



U.S. Department of Justice's
Global Justice Information Sharing Initiative



United States
Department of Justice

Global Privacy and Information Quality Working Group (GPIQWG)

Executive Summary and Items for GAC Approval

For GAC Approval

The Global Privacy and Information Quality Working Group (GPIQWG) respectfully submits two products for GAC approval: A biometrics primer titled *Privacy and Information Quality Risks: Justice Agency Use of Biometrics* and an overview of the Information Quality (IQ) Series titled *Global Information Quality Series Improves the Quality of Justice Information*. A description of each product follows.

Privacy and Information Quality Risks: Justice Agency Use of Biometrics

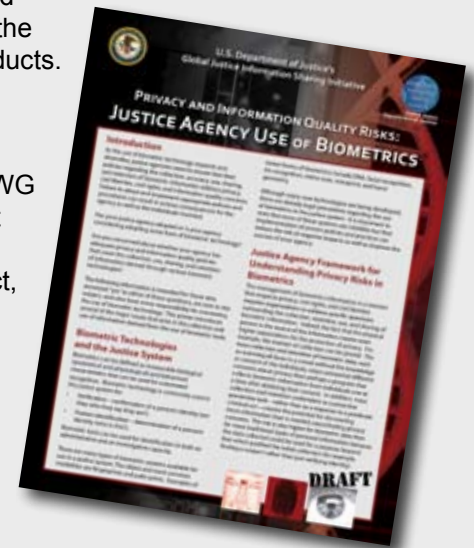
In response to National Security Presidential Directive (NSPD)–59/Homeland Security Presidential Directive (HSPD)–24, Biometrics for Identification and Screening to Enhance National Security, GPIQWG has identified “the use of biometrics by justice agencies” as a critical need area for privacy and information quality protections guidance. As biometric technology and its use expands and diversifies, it is essential that justice agencies ensure that their policies regarding the collection, accuracy, use, sharing, and retention of biometric information address privacy, civil liberties, civil rights, and information quality concerns.

Late in 2008, concurrent with GPIQWG’s development of the IQ Series, GPIQWG began its exploration of biometrics through education (presentations from justice biometric experts on current endeavors and privacy and information quality issues within biometrics), attendance at various biometric Webinars, and research—the collection of existing products into a biometrics resource packet that GPIQWG has now turned into an online resource www.it.ojp.gov/biometricsprivacy. As a result of this education and research, GPIQWG biometric resources were approved as a priority in the 2009 GPIQWG Business Plan. Since that time, GPIQWG has

appointed subject-matter experts (SMEs) experienced in the primary biometric domains—fingerprinting, facial recognition, and DNA—to help identify areas in which resources are needed and to participate in the crafting of these products.

After considerable research and development, GPIQWG is pleased to present for GAC approval its first biometric product, titled *Privacy and Information Quality Risks: Justice Agency Use of Biometrics*. This awareness primer is intended for administrators and

policymakers who have responsibility for overseeing the use of biometric technology. These individuals may be unaware of the major privacy and information quality issues that can arise at different points in the collection and use of information derived from biometric tools or how best to implement policies and procedures to avoid such risks. A highlight of this primer is the inclusion of two useful quick-reference charts (or



GPIQWG For GAC Approval

frameworks)—one for privacy and one for information quality. These charts are designed to allow an agency considering biometric procedures to quickly gauge whether there is or will be a privacy or information quality risk and to determine where that risk falls within a low to high risk spectrum.

Additionally, the primer makes the case for privacy and information quality policies and procedures in the collection, sharing, and storage of biometrics; provides a synopsis of biometric technologies and their use in the justice system; summarizes biometric privacy and information quality issues; includes illustrative scenarios of biometric use; and contains guidance and a listing of resources for addressing these complex issues.

Value to the Community

Biometric technologies are increasingly being used by state, local, and tribal agencies across the nation for many justice-related purposes, including identification and crime solving. The methods applied when using these tools must be balanced with appropriate privacy and information quality protections—both for the agency and for the subject individual. In addition to raising awareness among decision makers, this primer will help to uncover potential risks associated with biometric techniques—not just at the point of collection but throughout the entire agency biometric process. The primer offers a framework for agencies to thoughtfully consider each step in their biometric procedures to identify where protections may be needed.

IQ Series Overview: Global Information Quality Series Improves the Quality of Justice Information

As GPIQWG finalized the products in its IQ Series, its next goal was to determine effective methods for outreach.

Initially, a news article was drafted to highlight the debut of the series. This was featured as a news story on the OJP IT Justice Information Sharing Web site the week of July 12, 2010. As GPIQWG considered other outreach venues, the article and its design evolved into an overview flyer that could be used for multiple purposes: for outreach; for publishing in news and trade publications; as a cost-effective, quick-reference take-away at conferences and workshops; and as an introductory synopsis to attach to printed IQ Series products that may be distributed or mailed to constituents.

Value to the Community

This overview will serve many purposes in the effort to spread the word about the Global IQ Series and will potentially

save Global dollars by providing a quick medium to showcase a whole series of resources without the need for printing, shipping, and displaying each resource individually. A Web address is provided so readers can download the products, and an e-mail is provided for requesting printed copies. This product will be highly useful for GAC member and Global partner presentations at conferences, seminars, meetings, and workshops. In addition, this product provides a succinct overview of the suite of GPIQWG IQ products and how each resource was designed to meet a spectrum of IQ program needs. A hierarchy illustrates when and for what purpose each product was designed, assisting readers in determining which product or products would best suit their agency's needs.



GPIQWG For GAC Approval

Next Product: Privacy Protections for Denver Familial DNA Search Capability

At the March 23–24, 2010, GPIQWG meeting, long-standing GPIQWG member Mr. Steve Siegel, Director, Special Programs Unit, Denver District Attorney's Office, approached GPIQWG leadership with a proposal for the next GPIQWG biometric-focused product—a case study combining GPIQWG's privacy expertise with biometric functionality to develop a Privacy Protections Policy for Denver's Familial DNA Search Capability. Working with the Denver Crime Lab, the Denver District Attorney's Office, and the Colorado Bureau of Investigation, GPIQWG plans to develop a privacy policy containing privacy provisions that are unique to familial DNA searches. Once completed, the policy is anticipated to extend to the state of Colorado and is likely to be leveraged by the state of California for its familial DNA search processes.

By way of background, the familial DNA search practice has recently gained national recognition vis-à-vis the Los Angeles "Grim Sleeper" case, which broke wide open in early July 2010 with the arrest of a suspect, aided by the use of familial DNA. On July 30, 2010, Representative Adam Schiff (D-CA29) introduced a bill (H.R. 6011) that would direct the U.S. Attorney General to implement policies and procedures allowing the Federal Bureau of Investigation (FBI) to conduct familial searches for DNA samples in the National DNA Index System while protecting the privacy interests of the persons identified in familial searches. The bill would also allow state law enforcement agencies to make requests for familial searches after establishing a written policy containing criteria and procedures for requesting a familial match that are consistent with the regulations issued by the Attorney General.

Through this privacy policy development process, GPIQWG will identify and document universal privacy principles that may apply to all familial DNA searches. These principles and best practices will be integrated by GPIQWG into the working group's next biometrics product—Privacy Principles for the Familial DNA Search Capability—for use by all state agencies considering or performing familial DNA searches.

At the July 13–14, 2010, meeting, Mr. Siegel provided a briefing to the group on this effort, and a task team was identified. On September 10, 2010, a conference call was held with several task team members and GPIQWG leadership to identify next steps. In preparation for the policy development effort, the Denver team (made up of Mr. Siegel; Mr. Gregory LaBerge, Director, Denver Crime Lab and GPIQWG-appointed biometric SME; and Mr. Mitch Morrissey, Denver District Attorney) will supply GPIQWG with both a legal analysis and a listing of privacy-related issues associated with the familial search process. Knowing the legal implications and the potential privacy risks unique to this process will readily prepare GPIQWG for developing the privacy policy to address those risks. At the November 17–18, 2010, meeting, veteran DNA SMEs from the field (e.g., outside Denver) will be invited to work with the task team to lend their expertise and perspectives to the finalized issue paper. Upon completion of the issue paper, GPIQWG privacy technical assistance providers will schedule a site visit to observe the search capability and to work with the Denver team on the initial draft of the privacy policy.



GPIQWG Highlights

The following are additional updates of ongoing GPIQWG projects

- **Privacy Guide:** The GPIQWG-produced *Global Privacy and Civil Liberties Policy Development Guide and Implementation Templates* and companion CD are out of date (last revision February 2008). GPIQWG is currently working to revise the guide to provide current privacy policy guidance; to incorporate provisions of the *Fusion Center Privacy Policy Development Template* that are applicable to state, local, and

tribal (SLT) agencies; to revise outdated content; and to enhance the usefulness of the guide. Companion products will also be updated along with this guide. A small drafting session is scheduled for October 5–6, 2010, in Tallahassee, Florida, for the purpose of working on these content revisions to meet an end-of-the-year goal for a final draft. The document will be distributed for vetting in January 2011.



- **OJJDP Coordination:** GPIQWG continues to support the GAC's and GESC's efforts to collaborate with the Office of Juvenile Justice and Delinquency Prevention (OJJDP). GPIQWG has continued its efforts to recruit

juvenile justice representation on GPIQWG. In this effort, GPIQWG has invited Mr. Joe Mollner, Senior Director, Delinquency and Gang Initiatives, Boys & Girls Clubs of America to attend GPIQWG meetings to lend his juvenile justice expertise to the work of the group. Mr. Mollner attended the July 13–14, 2010, GPIQWG meeting and provided great insight and a valuable juvenile justice perspective to the GPIQWG discussions and product development.

- **Tribal Representation:** GPIQWG is actively pursuing tribal representation on the working group. Several candidates have been recommended, and GPIQWG is working to secure participation for GPIQWG initiatives.

Leadership

The Honorable Anthony Capizzi, Chair
Montgomery County, Ohio, Juvenile Court

Mr. Phil Stevenson, Vice Chair
*Director, Statistical Analysis Center
Arizona Criminal Justice Commission*

Next Meeting

November 17–18, 2010, Washington, DC

About Global

The U.S. Department of Justice's Global Justice Information Sharing Initiative (Global) serves as a Federal Advisory Committee to the U.S. Attorney General on critical justice information sharing initiatives. Global promotes standards-based electronic information exchange to provide justice and public safety communities with timely, accurate, complete, and accessible information in a secure and trusted environment. Global is administered by the U.S. Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Assistance.

For More Information

For more information about the GPIQWG, contact Christina Abernathy of DOJ's Global at (850) 385-0600, extension 318, or e-mail cabernathy@iir.com.

For more information about other DOJ information sharing initiatives, go to:

www.it.ojp.gov



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