



AUTHORITY STUDYING JUVENILE DATA POLICIES

THE ILLINOIS Criminal Justice Information Authority has begun a major study of the policies governing how juvenile justice information is managed in Illinois.

As a first step, the Authority is holding four public hearings around the State to learn how juvenile justice information is being managed now and to hear suggestions on how current information policies could be improved. The first hearing was held Feb. 27 in Springfield. Other meetings are scheduled for March 20 in Des Plaines, April 10 in Markham and May 1 in Belleville.

The hearings are part of the Authority's Juvenile Justice Information Policies project. Authority Chairman William Gould said the project is designed to study and evaluate the management of Illinois juvenile justice information and to develop policies that will improve the use of information within the juvenile system.

"LIKE MANY other states, Illinois has a variety of laws, regulations and procedures governing the collection, use and dissemination of juvenile records by juvenile justice agencies," Chairman Gould said in announcing the agency's hearings.

"These laws and procedures have evolved gradually, apparently without a systematic examination of what the overriding policy should be in Illinois regarding juvenile justice information that is collected by a variety of public agencies," he said.

"There are numerous agencies in this State that are generating and maintaining juvenile records in many different ways," he said. "We want to identify what these practices are and what policies best serve the ends of juvenile justice."

SCOTT M. LEVIN, deputy executive director of the Authority, said the hearings will focus on several specific issues. First, the Authority wants to find out what factors contributed to the development of current juvenile information policies, and it wants to learn what types of individuals and agencies are affected by current policies.

The Authority also is seeking testimony on how current policies affect the collection, maintenance, storage and exchange of juvenile justice information. The agency will also ask witnesses to suggest what the policies should be in these areas. Finally, the Authority will question witnesses on what they think the overall State policy should be regarding the management of juvenile justice information.

Mr. Levin said there are two factors complicating the issue: the sheer number of statutes, policies and procedures in Illinois that affect juvenile justice information and the many types of individuals affected by these laws. These individuals include those defined by various laws as "minors," "juveniles," "children" and other classifications.

Continued on Page 2



A police officer examines crime data on-line using REJIS, a regional criminal justice information system that links 16 law enforcement agencies in Illinois with dozens more in Missouri.

Crime Information: Crossing State Lines

LAW ENFORCEMENT officials in southwestern Illinois still remember the bad old days. That's the time before 1982 when sharing crime information with their colleagues across the Mississippi River in Missouri was a slow and complicated process, if it occurred at all.

"I could look out my office window and see the city of St. Louis," Mearl Justus, former Cahokia, Ill., police chief and now sheriff of St. Clair County, recalled recently. "But to receive any information from there I had to send a message to Springfield [Ill.], which went to Phoenix [Ariz.], then to Jefferson City [Mo.], then to St. Louis and all the way back again," he said.

"I always maintained there was something wrong with that system."

Fairview Heights Police Chief Roger Richards put it another way: "Before everything seemed to stop at the river, except the criminals."

Today information about criminals is flowing across the Mississippi too, thanks in part to a regional computer network that is making the concept of sharing information across state borders a reality. Sixteen law enforcement agencies in Illinois' Madison, Monroe and St. Clair Counties are now hooked up to

Continued on Page 4

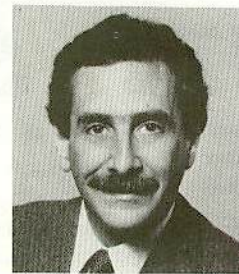
News in Brief

NALL NAMED TO AUTHORITY: Governor James R. Thompson in February appointed Adams County Sheriff Robert E. Nall to the Illinois Criminal Justice Information Authority. The appointment expires in January 1989 and pays expenses only. Sheriff Nall joined the Adams County Sheriff's Office as a deputy in 1971 and was elected sheriff in 1974. He fills the vacancy on the Authority created by Wilbur Scott, who resigned as DeKalb County sheriff last year. State law requires that one of the Authority's 15 members be a sheriff from a county other than Cook.

THREE MORE AGENCIES JOIN PIMS: Three more Chicago-area police departments have agreed to join the Authority's computerized police information network, PIMS. The 44-member Morton Grove Police Department and the 42-member Wilmette Police Department are the latest north suburban agencies to contract for PIMS (the Police Information Management System); they bring to five the number of PIMS agencies in the area. The Calumet City Police Department, which has 52 full-time sworn officers, is the third south suburban PIMS department. The three new departments expect to go on-line in the spring. Twenty-two law enforcement agencies in Illinois have now contracted for PIMS.

OUTDATED WARRANT RULING: An Illinois appellate court has ruled that an arrest based on an outdated warrant mistakenly left on computerized police files is invalid. The 1st District Appellate Court, ruling in November in *People v. Carlos Joseph*, overturned a trial court decision that two Chicago police officers acted reasonably in arresting a man based on what they thought was credible warrant information. In 1982, the officers received information from a mobile computer terminal that an outstanding bail forfeiture warrant existed for a man they had stopped. The officers arrested the man and seized a quantity of illegal drugs. Eleven days earlier, however, the bail forfeiture warrant had been cancelled, but was not removed from computerized police files. The trial court denied a defense motion to quash the arrest and suppress the evidence that was

found, saying the officers acted in good faith that the warrant was valid. But the appellate court disagreed. It held that a good faith exception should not be applied where the agency executing the warrant also "is responsible for the error which gives the warrant the false appearance of validity."



Rep. Lee Preston

NEW MISSING KIDS EFFORTS: State Rep. Lee Preston (D-Chicago) has introduced legislation in the Illinois General Assembly designed to protect children from abduction and exploitation. The legislative package includes five bills that would: require criminal background checks on teachers, daycare workers and other employees who work with children; allow children to testify on videotape in child molesting cases; require local medical examiners to maintain dental records of unidentified bodies to facilitate matchups with missing children; require schools to notify parents if a child is not in school by 10 a.m.; and require schools to offer programs that teach children how to protect themselves from molesters and kidnapers. Meanwhile, the Illinois Department of Law Enforcement's I-SEARCH (Illinois State Agencies to Recover Children) program has opened a toll-free number, 1-800-U-HELP-ME, for gathering information about missing persons.

PEOPLE: Richard J. Elrod, Cook County sheriff and Authority member, was appointed in January to the board of the Safer Foundation, a non-profit organization that provides job placement and other aid to ex-criminals.... Authority Executive Director J. David Coldren has been named to the Law Enforcement Information Systems Committee of the International Association of Chiefs of Police, IACP President Thomas J. Sardino announced in December.... Mary DeSloover, the Authority's research coordinator, chaired a session entitled *Victims' Experience with Agents of Social Control* at the annual American Society of Criminology meeting in November.

UPCOMING: The National Criminal Justice Association's 1985 Annual Membership meeting will be held in Indianapolis, Ind., April 25 through 26.

JUVENILES: Info Policies Studied

Continued from Page 1

Illinois established the first totally separate juvenile court system in 1899, and most states soon followed suit. Two basic policies were served by this separation, Mr. Levin said: First, children were not held responsible for their actions; and second, the objective of juvenile justice was to rehabilitate and not to punish.

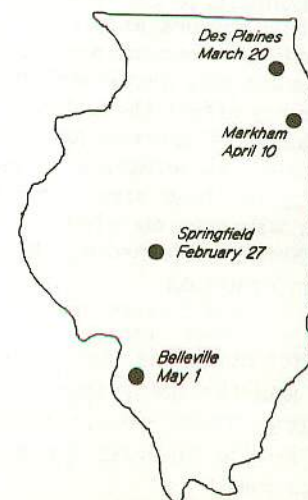
Mr. Levin said these philosophies generally guided the confidential manner in which records generated by juvenile justice agencies have been handled. However, he said some criminal justice officials have begun to criticize the special treatment given to juvenile information. He

said officials have asserted that in order to identify juvenile offenders early and provide the services they need, officials must be able to obtain accurate information about a minor's offense history.

"OUR JOB is not to pass judgment on any specific law or any one policy," Mr. Levin said. "First, we want to find out what is being done out there. After that, we can begin to evaluate what should be done in the interest of juvenile justice."

Mr. Levin said a report detailing the Authority's recommendations regarding juvenile information policies will be delivered to the General Assembly, the governor and the public sometime this summer.

JUVENILE INFORMATION HEARINGS



Authority To Decide About Grants

AFTER HEARING suggestions from 135 witnesses at eight public hearings held around the State in February, the Illinois Criminal Justice Information Authority will meet March 15 in Chicago to develop a Statewide strategy on how nearly \$5 million in new Federal criminal justice aid should be spent in Illinois.

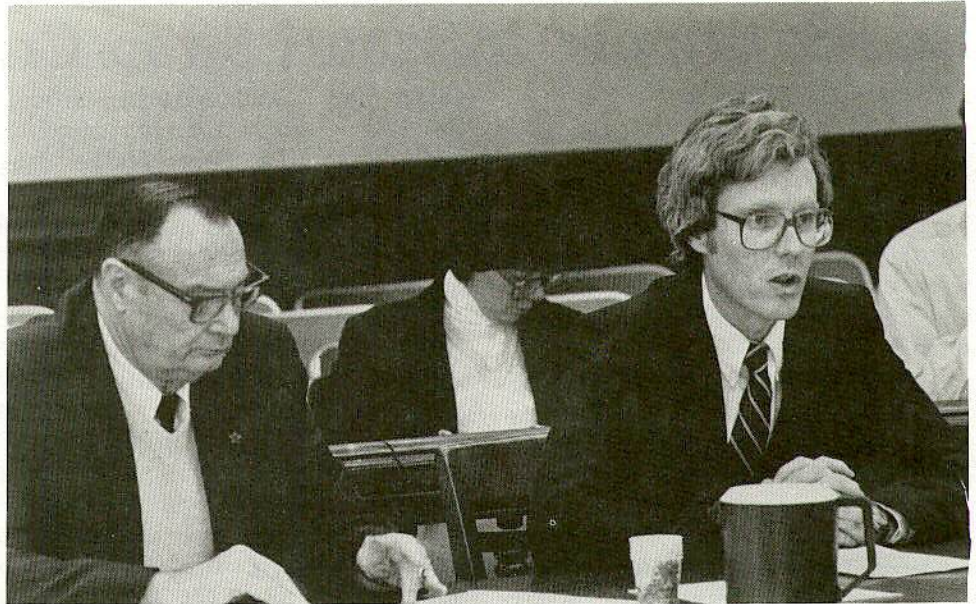
At the meeting, the Authority is expected to choose three or four program areas to fund with that part of the Federal money set aside for system improvement projects. The agency also is expected to develop a plan for how separate funds earmarked for programs to assist crime victims should be spent.

Governor James R. Thompson earlier designated the Authority as the State agency responsible for administering the new criminal justice grants in Illinois. The Authority plans to begin awarding individual grants in July, Executive Director J. David Coldren said.

The Authority's public hearings were held in Belleville, Carbondale, Chicago, Evanston, Galesburg, Oak Brook, Springfield and Urbana. State and local criminal justice officials, lawmakers, academic researchers, crime victims' advocates and private citizens were among those who testified on how the Federal money can be used most effectively in Illinois.

THE AID IS coming to the State under two new grants programs approved last year by Congress and President Ronald Reagan. One program, the Justice Assistance Act (JAA), is intended to help states and local units of government carry out specific initiatives for improving the criminal justice system. The other program, the Victims of Crime Act (VCA), provides assistance to organizations that help victims of crime, especially domestic violence and sexual assault victims.

In the first year of the programs, Illinois is expected to receive \$2.3 million in JAA funds and \$2.5 million in VCA funds; money for subsequent years must be allocated by Congress. Government units that receive JAA grants are required to match those grants dollar for dollar.



McDonough County Sheriff John Bliven (left) and State's Attorney John Clerkin were two of 14 people to testify Feb. 1 in Galesburg at a public hearing on how Il-

linois should use nearly \$5 million in new Federal aid for criminal justice and crime victims. In all, 135 witnesses testified at eight hearings held around the State.

"In setting up these programs, Congress and the President made it clear that the states must target resources on programs that have a track record of combatting serious crime and improving the criminal justice system," Mr. Coldren said.

Federal legislation stipulates that JAA grants can be used only for 18 program areas outlined in the law.

Mr. Coldren said that at each of the public hearings, the Authority sought testimony to help it select three or four of these program areas to fund.

As for how the VCA money will be spent, Mr. Coldren said the hearings tried to establish what the needs of crime victims are and to identify the types of programs for victims that have worked well in the past.

Survey Examines FOIA's Impact On Criminal Justice Agencies

AN INFORMAL survey of some of Illinois' largest criminal justice agencies indicates that the State's new Freedom of Information Act (FOIA) has not significantly altered the agencies' practices of releasing criminal justice data, including the names of victims and witnesses.

But the survey also found the act may be costing some large jurisdictions thousands of dollars previously collected for supplying copies of traffic accident reports. In response to the FOIA, many large law enforcement agencies have lowered or even eliminated the fees they used to charge for such reports.

The survey was conducted last fall by Illinois Criminal Justice Information Authority staff at the request of the Authority's Legislation and Regulations Committee. The survey was meant to assess the general impact of the FOIA on criminal justice

agencies during the first four months of the law. The FOIA (*Ill. Rev. Stat., chap. 116, par. 201-211*) allows citizens to inspect or copy most records of government agencies, although some records, including some criminal justice data, are protected by 26 exemptions included in the Act.

The survey was not intended to produce a statistically valid sample. Rather, the 11 largest police departments and sheriff's offices in Illinois, along with the state's attorneys of the six most populous counties and the Illinois Departments of Corrections and Law Enforcement, were polled to get their reactions to the new law. Five smaller law enforcement agencies also were surveyed.

IN ALL, the 24 agencies reported receiving 490 FOIA requests in the four months after July 1, 1984, when the law went into effect. Four law

Continued on Page 6

REJIS: Illinois, Missouri Swap Crime Information

Continued from Page 1

the Regional Justice Information Service (REJIS), a multi-agency data processing system based in St. Louis. Using REJIS, the 16 can swap crime information with one another and with 100 other Federal, state, county and municipal agencies headquartered in Missouri.

COMPUTERIZED criminal justice information systems are not new to the St. Louis area, according to REJIS spokesman Bruce W. Meyer. In 1964, the city was one of the first to use a computerized "hot file" system for wanted persons and stolen property. "Everything being done today stems from that work," he said.

REJIS was established in 1973 by joint ordinances of the city of St. Louis and St. Louis County. From its law enforcement roots, REJIS soon grew into a comprehensive system providing data processing services for police, prosecutors' offices, courts, correctional and probation departments and several Federal agencies, including the FBI, the Drug Enforcement Administration and the Secret Service. In Missouri, the system is used to maintain arrest files, keep prosecutorial information, generate court schedules and documents, identify probation and parole violators and more.

Talks about expanding the system into Illinois began in 1974, Mr. Meyer said, but it wasn't until Sept. 30, 1982 that 14 law enforcement agencies in Illinois officially joined the network.

Since 1982, three more Illinois agencies have joined REJIS and one agency has dropped out. The 16 agencies currently using the system in Illinois are the police departments in Cahokia, Caseyville, Collinsville, Columbia, East St. Louis, Edwardsville, Fairview Heights, Highland, O'Fallon, Troy, Washington Park and Scott Air Force Base; the sheriffs departments in Monroe and St. Clair Counties; area 4 of the Illinois Division of Criminal Investigation (DCI), an investigative arm of the Illinois Department of Law Enforcement; and the Metropolitan Enforcement

Group of Southwestern Illinois (MEGSI), an intergovernmental cooperative that investigates drug trafficking in the region.

FOR THE most part, these 16 agencies have access only to the law enforcement component of REJIS. Because of overall differences in the Illinois and Missouri criminal justice systems, they cannot fully use the prosecution, courts and corrections features available to Missouri users.

Still, officials report REJIS is a major improvement over the way information sharing used to take place in southwestern Illinois. "When you're sitting along the river and you have an influx of criminal activity from St. Louis, it's nice to be able to go into their files quickly and easily," Sheriff Justus of St. Clair County said.

The law enforcement functions available to REJIS agencies in Illinois include:

- **The Arrest and Booking system.** This system maintains basic arrest records containing arrest, charge and personal data.
- **The Calls for Service program.** This program uses data from the dispatcher's incident log to show basic facts about crime incidents, officer performance and some crime analysis.
- **The Wanted/Missing Persons program.** It contains records of persons wanted or sought for questioning in a crime and of persons who have been reported missing. The program allows officers to know within seconds whether a person is wanted, missing, armed and dangerous, mentally ill or has some other special features.
- **Local Criminal History system.** This "pointer system" is used to indicate if any department on REJIS has a local criminal history on file for a person.

ONE OF THE most popular features among Illinois users seems to be the Field Interview Report (FIR) system. This system is used for keeping intelligence or investigative information on suspicious persons and on criminals and their associates. The file also serves as a search subsystem which can help officers identify crime suspects based on fragments of information, such as their appearance, nicknames, vehicles and known haunts.

"One of the things REJIS has that I particularly like are the FIRs,"

Chief Richards of Fairview Heights said. "We have solved crimes here in Illinois just on the basis of FIRs."

One of these success stories occurred just one month after the first group of Illinois agencies joined REJIS in 1982. On October 19, two men abducted a 14-year-old St. Louis girl, took her to Illinois and raped her. Ten days later, two men abducted and raped a Colorado woman who was hitchhiking in southwestern Illinois. Hearing about the second incident from Illinois State Police, Cahokia police stopped two suspects, who were still holding the Colorado victim. A check on REJIS revealed that one of the men matched the description of one of the suspects in the October 19 incident. A further REJIS check on the suspect common to both incidents revealed an associate who fit the description of the second suspect in the first case. All three men were arrested and charged.

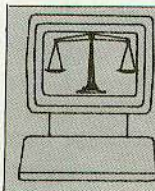
REJIS ALSO provides Illinois users with an automatic link to the Law Enforcement Agencies Data System (LEADS), a telecommunications network that makes crime information available throughout Illinois.

Richard Schardan, acting director of MEGSI, said joining the REJIS network allowed his agency to update its communications equipment. MEGSI officials, like many others in the region, previously used teletype equipment to tie into LEADS in Springfield. With REJIS, officials now have a computer terminal that can access both LEADS and REJIS information.

Zone 11 of DCI's area 4 has REJIS set up on a terminal used primarily for the State's public aid computer system. "You can have just a name, and find out all sorts of information about a person," said Denise Dormeier, a DCI operator.

REJIS EMPLOYS a unique billing system in which user agencies are charged for each transaction they execute. Transactions carry different pricetags, ranging from 7 cents to 35 cents each. According to Chief Richards, his cost per transaction averages about 26 cents. The maximum transaction cost to Illinois agencies this year is \$4,000, Richards said.

"I look at a computer as as much a necessity as a squad car," he said. "For the good REJIS has done, the price is a drop in the bucket."



Computers and Justice

Computers and other automated devices are changing criminal justice. This story is another in a series of articles on some of these new techniques.

Handgun Use Highest in Murders, Robberies

HANDGUNS were used in nearly half of all murders and a third of all robberies in Illinois outside Chicago in 1983, but were used in a smaller percentage of aggravated assaults and rapes, according to the recently-released edition of *Crime in Illinois*.

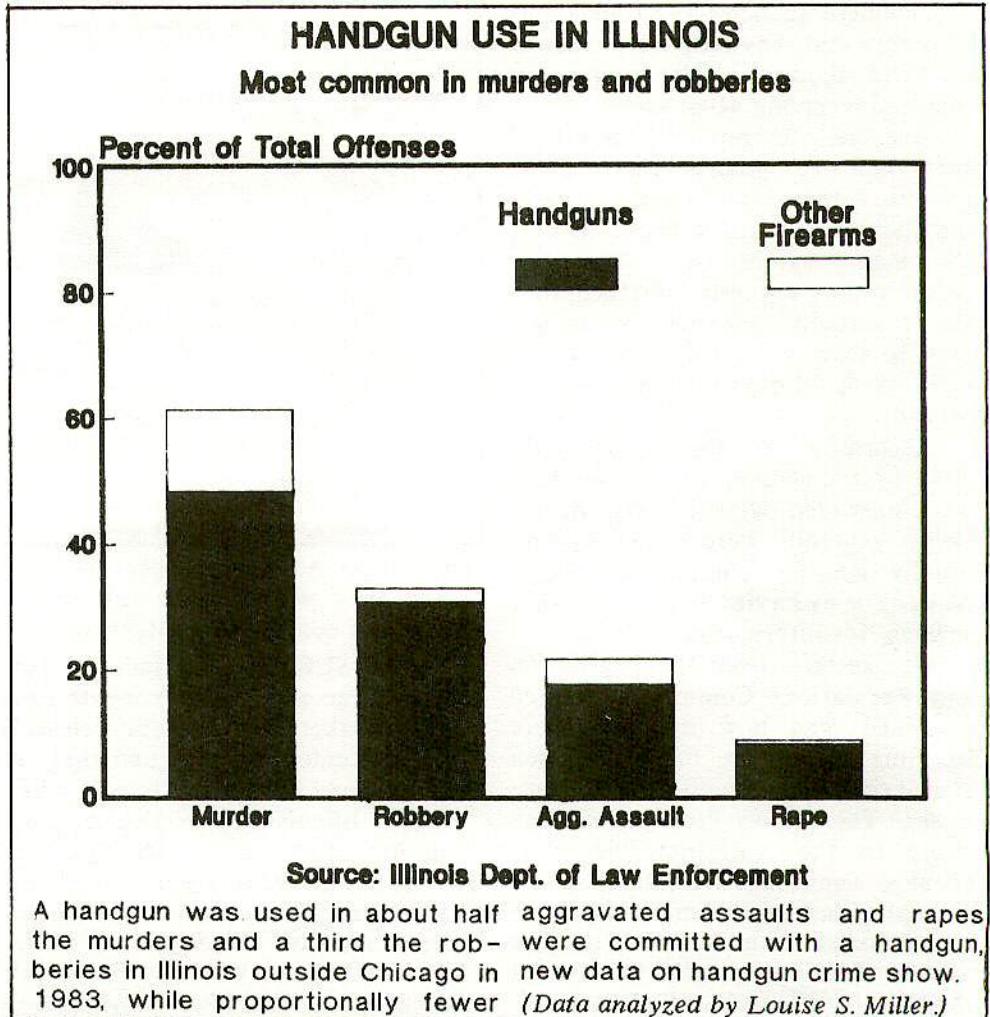
For the first time, the Illinois Department of Law Enforcement (DLE) reported separate handgun data for communities outside Chicago in the 1983 edition of its annual summary of crime in the State. Previously, handgun crimes reported in the "Offense and Clearance Trends" section of the report were grouped with long guns, shotguns and other types of guns in a category called "firearm."

The 1983 data, however, show that handguns accounted for more than 86 percent (4,992) of the 5,777 firearm crimes committed outside Chicago that year, including more than 90 percent of the robberies and rapes committed with a firearm. Chicago did not report separate handgun data to DLE in 1983, so Statewide figures are not available.

AMONG INDEX murders, which include murder and voluntary manslaughter, handguns were used in 48.4 percent (164) of the 339 offenses outside Chicago. Other firearms were used in 13 percent (44) of these offenses; knives accounted for 23 percent (78), personal weapons 4.7 percent (16) and other weapons 10.9 percent (37) of the crimes.

In Chicago, where handgun data for murders are available through DLE's Supplementary Homicide Reports, the percentages of weapons used in 1983 murders were similar to the Downstate figures. Slightly more murders in the city were committed with handguns (52.3 percent versus 48.4 percent elsewhere), and slightly fewer (6.9 percent) were committed with other firearms.

Outside Chicago, handguns were the second most used weapon in Index robberies, which include plain robbery, armed robbery and attempts. Handguns were used in 30.8 percent (2,079) of the 6,740 robberies outside Chicago; other firearms were involved in only 2.2 percent (145) of the crimes. The most common type of robbery was strongarm robbery, which accounted for 50.9 percent (3,429) of the offenses.



FOR INDEX aggravated assault and rape, the percentages of crimes committed with a handgun were lower than for robbery and murder. About 17.8 percent of aggravated assaults outside Chicago in 1983 (2,638 of 14,811) were committed with a handgun, compared with 28.3 percent (4,190) with a knife, 25.6 percent (3,784) with personal weapons and 24.4 percent (3,611) with other weapons. Other firearms were used in 4 percent (588) of the crimes.

The data also show handguns were used in relatively few Index rapes outside Chicago in 1983--8.3 percent (111 of 1,343). No weapon was used in almost three-quarters of the offenses (997). When a weapon was used, a knife was the most popular (14.8 percent, or 199); other firearms were involved in less than 1 percent of the cases (8) and other weapons in 2.1 percent (28).

According to Jo Ellyn Reeder, manager of DLE's Illinois Uniform Crime Reporting (I-UCR) program, the department began compiling separate handgun data for violent of-

fenses at the request of the Illinois General Assembly. The Legislature wanted to know the extent to which handguns were being used in the commission of various crimes in the State. Ms. Reeder said DLE will report the handgun figures in future editions of *Crime in Illinois* so comparisons over time can be made.

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Note to Readers: With this issue, we start a new volume (6). Your previous issue (Vol. 5, No. 3) was dated "Fall 1984," and this issue is dated "Spring 1985."

FOIA: Effect on Criminal Justice Agencies Studied

Continued from Page 3

enforcement agencies and four state's attorneys said they had yet to receive an FOIA request, while six agencies reported receiving 40 or more.

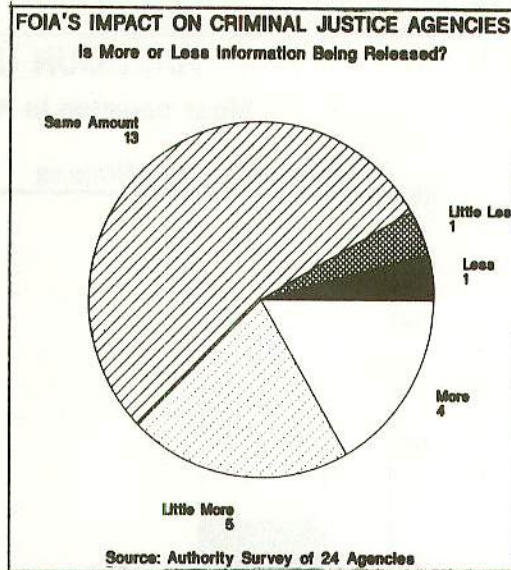
Agencies also reported they have been able to process their FOIA requests without significantly increasing their staffs and without seeking too many extensions. The law requires that requests, whether they are eventually granted or denied, must be answered within seven working days, or 14 days if an extension is needed.

According to the respondents, close to 85 percent of the requests were answered within seven days. Delays generally were caused by unusually lengthy, complex or vague requests or by having to contact other agencies for information.

One specific issue the Legislation and Regulations Committee wanted examined was how agencies were handling the release of information identifying crime victims and witnesses. The Illinois Press Association wrote to the Authority last year about a "significant reduction" in the amount of law enforcement information available to the news media. The issue has been complicated by the fact that the FOIA's personal privacy exemption (*Section 7 [b]*) is open to several interpretations. Some law enforcement agencies apparently have used the exemption to withhold the names of crime victims and witnesses.

The Authority's survey, however, found that the large law enforcement agencies questioned usually release victims' names. Only one agency has changed its policies regarding news media access to victim and witness information because of the FOIA. That agency interpreted the personal privacy exemption as requiring the department to obtain the written consent of victims and witnesses before releasing their names.

Respondents said they almost always withhold the names of victims in a few situations: if the victim is a juvenile or a sex offense victim; if releasing the names would jeopardize an investigation; if the victim asked that his or her name not be released; or if family members are still to be notified. Respondents' policies regarding release of witness information were much less uniform, though they were generally unchanged by



the FOIA. All of the agencies indicated they would never release the name of a confidential informant.

THE SURVEY did indicate that many large police departments have changed their policies for releasing traffic accident reports, and that the changes may be costing them money.

The Illinois Motor Vehicle Code (*Ill. Rev. Stat., chap. 95 1/2, par. 11-416*) allows State Police to charge \$5 for providing copies of traffic accident reports. Prior to the FOIA, however, there was no State law governing what local departments could charge. Consequently, many of them were following DLE's lead, charging between \$1 and \$5 a report.

Under the FOIA, however, agencies are allowed to charge only the cost of reproducing any records sought, generally 5 cents to 50 cents a page. As a result, 14 of the 16 law enforcement agencies surveyed said they have changed their policies regarding accident reports. Six of the agencies now provide free copies, while eight others have adopted some sort of dual pricing system by which insurance companies, which are "commercial enterprises," are charged the old fee and citizens are charged the "actual cost" amount.

Five agencies said that by lowering their fees for providing accident reports they expect the jurisdictions they serve to lose a considerable source of revenue--from \$2,600 to more than \$1 million each year, depending on the size of the agency.

At its last meeting Dec. 10, the Authority recommended the Motor Vehicle Code be amended to permit local law enforcement agencies to

provide traffic accident reports for a fee not to exceed the fee charged for State Police reports. The Authority recommended the fee be permissive, not mandatory, so that a municipality could charge a fee equal to or less than DLE's, or no fee at all.

ASKED IF they thought they were releasing more, less or the same amount of information under the FOIA, four of the 24 agencies surveyed said they were releasing more, five said "a little more," one said less, another said "a little less" and 13 said the same amount.

The survey also revealed that few FOIA requests to criminal justice agencies have come from the news media, researchers or private citizens. The largest groups of requesters included insurance companies seeking accident reports, prison inmates and attorneys.

Some agencies, particularly the Illinois Department of Law Enforcement (DLE), expressed concern that prison inmates and other criminals were filing FOIA requests to find out about informants or other witnesses. DLE, for example, fully denied 25 of the 80 FOIA requests it received because the requests involved criminal investigatory information or they would have acknowledged the existence of confidential informants.

DLE Director James B. Zagel said that denying an FOIA request could itself reveal the existence of investigatory records. Even if the contents of the records were not revealed, Director Zagel warned that merely indicating the existence of a record could benefit narcotics dealers or convicts seeking information about associates or possible informants.

Director Zagel said DLE has adopted a policy of answering such inquiries by indicating that any record the department *may* possess would be withheld under an FOIA exemption that protects the identities of confidential informants and the progress of ongoing investigations. On Dec. 10, the Authority approved a resolution asking the General Assembly to consider passing legislation that would exempt criminal justice agencies from having to acknowledge the existence of records, "where such acknowledgement could lead toward revealing the existence of a confidential informant."

Authority Seeks To Reintroduce CHRI Act

THE ILLINOIS Criminal Justice Information Authority will seek to have its Criminal History Record Information (CHRI) Act reintroduced in the Illinois General Assembly this spring, Authority Chairman William Gould has announced.

The Authority's proposed bill would make criminal conviction information about individuals in Illinois available to the public through the Department of Law Enforcement (DLE) repository in Joliet. Requests for conviction data would have to be answered within two weeks, and requesters would be charged a processing fee set by the Authority.

Current Illinois law prohibits public access to criminal history records maintained by DLE, but does not restrict dissemination of locally-kept records. The CHRI Act would establish the first comprehensive Statewide policy regarding public access to conviction records, and would allow local agencies to refer any requests for these records to DLE.

"This legislation attempts to balance two basic interests," Chairman Gould said. "On the one hand, information concerning the official acts of public agencies that arrest, try and incarcerate criminal offenders should be generally available to the public. At the same time, legitimate privacy rights of our citizens must be protected," he said.

"I think we have crafted a fair and balanced proposal."

THE CHRI Act was first introduced in the General Assembly in 1984, but failed to make it out of the House Judiciary Committee. The committee voted 7-1 in favor of the bill (HB3103), three votes short of those needed for passage. Rep. Jack Davis (R-New Lenox) sponsored the measure.

Chairman Gould acknowledged that several portions of the CHRI Act remain controversial as the Authority seeks its reintroduction in the Legislature this year. The Authority debated two of these issues at its last regular meeting Dec. 10 in Chicago.

One issue is whether so-called non-conviction information should be sealed or expunged. Non-conviction information is historical data pertaining only to arrests and not to actual convictions.

Under the Authority's proposed act, non-conviction data would be

sealed from use by government agencies and the public, but would be made available to researchers studying such things as arrest patterns, recidivism and other criminal justice trends. Current law calls for physically destroying such records. Last year, an amendment was proposed to the CHRI Act that would maintain the current policy favoring expungement.

The Authority, however, opposed this change, and said the agency would have to reexamine its support for the bill as a whole if the amendment were approved. In a resolution passed 8-0, the Authority said the change "would have a serious detrimental impact on necessary and important public policy research."

AUTHORITY MEMBER Allen H. Andrews, director of public safety in Peoria, said expunging criminal history information would severely hinder research into career criminals.

"I have had the privilege of sitting on the National Academy of Science panel on criminal careers for the last 18 months," he said. "That panel has been pulling together all of the English language research available on the subject of criminals and their careers.

"In the course of that effort, it's become very obvious to me that a principal obstacle to research in this area has been the difficulty of getting comprehensive data," he said.

Director Andrews also said Illinois' current expungement law "basically has not been obeyed by most agencies, particularly in the juvenile area."

"Were it to be obeyed," he said, "practical research on predicting recidivism, predicting dangerousness and, perhaps even more importantly, determining who should have lighter sentences rather than those who should have heavier ones would become almost impossible."

ANOTHER PROPOSED change to the CHRI Act would limit the access researchers would have to non-conviction data still on file. This proposal would allow only those conducting work under the auspices of the Authority to access these records.

The Authority opposed that change also, saying in a second resolution that it generally favors "permitting access to criminal history record information by *bona fide* researchers, provided a binding non-disclosure



William Gould

Allen H. Andrews

agreement has been executed." However, the Authority said it would still support the act if this amendment passed.

A third amendment pertaining to technical changes in the bill also has been proposed. One change would define the term "adverse employment decision" to include firings and terminations. Another more precisely defines the time period in which employers must keep certain records about CHRI requests they make.

Officials expect that employers doing background checks on prospective employees would be among the biggest users of information made available by the act. The Authority's proposal would require employers using the information to maintain a log of all CHRI requests they make and to notify prospective employees that a criminal record was received, what the contents of the record were and how the data affected eventual employment decisions. The Authority acceded to this technical amendment.

HAVING the CHRI Act reintroduced in the General Assembly will be another milestone in the long history of the often controversial bill.

The proposal was originally recommended to the Authority by the Illinois Criminal Justice Information Council (ICJIC), a predecessor of the Authority that spent five years studying the issue. ICJIC's proposal favored public dissemination of all conviction information and a one-year period in which non-conviction data would be publicly available.

At its September 1983 meeting, however, the Authority struck from the act the provision granting limited public access to arrest-only information. At the same time, the Authority added the audit and reporting requirements for employers that would use the newly-available information. The agency then endorsed the whole bill, and it was introduced in the Legislature.

Criminal Justice Information Scorecard

Department of Law Enforcement

Activity	1984	1983	% Change
• Fingerprint Cards Received			
Total Arrest Cards	209,307	226,991	-7.8
Total Custodial Cards	13,978	16,303	-14.3
Total Applicant Cards	19,480	20,164	-3.4
• Total First Offenders Entered	57,740	62,570	-7.7
• Requests for CHRI			
Total Requested	210,761	213,740	-1.4
Percent CCH	79.2	75.6	+3.6
Percent Manual	3.2	7.2	-4.0
Percent No Record	17.6	17.2	+0.4
• Average Time in Days to Process Fingerprint Cards	9.8*	8.1	+21.0
• Individual Review and Challenges			
Total Requests for Review	377	318	+18.6
Total Challenges	11	10	+10.0
Total Administrative Reviews	2	0	+200.0

* Figure for December 1984 not included in this average.

Department of Corrections

• Total Number of Adult Prisoners (As of Nov. 30, 1984)	16,986
Percent Maximum Security	50.4%
Percent Medium Security	28.6
Percent Minimum Security	16.1
Percent Community Corrections Centers	4.4
Percent Out of State (Contractual)	---
Percent Illinois County Jails	0.5
• Net Change in Number of Adult Prisoners (Jan. 1, 1984 to Oct. 31, 1984)	+1,387
Intake	8,790
Exit	7,403
• Capacity of Adult Institutions	
Actual--Nov. 30, 1984	17,311
Projected--July 1985	18,750
Projected--December 1985	20,839



ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

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