery process is governed by [Illinois Supreme Court Rules, Article IV – Rules on Criminal Proceedings in the Trial Court, Part B](#). The rules are applied in all criminal cases wherein the accused is charged with a felony, as well as for all juvenile delinquency cases wherein the accused is charged with an offense that would be a felony if committed by an adult. The discovery process requires prosecution and defense to share information about physical evidence, witnesses, and/or prior statements and testimony. Discovery takes place following indictment; however, the type of information that is collected and used for discovery is typically initiated at the law enforcement level by the investigating and/or arresting officers.

The following are examples of criminal discovery materials and information most frequently transferred between law enforcement, prosecution, and defense: police reports, biometrics, arrest and charging data, forensic laboratory reports, surveillance video captured by law enforcement and/or private sources, audio wiretap data, police dashboard and/or body worn cameras, electronically recorded interrogations/interviews, photo-array or line-up photos, criminal history reports, witness identifying information, written statements, and grand jury transcripts. It is these types of materials and information on which this report focuses for using technologies to improve information sharing. This report does not address other types of evidence such as email account activity, computer hardware and operating systems, smartphones, social media websites, banking transaction records or other items that are commonly referred to as “electronic discovery” materials.

## **Illinois**

The state of Illinois is a national leader in Information Technology expenditures; yet, it is one of the nation’s most challenged states for using technology to enable multi-jurisdictional, cross-boundary, information sharing. Illinois is also one of the nation’s most crime data deficient states. Consequently, the Illinois public safety and criminal justice domain does not readily have available the information needed to make efficient and effective policy or operational decisions. The paper based processes to which most local and state agencies are bound contribute to redundant data entry and high-rate of data entry errors, as well as increased costs related to the production of paper case files and the transport of those files to the rightful recipients.

### *Law Enforcement Agencies*

Illinois has approximately 1,081 law enforcement agencies that deploy approximately 35,073 sworn law enforcement officers. The Task Force – with assistance from the Illinois Association of Chiefs of Police – surveyed more than 800 police departments. Approximately 8.5 percent (77) of those surveyed responded. The respondents identified 22 disparate Records Management Systems (RMS) and 26 disparate Computer Aided Dispatch (CAD) systems that are currently in use. The age and sophistication of those systems widely vary.

The Task Force – with assistance from the Illinois Sheriff’s Association – surveyed the 102 counties. Approximately 46 percent (47) of those surveyed responded. The respondents identified 19 disparate Records Management Systems and 20 disparate Computer Aided Dispatch systems that are currently in use. As with the police departments, the age and sophistication of those systems widely vary. A summary of the police and sheriff survey responses is provided in Appendix A.

Illinois law enforcement agencies also vary widely in staffing and fiscal resources. Smaller agencies, particularly those located in rural parts of the state, may have only one sworn officer with little to no budget for technology hardware or software. Larger or more affluent agencies may employ a few hundred officers and implement the cutting edge technologies that are capable of automated information sharing. The Chicago Police Department (CPD) employs several thousand sworn officers and its Bureau of Technical Services is engaged and dedicated to improving information sharing between Cook County suburban and other regional departments.

The Task Force identified one large county that has been engaged in a three year effort to consolidate more than 30 law enforcement agencies and a combined total of sworn officers exceeding 1,500 onto the same RMS/CAD platform. This multi-phased project was initiated with the intention to create a seamless and automated exchange of operational data between local law enforcement, the county SAO, Circuit Court Clerk’s Office, and Sheriff’s Department. The total project cost was expected to exceed \$12 million dollars for planning, development, implementation, and integration. The initial capital investment for the RMS was estimated at approximately \$750.00 per officer while annual maintenance fees over a five-year period ranged from an estimated \$769.00, per officer, to approximately \$803.00, per officer.

Due to the autonomy of each law enforcement agency and the cost to change each RMS, it is impractical and cost-prohibitive to mandate hundreds of LEAs to abandon investment in 22 identified disparate RMS in favor of a single, statewide, system.

#### *State’s Attorney’s Offices*

There are nearly as many SAO Case Management Systems (CSM) as there are law enforcement agency RMS and the SAOs are as diverse as the law enforcement agencies in size, resources, and technology capabilities. The Task Force surveyed 87 of the 102 SAOs. Approximately 12.6 percent (11) of those surveyed responded. A summary of the SAO responses is included in Appendix B.

#### *Information Flow – LEAs to SAOs*

The Task Force identified two counties that have a comprehensive, automated, information sharing environment where information such as police reports, booking photos, written and recorded statements, evidence reports, booking reports, and digital videos are consistently exchanged between the LEAs and SAOs in electronic format. In Cook County, the SAO can upload arrest booking data and a booking photo, via, the Citizens Law Enforcement Automated Reporting (CLEAR); however, the LEAs are still required to deliver multiple copies to the SAO of all case related information.

The method for which other SAOs receive case information, typically, depends more upon the capabilities of the LEA that is providing the information. In most counties, one LEA might email the SAO a case report or audio file while its neighboring LEA must hand deliver all, paper-generated, case related information to the SAO. In such cases, the SAO may scan all documents into their CMS or paper file

folder. In many jurisdictions, an LEA may upload video evidence via proprietary software to be viewed later by the SAO. In others, the LEA or SAO may travel to the other's location to deliver or retrieve a DVD copy.

#### *Information Flow – SAOs to Public Defender*

There is no statewide standard procedure regarding the manner in which SAOs provide criminal discovery materials to Public Defenders (PD) or private defense. In some counties, law enforcement must create photocopies of all case documents and hand deliver those documents to the SAO for transfer to the PD. In other jurisdictions, LEAs may place all case file material onto a DVD and deliver the disk to the SAO for transfer to the PD. In other jurisdictions, the SAO may be responsible for creating copies of all case documents or DVDs to be provided to the PD. The Task Force did not identify any county that provides discovery materials to the PD in an electronic format.

#### *Criminal Discovery Costs*

In Illinois, the cost for providing discovery does not fall on the PD, private defense or the state. The costs are incurred by both the LEA and/or SAO. The actual costs have proven elusive; however, an estimate has been created by deconstructing the typical documents that are required for moving forward a felony arrest. It is estimated that an LEA that creates all of its felony case files on paper might spend approximately \$75.27 for each case in terms of production of copies and handling/transferring of files. Depending upon the complexities or volume of materials, the cost per paper file may extend upwards of \$228.95. In 2015, there were 76,946 felony cases filed in circuit courts, statewide. Applying that number to those indicated above suggests that a range of \$5.7 million to \$17.6 million was spent, statewide, for producing felony case files on paper. These costs are incurred regardless of whether the PD requests discovery materials. A description of these documents and costs are detailed in Appendix C.

### **National**

#### *Colorado*

The state of Colorado has approximately 350 law enforcement agencies and 22 District Attorney's Offices (DA). The Colorado District Attorney's Council (CDAC) hosts and maintains a case management system for the 22 DAs; whereas, the LEAs operate more than 20 disparate Records Management Systems. CDAC utilizes proprietary technology to interface with the disparate RMS to capture structured data that is then populated into the DAs CMS. CDAC provides a separate interface for authorized Public Defenders or private defense to view discovery information. CDAC initiated its E-Discovery specific efforts using approximately \$3 million and the system is maintained using approximately \$1.5 million, annually. Appendix D illustrates this process.

#### *Iowa*

The State of Iowa CJIS Project is one of the most comprehensive in the country and was the 2011 Best of NIEM (National Information Exchange Model) award winner. A statewide initiative, Iowa CJIS is an established integrated criminal justice system that enables, facilitates, and automates the exchange of real-time, event-triggered and standards based justice information among local, state and federal criminal justice agencies.

The Iowa CJIS initiative uses a pure application of services-oriented architecture (SOA) based on Global Reference Architecture (GRA), Web services standards, and extensible Markup language (XML) standards, including the NIEM. The Iowa project benefits more than 400 state and local agencies in Iowa and includes an ongoing integration effort to feed data to the Federal Bureau of Investigation's (FBI) Law Enforcement National Data Exchange. Many of the exchanges share information between local prosecutors, law enforcement agencies, and sheriffs throughout the State. Iowa CJIS was initiated approximately 14 years ago and began with a \$2 million budget. Iowa CJIS was created in cooperation between the Iowa Governor and Iowa Judicial Branch, for the purpose of guiding the design, development, and implementation of a statewide-integrated criminal justice system. Iowa CJIS is governed by a multi-disciplinary team representing local and state units of government. Appendix E illustrates the Iowa flow of information.

### *Pennsylvania*

Pennsylvania JNET is, perhaps, the nation's most mature statewide information sharing environment. Although JNET does not specifically allow for exchange of discovery related materials, it can broker such information from participating sources. JNET is the Commonwealth's primary public safety and criminal justice information broker. Its integrated justice portal provides a common online environment for authorized users to access public safety and criminal justice information. The information is derived from various contributing municipal, county, state, and federal agencies. One-time data entry where information entered into a records management system at the onset of incident follows an offender throughout their criminal justice tract. As offenders pass through the gateway of justice all the way to post-sentencing supervision, offender information flows in concert with the offender's progression. JNET represents an unprecedented example of how individual agencies, at different levels and in different branches of government, work together to share information and achieve a common goal for improved public safety and efficient governance.

### Automated Regional Justice Information System (ARJIS)

The Automated Regional Justice Information System (ARJIS) was created as a Joint Powers Agency to share information among justice agencies throughout San Diego and Imperial Counties, California. ARJIS has evolved into a complex criminal justice enterprise network used by more than 80 local, state, and federal agencies in the two California counties that border Mexico. The ARJIS governance structure promotes data sharing and cooperation at all levels for member agencies, from chiefs to officers to technical staff.

ARJIS is responsible for major public safety initiatives, including wireless access to photos, warrants, and other critical data in the field, crime and sex offender mapping, crime analysis tools evaluation, and an enterprise system of applications that help users solve crimes and identify offenders. ARJIS also serves as the region's information hub for officer notification, information sharing, and the exchange, validation, and real-time uploading of many types of public safety data. ARJIS benefits, include:

- Cross jurisdictional data sharing enhances series identification and results in better informed policy decisions;
- Real time data expedites case closures;
- Common validation codes and geo-services for data standardization;
- Standardized UCR classification and reporting;

- Economies of scale with pooled resources and shared enterprise licenses and procurements;
- Business case by Independent Consultant: Annual Savings = \$13,871,167;

**PA 99-0874: The Discovery Task Force shall:**

- 1. Analyze the criminal discovery process to determine the actual costs, including, but not limited to labor, materials, time, and other tangible costs of the current criminal discovery process to determine how technology can improve the process for all participants.**

Response: The Task Force estimates that, statewide, a minimum of \$5.7 million is annually spent to produce paper files for felony cases that are subject to criminal discovery. A detailed explanation of these costs is provided in Appendix C.

- 2. Analyze the process for information sharing, including, but not limited to, an analysis of Records Management Systems, Computer Aided Dispatch Systems, and other Technology used to process information between Law Enforcement Agencies to determine the actual costs of the current process.**

Response: There are approximately 1,081 LEAs scattered throughout 102 Illinois counties. The entities representing the public safety and criminal justice system within each county include the SAO, Circuit Court Clerk's Office (CCCO), Sheriff's Department (SD), Public Defender, and Chief Judge. Each of these entities has autonomy in the manner in which they choose, procure, and utilize technologies such as RMS, CAD, or other information sharing tools. The relationships and practices for sharing information from LEA to SAO, CCCO, or SD not only vary by county but also vary by agency and entity within each county. Consequently, there is extreme difficulty in determining an actual cost for the current process.

The Task Force identified one county in central Illinois that provides RMS services to all of its LEAs. The SAO can access all LEA case files via this integrated RMS. This county's environment is well established, meets the needs of the stakeholders, and the shared costs for maintaining are minimal when compared the costs associated with processing paper case files or each agency deploying its own RMS.

The Task Force identified one county in southern Illinois where the SAO relies upon paper case files from most of its LEAs and accepts emailed attachments of case reports from others. The SAO then scans all reports into its own CMS and performs data entry where needed.

The Task Force analyses of processes within Cook County revealed that most LEAs own and operate their own RMS. The exceptions are those LEAs that participate in a shared dispatch service typically share a CAD or RMS. There are approximately 143 LEAs located within Cook County and RMS costs can range anywhere from a few hundred thousand dollars to several million dollars, per agency. The primary method for which each of these agencies provides case files to the SAO is paper-based.

Appendix F illustrates the business processes for which information is shared between LEAs and SAOs.

- 3. Analyze the current information sharing process between law enforcement agencies to determine how technology can improve the process for all participants.**



Response: The Citizen and Law Enforcement Analysis and Reporting (CLEAR), hosted and managed by the Chicago Police Department, provides information about offenders in Chicago and Cook County to approved participants throughout the state of Illinois and neighboring states. The CLEAR Data Warehouse provides access to more than 3 million arrests with as little as a suspect's nickname, tattoo, street name, or any other data variable on file. Users can then access the individual's criminal history record and arrest mugshot photos and identify the submitting LEA to contact for additional information, as needed. There is no fee for accessing CLEAR data. Offender information on those arrested in jurisdictions outside of Cook County are not included in CLEAR. CLEAR data is also submitted to the Illinois State Police.

The Cook County SAO utilizes CLEAR to access offender identifying information subsequent the felony approval process. The SAO then uploads predetermined data elements after the LEA has booked the offender. This option saves the SAO time on redundant data entry; however, it does not eliminate their need for paper case files.

LEAs throughout the state typically do not access each other's RMS. The reasons are dependent upon each individual agency but the barriers often focus on limitations between proprietary technologies or data ownership issues.

**4. Determine which prosecutors' offices obtain all law enforcement discoverable evidence in an electronic format, which prosecutors' offices will soon be able to obtain law enforcement discoverable evidence in an electronic format, and which prosecutors' offices will not have that ability at any point in the future without assistance.**

The Task Force contacted 87 of the 102 SAOs, via email, seeking responses to the specific tasks within PA 99-0874. Four requests for their participation were sent over a six week period. Eleven SAOs responded. The Task Force also worked directly with the CCSAO to address these questions.

The 11 SAOs that responded represented counties that ranged in population from more than 5K but less than 1 million. Their responses are organized by the population they serve within Appendix B.

**5. Determine the barriers for those prosecutors' offices that will not be able to obtain law enforcement discoverable evidence in electronic format without assistance.**

Response: In summary, the ability for SAOs to receive discoverable evidence in electronic format is primarily limited by the financial and technical resources of each SAO and/or the LEAs with which they work. An additional but minor barrier might also be the SAOs and LEAs understanding of existing technologies and capabilities for information sharing.

The actual responses are provided within Appendix B.

**6. Determine which law enforcement agencies obtain and utilize data entirely, or partially, in an electronic format, and which law enforcement agencies will not be able to obtain and utilize data entirely in an electronic format and which law enforcement agencies will not be able to obtain and utilize data entirely in an electronic format at any point in the future without assistance.**

Response: There are approximately 1,081 LEAs scattered across Illinois. Generally speaking, there are several barriers to sharing information electronically across agencies. A significant barrier is policy and the rules around storing and sharing information. To share information electronically requires a change in agency policy in that regard and the development of trusted relationships amongst agencies that share information and agreement as to the specific information that is passed and the circumstances under which information is stored. In some cases, information sharing may also be restricted by state or federal law – such as the FBI’s [Criminal Justice Information Services \(CJIS\) Policy](#).

In addition to policy and legislative issues, funding has been a common barrier to LEA information sharing. The commonly accepted principal of LEA information sharing in Illinois is that organizations maintain their own information systems and retain the right to design, operate, and maintain those system to meet their own operational requirements. Such practice incurs a significant cost for each agency in regard to accessing the technical expertise required for maintenance and support.

A related barrier is the level of technology currently in use – or lack thereof – within the agencies participating in an integrated justice solution. For example, most information systems in use by LEAs and SAOs are proprietary and not able to feasibly adapt to open source standards that facilitate information sharing. Furthermore, some agencies – especially smaller agencies and those in rural areas – may not be using information systems to manage records or cases, or may not use automation at all. Getting these organizations to the point where they can participate in an integrated justice solutions will take significant investment of both time and funding.

A final issue is more subjective and has to do with organizational dynamic as a barrier to information sharing. Traditionally, information has been associated with power, and even circumstances in which there is no policy or legislation that prevents the exchange of information, there is sometimes resistance to automated information sharing. This matter can be overcome through education and outreach, as well as the ability to measure and quantify the benefits associated with integrated justice.

#### **7. Study how a single statewide criminal information system or other technology may improve electronic discovery or electronic redaction.**

Response: A single statewide criminal case management system would allow every LEA in Illinois to send all case file reports to an SAO regardless of each agency’s RMS/CMS. Such an environment, developed under a well-coordinated, centralized governance body, would provide information sharing and electronic discovery capabilities to those LEAs and SAOs currently incapable of hosting their own, as well as allow others to reduce costs related to annual maintenance and support. Yet, historical efforts indicate that a single statewide environment is not a desirable option for Illinois LEAs.

The Illinois State Police, over the past ten years, has unsuccessfully attempted multiple roll-outs of a statewide LEA RMS under the title, ICASE. There are many reasons ICASE did not become the state’s single LEA case management system; however, common reasons centered on LEAs unwillingness to forego autonomy or customization to meet individualized internal processes. Due to the autonomy of local enforcement agencies and the investment that many have in current RMS, it is impractical and cost-prohibitive to mandate hundreds of LEAs to abandon their 22 identified disparate RMS in favor of a single, statewide, system.

**8. Study how a statewide standardized law enforcement reporting form that can be easily redacted may improve the criminal discovery process.**

Response: As evidenced by the LEA survey, there are 22 disparate RMS used by 77 respondents. While the specific forms and practices for the remaining 1,004 LEAs, it can be assumed that the 77 respondents provide a fair representation of the disparities for which LEAs operate within Illinois. Consequently, it is not practical to mandate one form of reporting for LEA.

A standard form, however, might be practical for those agencies seeking to use a state hosted RMS. Then, for those LEAs that prefer to maintain autonomy by using their own RMS, the state could work with those agencies and the SAOs to identify which data fields and relationships are most commonly redacted and develop standards for how, when, and by whom those fields would be redacted.

**9. Study the short-term needs for LEAs and SAOs to facilitate greater use of electronic discovery and information sharing.**

Response: Funding to adequately equip every LEA and SAO is the first short-term need to encourage the use of electronic discovery. Once the ability to use electronic discovery is established, it is simply a training issue and cultural shift from the current discovery model.

**10. Study whether a single standardized statewide case record management system would provide better and additional access to information for law enforcement.**

Response: Based upon the preliminary assessment, the Task Force found that the issues set forth in PA 99-0874 would likely be resolved by a two-prong approach for developing a comprehensive statewide system. The prescribed approach is predicated upon findings that the current information sharing capabilities within the Illinois public safety and criminal justice domain can be categorized in two groups:

1. Law enforcement agencies and state's attorney's offices that do not have the technologies and/or resources required for information sharing, and;
2. Law enforcement agencies and state's attorney's offices that do have the technologies and/or resources required for information sharing.

The Task Force recommends that the state serve as the coordinating entity for creating the desired environment, as follows:

1. Properly equip those jurisdictions that do not have the minimum resources for effectively and efficiently sharing information;
2. Facilitate the exchange of information between those jurisdictions that do have the minimum resources.

Appendix G provides a basic view of how this environment would interact.

**11. Determine whether a single standardized statewide case record management system or other electronic discovery technology would provide for a better and more efficient criminal discovery process and offer any cost savings.**

Response: A well-coordinated, centralized, approach to information sharing could create the environment necessary for sharing information related to all aspects of LEA and SAO needs. Such an environment would eliminate the costs related to paper-based processes incurred at the LEA and/or SAO levels as related to criminal discovery.

**12. Determine whether a single standardized statewide case management system or other information sharing technology would provide for a better and more efficient law enforcement information sharing process and offer any other cost savings.**

Response: Same answer as for question #11.

**13. Suggest an alternative funding process to the state's current method to pay for criminal discovery costs.**

Response: Currently, the costs for providing criminal discovery are incurred by the LEAs and/or SAOs. The Task Force learned from the SAO survey that these expenses are typically budgeted under headings such as supplies, copying costs, or commodities and are not assigned a specific line item. The Task Force could not identify any one agency that could specifically state how much is spent, annually, on criminal discovery.

**14. Suggest an alternative funding process to the State's current method to pay for law enforcement information sharing costs.**

Response: See answer #13

**15. Determine which executive branch agency, judicial branch agency, or quasi-governmental organization is best suited to serve as a conduit and coordinator for a statewide criminal electronic discovery system.**

Response: The Task Force was unable to identify a single agency that was best suited for this function.

**16. Determine which executive branch agency, judicial branch agency, or quasi-organization is best suited to serve as a conduit and coordinator for a statewide criminal information sharing system.**

Response: The Task Force was unable to identify a single agency that was best suited for this function.

## **Appendix A**

### Law Enforcement Survey Responses

The following are highlights of LEA responses.

- 70 reported using technology for their Records Management System (RMS).
- 22 disparate RMS were in use. The age and sophistication of those RMS widely vary.
- 47 reported that their RMS is a shared system.
- There are less than five known larger counties that share RMS services between more than 20 law enforcement agencies, each.
- The following RMS capabilities were reported:
  - Incident reporting (69)
  - Uniform Crime Reporting (63)
  - Arrest Booking (61)
  - Tickets (64)
  - Accidents (44)
  - Jail Management (37)
  - Courts (15)
- 70 reported using Computer Aided Dispatch (CAD).
- 58 reported that their CAD is a shared system.
- 26 disparate CAD were in use.
- There are less than five, known, larger counties that share CAD services between more than 20 law enforcement agencies, each.

### Sheriff's Survey Responses

The following are highlights of Sheriff's responses.

#### **47 Sheriff's Responses:**

- 39 reported using a Records Management System (RMS).
- 25 reported that their RMS is a shared system.
- 19 disparate RMS were in use.
- 41 reported using Computer Aided Dispatch (CAD).
- 32 reported that their CAD is a shared system.
- 20 disparate CAD were in use;
- There are at least two larger counties that share CAD services between more than 20 LEAs, each. Many other counties share CAD services between one or two other agencies.
- 30 reported that their CAD was available countywide for other agencies to use
- 60 departments share RMS in Will County; 34 departments share RMS in DuPage County; responses outside of those counties that indicated CAD sharing, share with 1 to 2 other agencies; 39 respondents answered this question.

- The following RMS capabilities were reported:
  - Incident reporting (39)
  - Uniform Crime Reporting (34)
  - Arrest Booking (36)
  - Tickets (32)
  - Accidents (26)
  - Jail Management (32)
  - Courts (13)

**Appendix B**

<b>County respondents by POP Range:</b>	<i>5,000 to 20,000</i>
<b>Average # of Index Crimes in 2015:</b>	<i>82</i>
<b>Average # of Index Crimes Arrests in 2015:</b>	<i>21</i>
<b>Identify and explain the types of discoverable evidence that prosecutors' offices obtain in an electronic format: (Examples: Police reports, Videos, Lab reports)</b>	
<ul style="list-style-type: none"> <li>• Our county has little to no technology in the courthouse. We do not even have scanners. We use electronic format for videos &amp; body cams only. No reports or labs.</li> </ul>	
<ul style="list-style-type: none"> <li>• We obtain audio and video recordings, electronically; via, DVD or flash drive.</li> </ul>	
<ul style="list-style-type: none"> <li>• Our SAO office receives discoverable evidence via electronic submission in the form of: Agency reports, in-car videos, and overhear recordings. Agencies provide that information to us as an attachment to email. Not all police agencies in our county are equipped to transmit reports from their reporting software due to lack of funding for their respective agency.</li> </ul>	
<ul style="list-style-type: none"> <li>• The only evidence our SAO receives in electronic format is police reports from ISP and interviews, video and oral, from both ISP and CAC interviews.</li> </ul>	
<b>Identify the number of prosecutors' offices that have active plans to obtain discoverable evidence in electronic format: (Examples: Police reports, Videos Lab reports); Describe those plans:</b>	
<ul style="list-style-type: none"> <li>• Not really applicable, as our courtroom doesn't have technology updates.</li> </ul>	
<ul style="list-style-type: none"> <li>• We must contact agency for video or audio recording if not provided with report but noted in report.</li> </ul>	
<ul style="list-style-type: none"> <li>• County has one SA and that person handles all discovery.</li> </ul>	
<ul style="list-style-type: none"> <li>• Our office has no active plan to obtain discoverable evidence in electronic format at this time due to cost.</li> </ul>	
<b>Identify the barriers for prosecutors' offices that prohibit their ability to obtain discoverable evidence in electronic format:</b>	
<ul style="list-style-type: none"> <li>• Non-compatible systems. Jail system is different from car video system and different from body cam equipment, etc...So, formats are all different...most defense attorneys cannot watch them and have to come in and view it with their client in my private office - NO GOOD!</li> </ul>	
<ul style="list-style-type: none"> <li>• Difference in software and technology between agencies and SA office.</li> </ul>	
<ul style="list-style-type: none"> <li>• Barriers to receive the discoverable evidence include: software capabilities and program specific capabilities (every agency utilizes their own software to record in car video, custodial interviews, etc.</li> </ul>	
<ul style="list-style-type: none"> <li>• The barriers as we see them are small police agencies with no funding and a complete lack of technology.</li> </ul>	
<b>Would a single statewide criminal information sharing system or other technology improve electronic discovery or electronic redaction?</b>	
<ul style="list-style-type: none"> <li>• No. These ideas sound great but only for counties that can afford to stay with the times. Our county would go broke if it went digital...buying all new software would be problematic, both from the learning side and the fiscal side of things.</li> </ul>	
<ul style="list-style-type: none"> <li>• Great idea but would it be reliable? For example, the state has an inaccurate or lack of reported criminal histories.</li> </ul>	

<ul style="list-style-type: none"> <li>Statewide program would enhance access to other counties that have common defendants with requesting county.</li> </ul>
<ul style="list-style-type: none"> <li>It would certainly be an efficient means of sharing information. I wonder about FOIA issues with such an arrangement.</li> </ul>
<p><b>Would a single standardized statewide case record management system or other electronic discovery technology provide for a better and more efficient criminal discovery process and offer cost savings?</b></p>
<ul style="list-style-type: none"> <li>No idea, but if it has a cost, tiny counties do not have funding to revamp the way in which things are done. Often, we suffer as a result of choices made for counties much larger than ours. And we are unable to stay in compliance with the most current changes in technology and court requirements.</li> </ul>
<ul style="list-style-type: none"> <li>It could, however I doubt by the time the plan was implemented the cost savings would be present. Plus, I anticipate another unfunded mandate being placed upon the counties.</li> </ul>
<ul style="list-style-type: none"> <li>Standardized system would be appreciated, but what is standard for larger counties is not at all standard for smaller counties. Cost savings would only be utilized after write down of program costs.</li> </ul>
<ul style="list-style-type: none"> <li>Hard to say in our county. Our case load is such that we don't have a great deal of expense when it comes to discovery.</li> </ul>
<p><b>Do you have any recommendations for alternative funding processes to pay for a statewide criminal discovery/information sharing costs?</b></p>
<ul style="list-style-type: none"> <li>Make it a line item for court costs when they are assessed in the Clerk's office. Like the Court Security Fund.</li> </ul>
<ul style="list-style-type: none"> <li>Increases in court costs are already burdensome and hard to collect in many instances. This is not an expense that should be placed upon the counties at this time. Many are struggling with other areas of technology; whether, it be 911 costs, electronic filing or other matters.</li> </ul>
<ul style="list-style-type: none"> <li>Adding some form of legislative mandated cost to each criminal case filed to support program only adds to the financial burden of low income defendants and is not a favored choice.</li> </ul>
<ul style="list-style-type: none"> <li>I do not.</li> </ul>
<p><b>Additional Input/Comments</b></p>
<ul style="list-style-type: none"> <li>Our body cam is uploaded automatically daily by officers, and it is stored in the Sheriff's Office database. We must call the sheriff and have a copy made by the detectives and sent to us on a disk/CD. We then make copies in our office by DVR on one computer and mail copies to attorneys for disclosures. We are very behind in the times as are all local small rural counties. The cost of staying up to date is simply impossible our county. We are maxed on every line of credit we have as a county and now each department is taking a hit with budgetary restraints.</li> </ul>
<ul style="list-style-type: none"> <li>Our (generic) Case Management System is accessible 24/7. A Prosecutor specific management system is cost prohibitive for our small county. (\$5,000 for program and start up)</li> </ul>
<ul style="list-style-type: none"> <li>I have found that on occasion that a Defendant has convictions not reported on the criminal history. An example would be, I see an arrest, or a defendant indicates he has had other cases in other counties, and I look at the county online records and find the convictions. This does not happen all the time; however, it has occurred on multiple occasions.</li> </ul>
<p><b>Discovery Expenses</b></p>
<ul style="list-style-type: none"> <li>No information provided.</li> </ul>
<p><b>Redaction</b></p>
<ul style="list-style-type: none"> <li>No information provided</li> </ul>



<b>County respondents by POP Range:</b>	<i>21,000 to 50,000</i>
<b>Average # of Index Crimes in 2015:</b>	<i>152</i>
<b>Average # of Index Crimes Arrests in 2015:</b>	<i>112</i>
<b>Identify and explain the types of discoverable evidence that prosecutors' offices obtain in an electronic format: (Examples: Police reports, Videos, Lab reports)</b>	
<ul style="list-style-type: none"> <li>We receive most of our discovery through electronic format including police reports, videos and lab reports.</li> <li>Crime lab report.</li> </ul>	
<b>Identify the number of prosecutors' offices that have active plans to obtain discoverable evidence in electronic format: (Examples: Police reports, Videos Lab reports); Describe those plans:</b>	
<ul style="list-style-type: none"> <li>We are trying to figure out a way to send discovery to defense attorneys by electronic format in the future but we need to make sure we can ensure confidentiality first.</li> <li>No active plan at this time.</li> </ul>	
<b>Identify the barriers for prosecutors' offices that prohibit their ability to obtain discoverable evidence in electronic format:</b>	
<ul style="list-style-type: none"> <li>Lack of funding to upgrade technology and confidentiality concerns.</li> <li>Funding, manpower, time.</li> </ul>	
<b>Would a single statewide criminal information sharing system or other technology improve electronic discovery or electronic redaction?</b>	
<ul style="list-style-type: none"> <li>I would discourage local law enforcement from using a statewide database to store this information because I think it is important to limit access to that information to only people directly involved with the case.</li> <li>Perhaps, but if not 100 % funded, we're really not interested.</li> </ul>	
<b>Would a single standardized statewide case record management system or other electronic discovery technology provide for a better and more efficient criminal discovery process and offer cost savings?</b>	
<ul style="list-style-type: none"> <li>See previous response.</li> <li>See response #4.</li> </ul>	
<b>Do you have any recommendations for alternative funding processes to pay for a statewide criminal discovery/information sharing costs?</b>	
<ul style="list-style-type: none"> <li>No Responses Provided</li> </ul>	
<b>Additional Input/Comments</b>	
<ul style="list-style-type: none"> <li>No Responses Provided</li> </ul>	
<b>Discovery Expenses</b>	
<ul style="list-style-type: none"> <li>The County pays the fees associated with discovery. Defense – public or private – does pay for discovery. An analysis has never been done but we can say that it is expensive.</li> </ul>	
<b>Redaction</b>	
<ul style="list-style-type: none"> <li>No information provided.</li> </ul>	

<b>County respondents by POP Range:</b>	<i>51,000 to 150,000</i>
<b>Average # of Index Crimes in 2015:</b>	<i>2,516</i>
<b>Average # of Index Crimes Arrests in 2015:</b>	<i>848</i>
<b>Identify and explain the types of discoverable evidence that prosecutors' offices obtain in an electronic format: (Examples: Police reports, Videos, Lab reports)</b>	
<ul style="list-style-type: none"> <li>We receive reports and lab reports electronically. Most of our videos we receive on DVD's.</li> <li>Our county's case management system is designed to interface with our three main law enforcement partners and to allow us to electronically mine names and contact information for any defendant and witness. It provides for standardization for charges and allows for the use of all of all of our charging and plea forms using data already available. We do not yet have the interface with law enforcement at this time and are scanning all reports. DVD poses special problems due to size issues but we have begun a system of cloud transfers for this information. All of our case information is electronic, but we still have paper backup. We will be delivering discovery by E-mail shortly. I am scared that the state will buy some cumbersome and useless case management system.</li> </ul>	
<b>Identify the number of prosecutors' offices that have active plans to obtain discoverable evidence in electronic format: (Examples: Police reports, Videos Lab reports); Describe those plans:</b>	
<ul style="list-style-type: none"> <li>No responses provided</li> </ul>	
<b>Identify the barriers for prosecutors' offices that prohibit their ability to obtain discoverable evidence in electronic format:</b>	
<ul style="list-style-type: none"> <li>We are limited by the agencies we deal with having the capability to provide material in electronic format.</li> </ul>	
<b>Would a single statewide criminal information sharing system or other technology improve electronic discovery or electronic redaction?</b>	
<ul style="list-style-type: none"> <li>I don't really think it would. We really don't have trouble with how our discovery operates.</li> </ul>	
<b>Would a single standardized statewide case record management system or other electronic discovery technology provide for a better and more efficient criminal discovery process and offer cost savings?</b>	
<ul style="list-style-type: none"> <li>I don't believe it would.</li> </ul>	
<b>Do you have any recommendations for alternative funding processes to pay for a statewide criminal discovery/information sharing costs?</b>	
<ul style="list-style-type: none"> <li>No</li> </ul>	
<b>Additional Input/Comments</b>	
<ul style="list-style-type: none"> <li>Our three main agencies are on the same report writing system to which we have access. There are a couple of smaller agencies that still deliver everything by paper. From the three agencies on the report writing system we get follow up reports by email just so we know they exist. They will be in the system as well.</li> </ul>	
<b>Discovery Expenses</b>	
<ul style="list-style-type: none"> <li>The SAO pays for most costs related to discovery. We have requested law enforcement agencies to provide multiple copies of discs; however, if they do not, the SAO provides the disk at our expense. For instance, the Illinois State Police recently provided 2 flash drives with recorded interviews to the SAO. The interviews were too long to be on a disk. So, the SAO</li> </ul>	

had to purchase the flash drives for discovery. The public defender does not pay a fee and neither does the defense bar. Privately retained attorneys file demands for copies and refuse to come to our office to view a flash drive so, we provide it to them. Some privately retained attorneys will provide the flash drive to avoid having to sit in our office to watch the evidence. From a practical standpoint, we do not have enough space in our offices to allow a defense attorney or multiple attorneys to hang out all day watching discovery so we produce the flash drives. We use money appropriated by the county. We have a line item which we use for discovery and try to ball park the discovery costs. They can fluctuate considerably depending upon what is being provided. Grand jury transcripts and depositions which involve court reporters are costlier to buy than just providing some report for discovery. We try to anticipate, based upon the previous year's amount, but there has been no exact tracking of the expense associated with discovery (number of copies, hours to provide discovery, discs, or flash drives). No dollar amount provided.

**Redaction**

- No information provided.

<b>County respondents by POP Range:</b>	<i>151,000 to 1 Million</i>
<b>Average # of Index Crimes in 2015:</b>	<i>8,457</i>
<b>Average # of Index Crimes Arrests in 2015:</b>	<i>2,103</i>
<b>Identify and explain the types of discoverable evidence that prosecutors' offices obtain in an electronic format: (Examples: Police reports, Videos, Lab reports)</b>	
<ul style="list-style-type: none"> <li>• Our county receives audio, video, photos, and other documents in e-format. Included are any type of info traditionally submitted on paper. There is no requirement that any of these types of evidence be received in electronic format, so the office still receives them in traditional formats, also.</li> </ul>	
<ul style="list-style-type: none"> <li>• Police reports, lab reports, booking photos, 911 calls and call logs. Written and recorded statements, photos, evidence, booking sheets, surveillance and (small sized) squad videos.</li> </ul>	
<ul style="list-style-type: none"> <li>• The county receives police reports from some local agencies electronically but from others in hard copy. All reports received in hard copy are scanned into our case management system.</li> </ul>	
<b>Identify the number of prosecutors' offices that have active plans to obtain discoverable evidence in electronic format: (Examples: Police reports, Videos Lab reports); Describe those plans:</b>	
<ul style="list-style-type: none"> <li>• A new, cloud-based case management system that would allow for the electronic distribution and intake of all evidence described above to be stored electronically. We would also like to use our current system for the electronic storage of case files and accompanying evidence; or, 3rd party vendors that allow for cloud storage of electronic evidence, even if not related to a case management system. Any single or combination of these solutions would require significant changes to business processes.</li> </ul>	
<ul style="list-style-type: none"> <li>• Several agencies use email as the only route to transfer information digitally.</li> </ul>	
<b>Identify the barriers for prosecutors' offices that prohibit their ability to obtain discoverable evidence in electronic format:</b>	
<ul style="list-style-type: none"> <li>• Cost &amp; funding is the single most important barrier; uniformity from law enforcement agencies as to how they collect &amp; distribute electronic evidence; Uniformity in the rules of discovery allowing for electronic discovery to be an acceptable method of distributing evidence; Proprietary video formats, from a variety of sources including, but not limited to squad cameras, body cameras, can make the storage &amp; distribution of the data extremely challenging; Fear from all participants to give up reliance on physical paper, discs, tapes, etc.</li> </ul>	
<ul style="list-style-type: none"> <li>• Limit to size of files allowed through email transfers.</li> </ul>	
<ul style="list-style-type: none"> <li>• Cost for storage.</li> </ul>	
<b>Would a single statewide criminal information sharing system or other technology improve electronic discovery or electronic redaction?</b>	
<ul style="list-style-type: none"> <li>• No. Providing funding to state's attorneys' offices and local law enforcement would be more efficient. Also, as stated above, having electronic distribution of evidence to defense attorneys be specifically allowed in the discovery process would be more helpful than a statewide sharing system.</li> </ul>	
<ul style="list-style-type: none"> <li>• Yes, providing there is adequate space and a good tracking system for deposit and retrieval.</li> </ul>	
<ul style="list-style-type: none"> <li>• Yes, but seems practically unlikely.</li> </ul>	

<b>Would a single standardized statewide case record management system or other electronic discovery technology provide for a better and more efficient criminal discovery process and offer cost savings?</b>
<ul style="list-style-type: none"> <li>No recommendations for a statewide system. Locally, IL law gives a portion of certain traffic violations to the SAOs for use in funding a case management system. Unfortunately, the funds generated from this would only account for about 10-20 percent of the ongoing cost to use a case management system that could use cloud, electronic storage for the intake and distribution of electronic evidence. If that fee were raised, or even if the fee was expanded to all case types to cover the ongoing cost of a case management system allowing for electronic storage and distribution of evidence, it would help.</li> </ul>
<ul style="list-style-type: none"> <li>Yes, everyone would be familiar with the system and items would be transferred consistently. Individual offices would not have to purchase licenses for different programs.</li> </ul>
<ul style="list-style-type: none"> <li>Yes, but it seems practically unlikely.</li> </ul>
<b>Do you have any recommendations for alternative funding processes to pay for a statewide criminal discovery/information sharing costs?</b>
<ul style="list-style-type: none"> <li>We are all in different stages of this process and, within larger counties, some police agencies are further ahead than others. So, I cannot imagine how you create a statewide process at this point. Some jurisdictions would have to give up what they have already started and others would have to come very far to get to the starting point.</li> </ul>
<b>Additional Input/Comments</b>
<ul style="list-style-type: none"> <li>None provided</li> </ul>
<b>Discovery Expense</b>
<ul style="list-style-type: none"> <li>We have not analyzed the cost of providing discovery.</li> <li>We do not have a discovery fee. It is an interesting concept. There are situations when a large amount of data, such as a forensic image of a computer, when the defense requires external hard drive or USB, but there are no associated fees.</li> </ul>
<b>Redaction</b>
<ul style="list-style-type: none"> <li>We are unsure why a standard law enforcement reporting form would have anything to do with redaction. After all, the SAO would not be able to redact any part of a law enforcement report that was handed over as part of criminal discovery. All of the information on the form is discoverable.</li> </ul>

## Appendix C

Using the [Code of Civil Procedure 735 ILCS 5/7-2001\(d\)](#), as updated for 2017 by the [Illinois Comptroller's Office](#), the fees that may be charged for processing the photocopying of documents are as follows:

Fee Description	Fee Base (by statute)	2017 (Comptroller's updated charges)
Handling charge	\$20.00	\$27.33
Copy pages 1 through 25	\$0.75	\$1.02
Copy pages 26 through 50	\$0.50	\$0.68
Copy pages in excess of 50	\$0.25	\$0.34
A charge of 50 percent of the per page charge for paper copies, listed above may be applied to calculate the cost of each CD Rom, DVD, or other storage media.		

The prescribed fees, for the purpose of the statute, are attributed to the costs at which healthcare practitioners or facilities can calculate for fulfilling records requests. The statute serves as a starting point for determining the costs incurred by law enforcement agencies for providing paper copies to the subsequent recipient criminal justice system agencies. The following table details the documents and number of copies typically required by LEAs.

Form	Page Range		Number of copies	Total Copies Produced, Range	
	From	To		From	To
Arrest Card	1	2	5	5	10
Case Report (with supplemental)	2	50	5	10	250
Criminal Complaints	1	5	5	5	15
Felony 101	1	1	4	4	4
Criminal History	1	25	4	4	100
Evidence Collection Report	1	10	3	3	30
Forensic Crime Lab Submission Report	1	10	3	3	30
Personal Property/Jail Housing Report	2	2	4	8	8

Cover Sheet	1	1	5	5	5
<b>TOTALS</b>	<b>12</b>	<b>106</b>	<b>X</b>	<b>47</b>	<b>452</b>

This table combines the information indicated in the previous two tables for the purpose of showing the costs incurred by LEAs for providing paper based case files:

Number of Pages to Copy		Pages 1 through 25	Pages 26 through 50	51+ pages	Total Cost	Handling Fee (add to total cost)	Total Cost to provide Arrest Documents	
	<b>Multiplied by:</b>	\$1.02	\$0.68	\$0.34		\$27.33		
47		\$47.94	X	X	\$47.94		<b>\$75.27</b>	
452		\$47.94	\$34.00	\$119.68	\$201.62		<b>\$228.95</b>	
		<i>Apply a charge of 50 percent of the per page charge for paper copies, listed above for the cost of each CD Rom, DVD, or other storage media.</i>				<b>DVD: \$75.27 x .5 = \$37.64</b>		
						<b>DVD: \$228.95 x .5 = \$114.47</b>		

**Statewide, Cost Estimate for Paper-driven Criminal Discovery  
Felony Cases Filed, Statewide:**

The total number of statewide felony cases filed in 2015 was: 76,946

76,946 X \$75.27 = \$5,791,725.42 (low estimate)

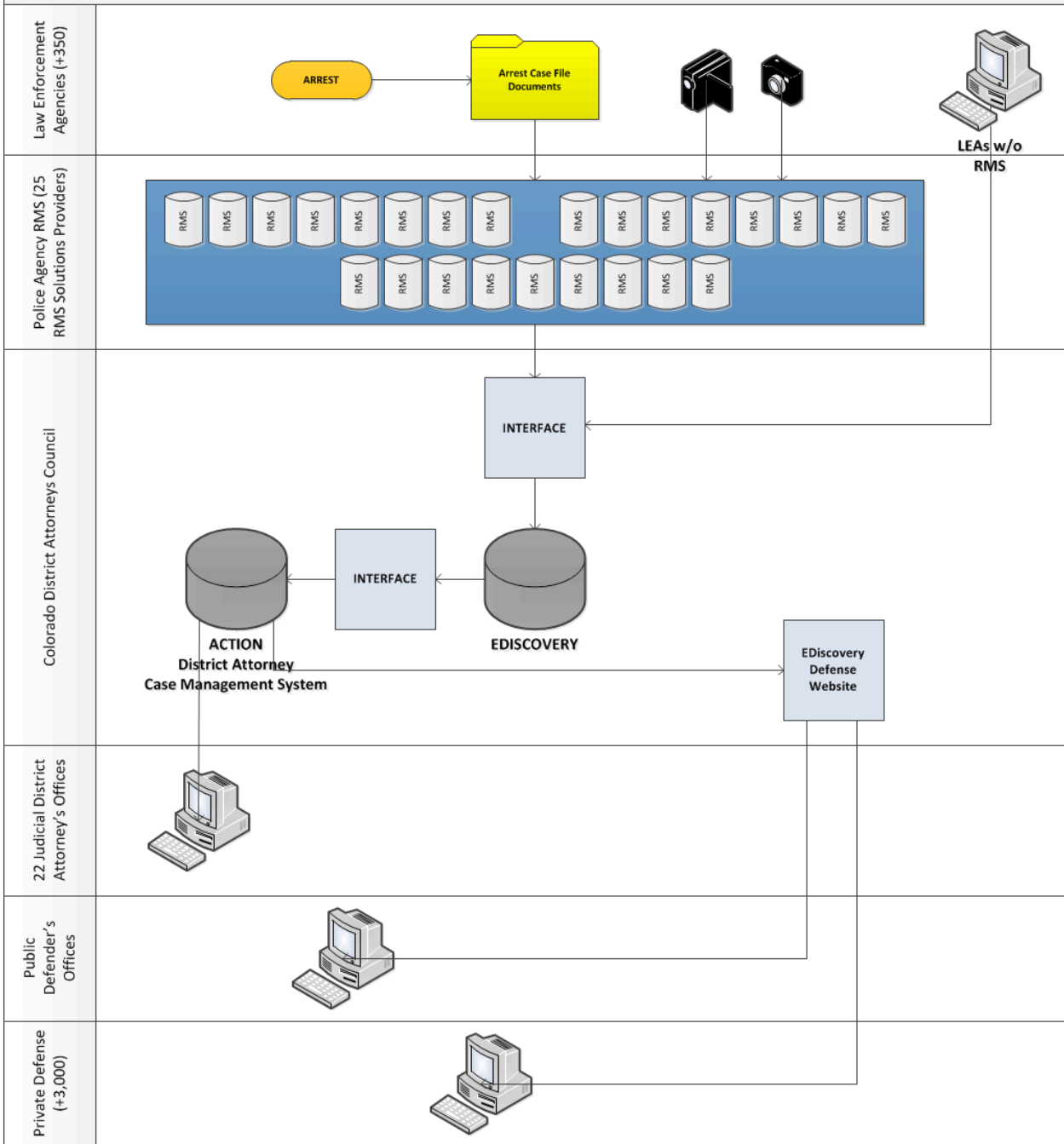
76,946 X \$228.95 = \$17,616,786.7 (high estimate)

## Appendix D

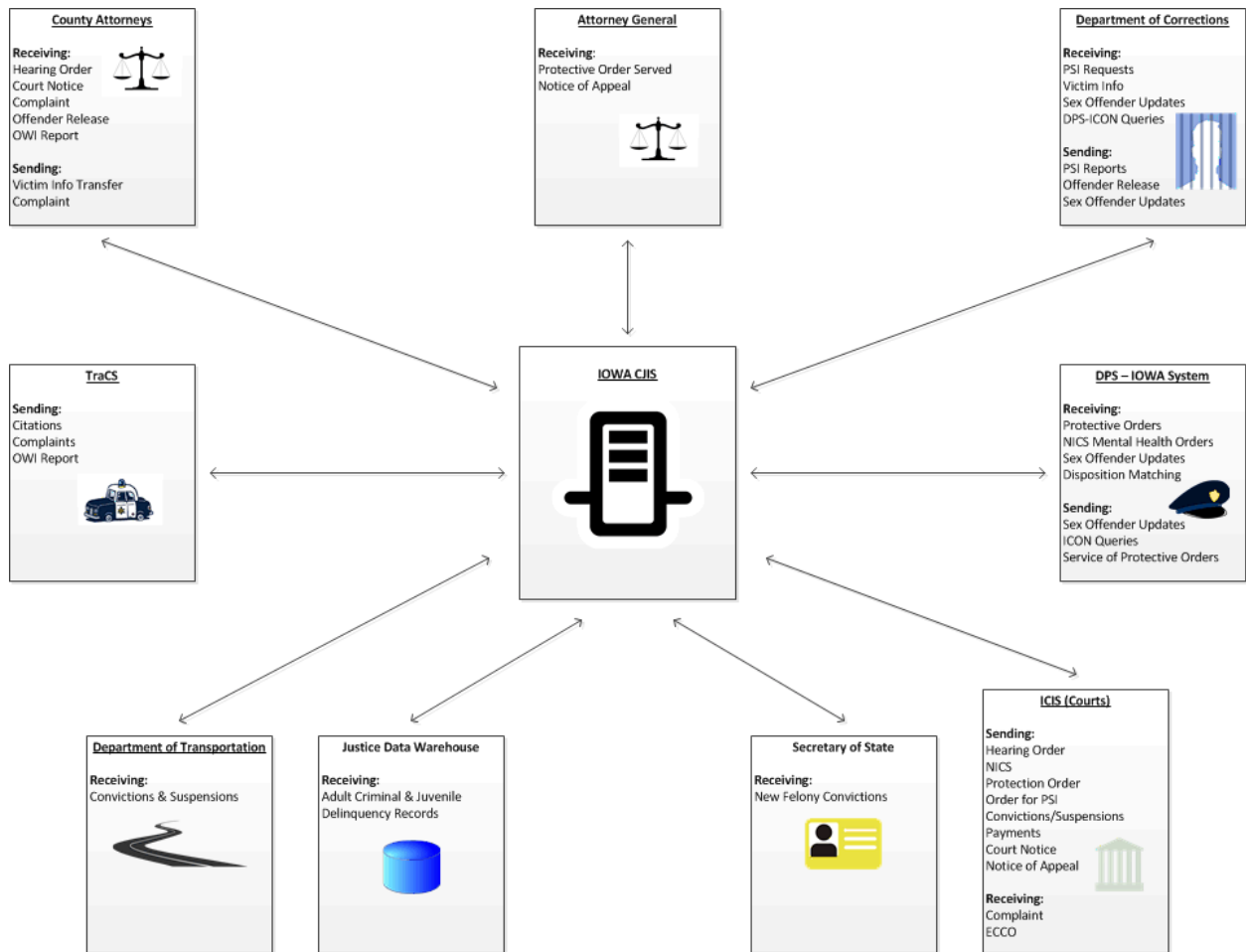


State of Colorado,  
CDAC, EDiscovery System

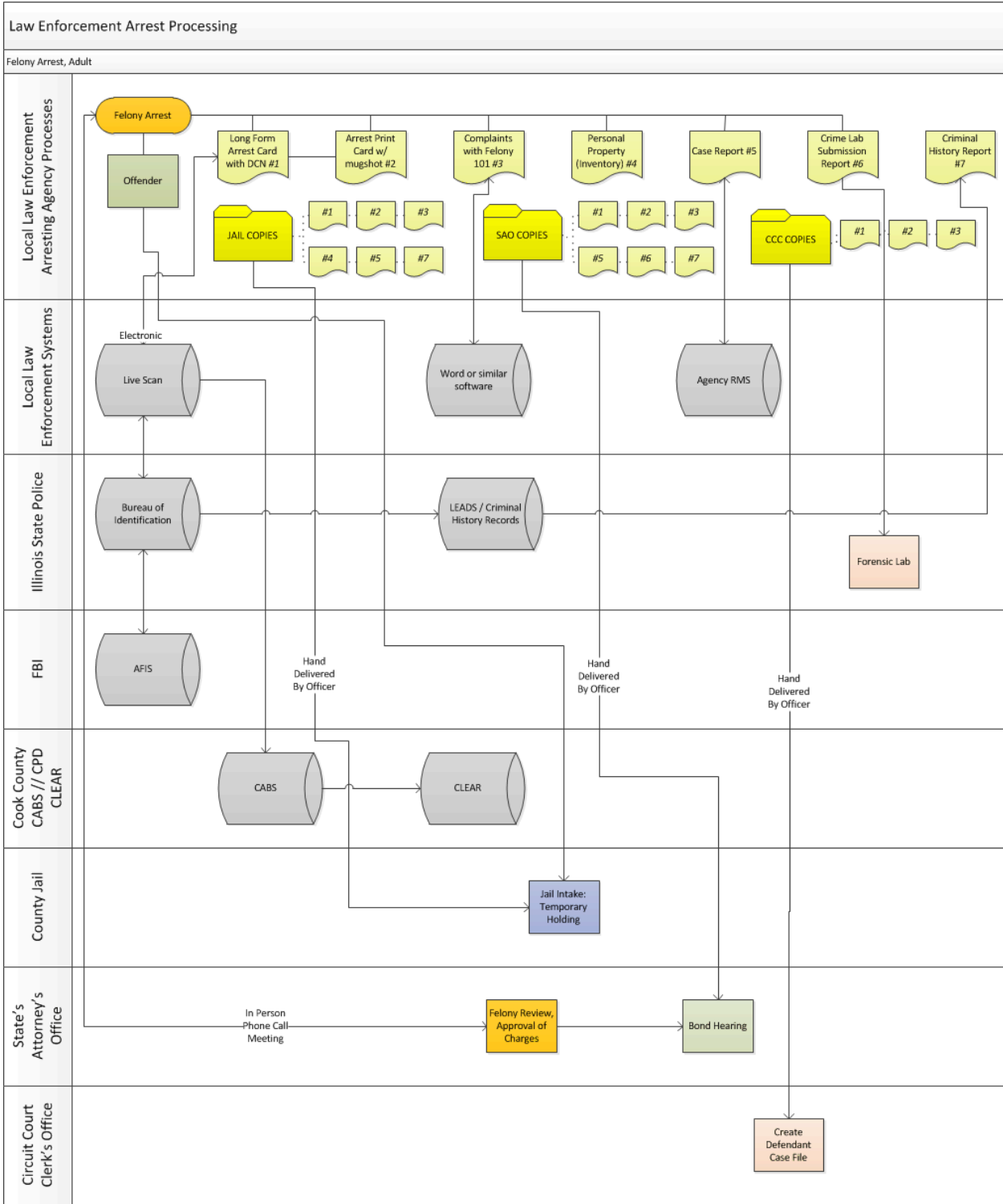
Flow of Information, Summary



Appendix E

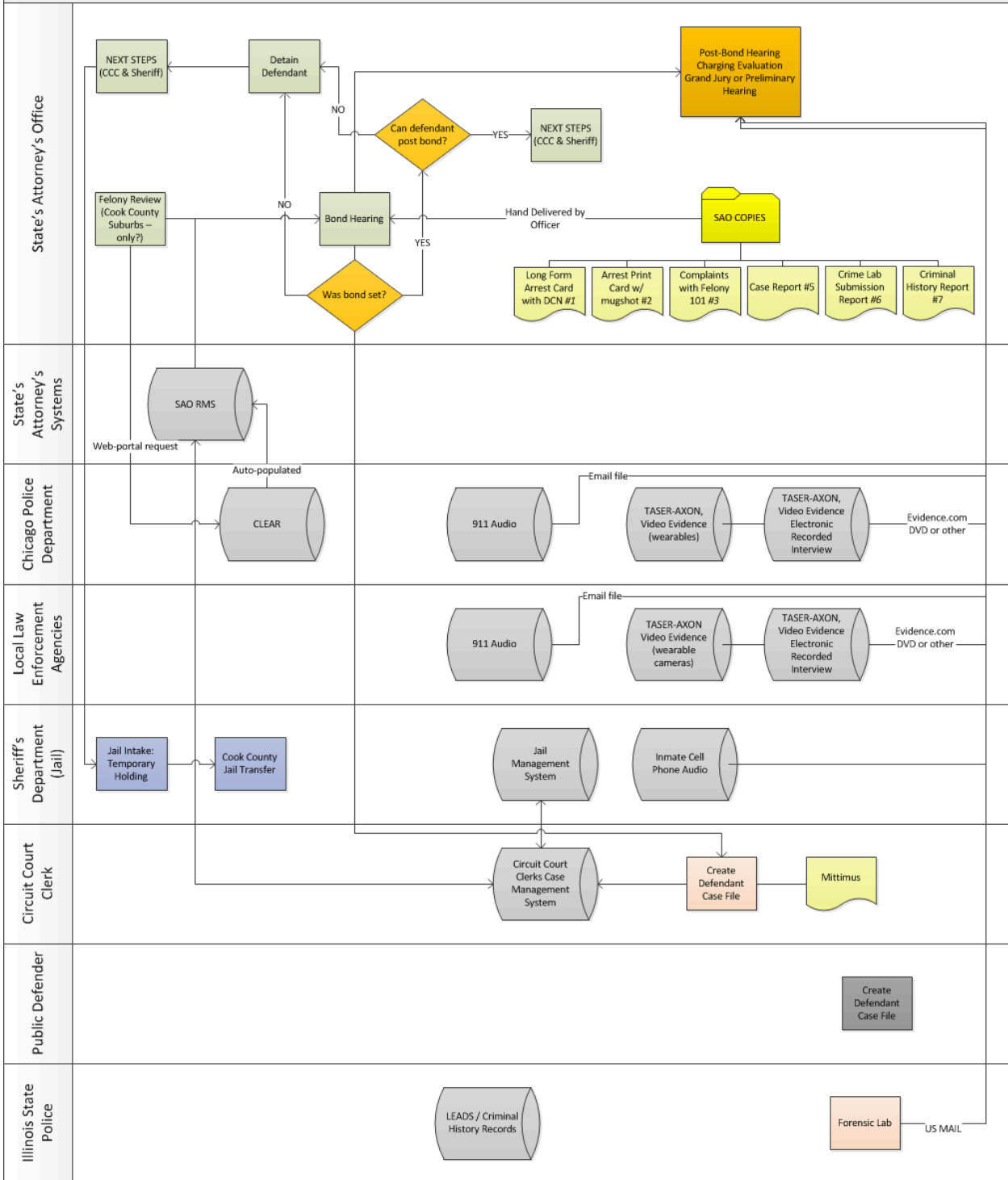


## Appendix F



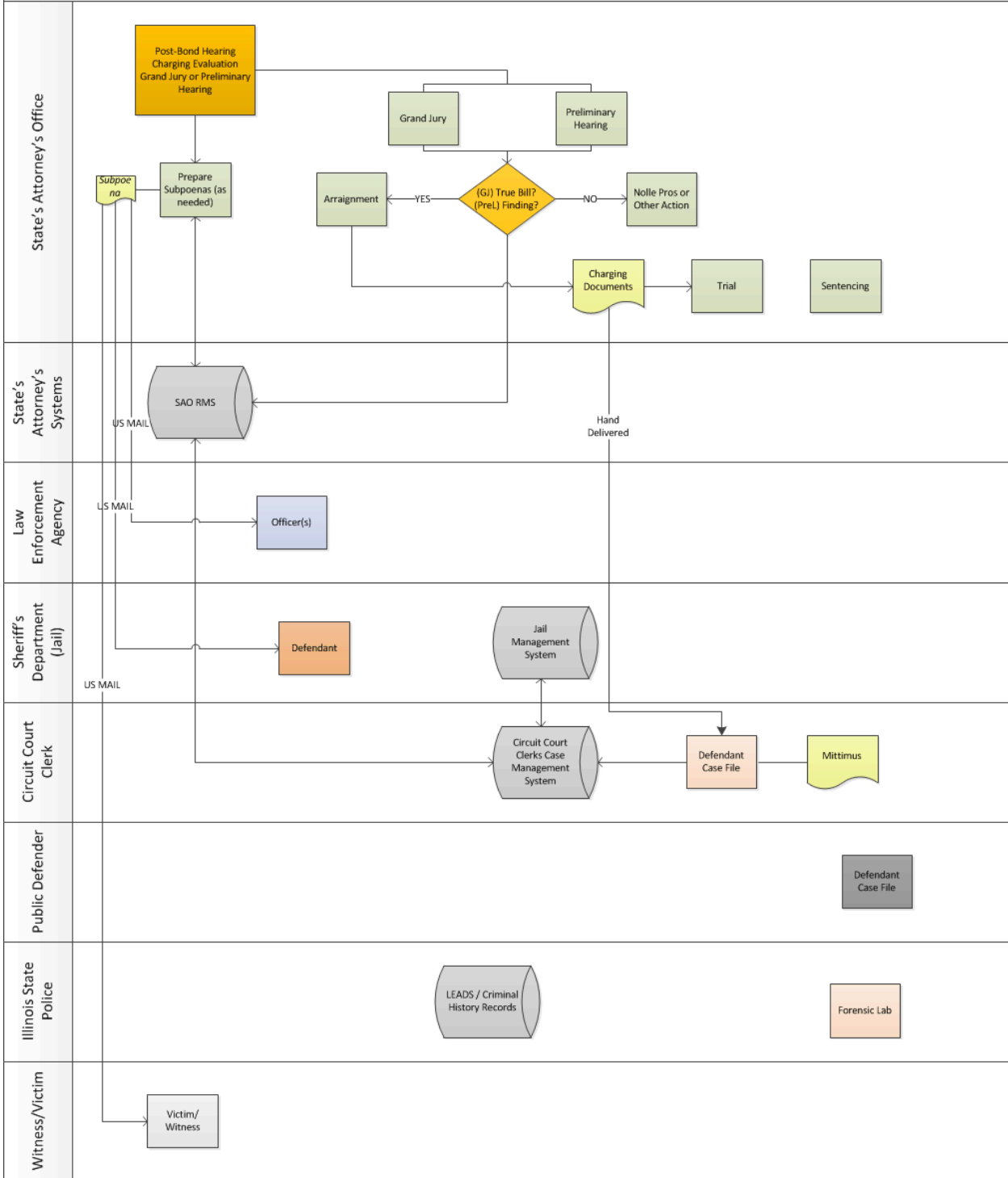
State's Attorney's Office, Case Processing, Bond Hearing

Felony Arrest, Adult

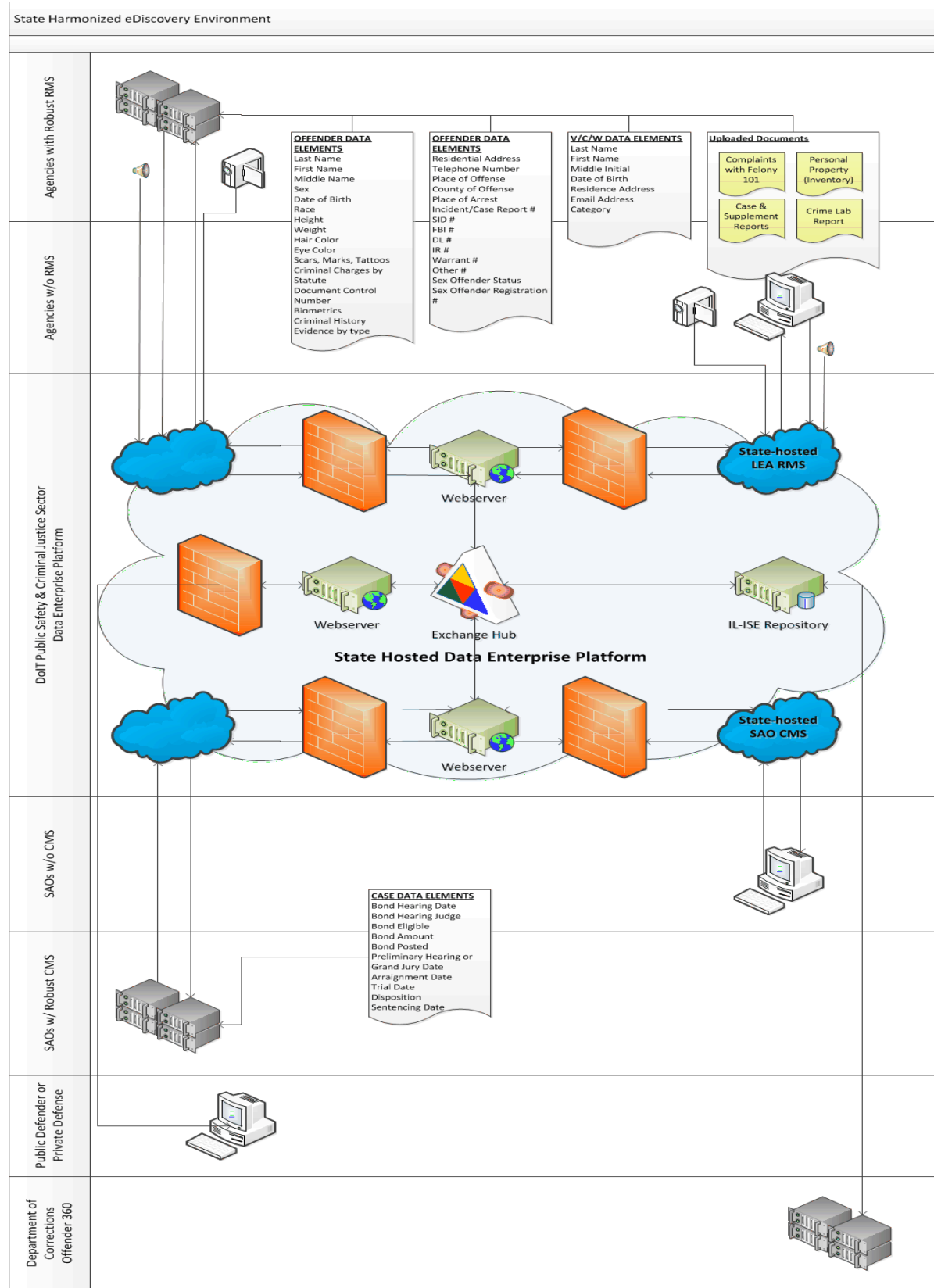


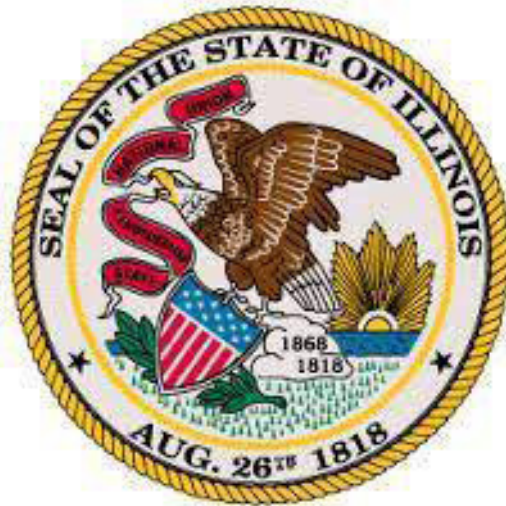
State's Attorney's Office, Case Processing, Preliminary/Grand Jury

Felony Arrest, Adult



# Appendix G





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