

By the Committee on Law Enforcement & Public Safety and
Representative Futch

1 A bill to be entitled
2 An act relating to criminal and juvenile
3 justice information systems; amending s.
4 943.03, F.S.; requiring the Department of Law
5 Enforcement to develop and maintain, in
6 consultation with the Criminal and Juvenile
7 Justice Information Systems Council, an
8 information system in administrative support of
9 state criminal and juvenile justice system;
10 amending s. 943.08, F.S.; revising duties of
11 the council; providing for certain
12 recommendations by the council; providing
13 guidelines for criminal and juvenile justice
14 information systems and applications supported
15 by the department and Department of Corrections
16 and Department of Juvenile Justice; providing
17 for installation and operation of statewide
18 telecommunications networks to support data
19 sharing among federal, state, and local
20 criminal and juvenile justice agencies and
21 other authorized entities; amending s. 20.315,
22 F.S.; providing for maintenance by the
23 Department of Corrections of offender-based
24 information system; amending s. 20.316, F.S.;
25 conforming terminology relating to development
26 by the Department of Juvenile Justice of
27 juvenile justice information system; removing
28 provision requiring report by department to the
29 council; amending s. 186.022, F.S., relating to
30 state agency strategic plans; providing for
31 review by the Executive Office of the Governor

1 of recommendations of the council; correcting a
2 cross reference; amending s. 216.0445, F.S.;
3 providing that the executive director shall
4 consider any findings and recommendations made
5 by the council; conforming terminology;
6 amending s. 282.1095, F.S., relating to state
7 agency law enforcement radio system; reducing
8 the membership of the Joint Task Force on State
9 Agency Law Enforcement Communications to
10 eliminate representative of the council;
11 amending s. 282.111, F.S., relating to
12 statewide system of regional law enforcement
13 communications; removing provision requiring
14 certain consultation by the Division of
15 Communications with the council; providing an
16 effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Subsection (13) is added to section 943.03,
21 Florida Statutes, 1996 Supplement, to read:

22 943.03 Department of Law Enforcement.--

23 (13) The department shall develop and maintain, in
24 consultation with the Criminal and Juvenile Justice
25 Information Systems Council, pursuant to s. 943.08, an
26 information system which supports the administration of the
27 state's criminal and juvenile justice system in compliance
28 with s. 943.05 and other provisions of law.

29 Section 2. Subsection (2) of section 943.08, Florida
30 Statutes, 1996 Supplement, is amended to read:

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1 943.08 Duties; Criminal and Juvenile Justice
2 Information Systems Council.--
3 (2) The council shall review ~~proposed rules and~~
4 ~~operating policies and procedures, and amendments thereto, of~~
5 ~~the Division of Criminal Justice Information Systems and make~~
6 ~~recommendations to the executive director which shall be~~
7 ~~represented in the meeting minutes of the council. In~~
8 ~~addition, the council shall review proposed plans and~~
9 ~~policies, rules, and procedures~~ relating to the information
10 systems system of the Departments of Corrections, Department
11 of Juvenile Justice, and Law Enforcement for the purpose of
12 determining if the department's strategic information
13 technology resource development efforts will facilitate the
14 effective identification, standardization, sharing, and
15 coordination of criminal and juvenile justice data and other
16 public safety system data among federal, state, and local
17 agencies. The council shall make recommendations as it deems
18 appropriate to the executive director and secretaries of the
19 respective departments and make recommendations to the
20 ~~Secretary of Juvenile Justice or designated assistant who~~
21 ~~shall attend council meetings. Those recommendations shall~~
22 relate to the following areas:
23 (a) The management control of criminal and juvenile
24 justice information systems and applications supported by the
25 departments, criminal intelligence information systems, and
26 criminal investigative information systems maintained by the
27 department.
28 (b) The installation and operation of criminal and
29 juvenile justice information systems, criminal intelligence
30 information systems, and criminal investigative information
31 systems by the departments department and the exchange of such

1 information with other criminal and juvenile justice agencies
2 of this state and other states, including federal agencies.

3 (c) The operation and maintenance of computer hardware
4 and software within criminal and juvenile justice information
5 systems, ~~criminal intelligence information systems, and~~
6 ~~criminal investigative information systems~~ maintained by the
7 departments ~~department~~.

8 (d) ~~The operation, maintenance, and use of an~~
9 ~~automated fingerprint identification system, including~~
10 ~~interfacing with existing automated systems.~~

11 ~~(e)~~ The physical security of the systems ~~system~~, to
12 prevent unauthorized disclosure of information contained in
13 the systems ~~system~~ and to ensure that the criminal and
14 juvenile justice information in the systems ~~system~~ is
15 accurately updated in a timely manner ~~currently and accurately~~
16 ~~revised to include subsequently revised information.~~

17 ~~(e)(f)~~ The security of the systems ~~system~~, to ensure
18 that criminal and juvenile justice information is, ~~criminal~~
19 ~~intelligence information, and criminal investigative~~
20 ~~information will be~~ collected, processed, stored, and
21 disseminated in such manner that it cannot be modified,
22 destroyed, accessed, changed, purged, or overlaid by
23 unauthorized individuals or agencies.

24 ~~(f)(g)~~ The purging, expunging, or sealing of criminal
25 and juvenile justice information upon order of a court of
26 competent jurisdiction or when authorized by law.

27 ~~(g)(h)~~ The dissemination of criminal and juvenile
28 justice information to persons or agencies not associated with
29 criminal justice when such dissemination is authorized by law.

30 ~~(h)(i)~~ The access to criminal and juvenile justice
31 information maintained by any criminal or juvenile justice

1 agency by any person about whom such information is maintained
2 for the purpose of challenge, correction, or addition of
3 explanatory material.

4 ~~(i)(j)~~ The training, which should ~~may~~ be provided to
5 ~~pursuant to s. 943.25,~~ of employees of the departments
6 ~~department~~ and other state and local criminal and juvenile
7 justice agencies in the proper use and control of criminal and
8 juvenile justice information.

9 ~~(j)(k)~~ The characteristics, structures, and linkages
10 needed to allow the access and utilization of information
11 among the various state, local, private, and federal agencies,
12 organizations, and institutions in the criminal and juvenile
13 justice systems ~~public safety system,~~ including, but not
14 limited to, ~~recommendations regarding:~~

15 1. ~~The management control and administration of~~
16 ~~juvenile justice data and information.~~

17 2. ~~The installation and operation of local area~~
18 ~~networks.~~

19 3. ~~The installation and operation of statewide area~~
20 ~~networks.~~

21 4. ~~Electronic mail and file transport.~~

22 5. ~~The operation and maintenance of hardware and~~
23 ~~software.~~

24 6. ~~Access to juvenile justice information.~~

25 7. ~~The security and integrity of the information~~
26 ~~system.~~

27 8. ~~Training of information system users and user~~
28 ~~groups.~~

29 (k) The installation and operation of statewide
30 telecommunications networks to support data sharing, including
31 electronic mail and file transport, among federal, state, and

1 local criminal and juvenile justice agencies and other
2 authorized entities.

3 (1) Such other areas as relate to the collection,
4 processing, storage, and dissemination of criminal and
5 juvenile justice and other public safety system information,
6 ~~criminal intelligence information, and criminal justice~~
7 ~~investigative information~~, including the development of
8 criteria, policies, and procedures for the standardization of
9 criminal and juvenile justice data and electronic transmission
10 of such data.

11 Section 3. Subsection (11) of section 20.315, Florida
12 Statutes, 1996 Supplement, is amended to read:

13 20.315 Department of Corrections.--There is created a
14 Department of Corrections.

15 (11) SINGLE INFORMATION AND RECORDS SYSTEM.--There
16 shall be only one offender-based information and records
17 system maintained by the Department of Corrections for the
18 joint use of the department and the Parole Commission. This
19 data system is managed through the Justice Data Center, which
20 is hereby transferred to the department under this act
21 pursuant to a type two transfer authorized under s. 20.06(2).
22 The department shall develop and maintain, in consultation
23 with the Criminal and Juvenile Justice Information Systems
24 Council, pursuant to s. 943.08, such offender-based
25 information system designed to serve the needs of both the
26 department and the Parole Commission. The department shall
27 notify the commission of all violations of parole and the
28 circumstances thereof.

29 Section 4. Paragraphs (a) and (f) of subsection (6) of
30 section 20.316, Florida Statutes, 1996 Supplement, are amended
31 to read:

1 20.316 Department of Juvenile Justice.--There is
2 created a Department of Juvenile Justice.

3 (6) INFORMATION SYSTEMS.--

4 (a) The Department of Juvenile Justice shall develop
5 in consultation with the Criminal and Juvenile Justice
6 Information Systems Council, pursuant to s. 943.08,a juvenile
7 justice information system which shall provide information
8 concerning the department's activities and programs.

9 (f) The department shall provide an annual report on
10 the juvenile justice information system to the Joint
11 Information Technology Resources Committee ~~and the Criminal~~
12 ~~and Juvenile Justice Information Systems Council~~. The
13 committee ~~and the council~~ shall review and ~~reach consensus on~~
14 ~~the report and shall~~ forward the report, along with its the
15 ~~consensus~~ comments, to the appropriate substantive and
16 appropriations committees of the House of Representatives and
17 the Senate delineating the development status of the system
18 and other information necessary for funding policy
19 formulation.

20 Section 5. Subsection (3) of section 186.022, Florida
21 Statutes, 1996 Supplement, is amended to read:

22 186.022 State agency strategic plans; preparation,
23 form, and review.--

24 (3) The Executive Office of the Governor shall review
25 the state agency strategic plans to ensure that they are
26 consistent with the state comprehensive plan and other
27 requirements as specified in the written instructions. In its
28 review, the Executive Office of the Governor shall consider
29 all comments received in formulating required revisions. This
30 shall include:

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1 (a) The findings of the Statewide Health Council's
2 review of the consistency of the health components of agency
3 strategic plans with the health element of the state
4 comprehensive plan;

5 (b) The findings of the review of the Information
6 Resource Commission with respect to the strategic information
7 resources management issues not covered under paragraph (c)
8 ~~(d)~~; and

9 (c) The findings and recommendations of the Criminal
10 and Juvenile Justice Information Systems Council's review with
11 respect to public safety system strategic information
12 technology resources management issues.

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14 Within 60 days, reviewed plans shall be returned to the
15 agency, together with any required revisions.

16 Section 6. Subsections (2) and (5) of section
17 216.0445, Florida Statutes, 1996 Supplement, are amended to
18 read:

19 216.0445 Budget evaluation by the Information Resource
20 Commission.--

21 (2) The executive director ~~administrator~~ of the
22 Information Resource Commission shall make recommendations to
23 the Executive Office of the Governor and the appropriations
24 committees of the Legislature on projects that should be
25 considered for special monitoring under s. 282.322. In making
26 such recommendations, the executive director ~~administrator~~
27 shall consider, at a minimum, the scale of the project, the
28 risks associated with its development and implementation, the
29 proposed schedule for implementing the project, and the
30 estimated project costs. Such recommendations shall be made

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1 concurrently with the commission's legislative budget
2 recommendations pursuant to subsection (1).

3 (5) The executive director shall consider any findings
4 and recommendations made by chair of the Criminal and Juvenile
5 Justice Information Systems Council ~~shall identify and make~~
6 ~~recommendations~~ regarding related public safety system
7 information technology resources management issues that affect
8 multiple agencies.

9 Section 7. Paragraph (a) of subsection (2) of section
10 282.1095, Florida Statutes, 1996 Supplement, is amended to
11 read:

12 282.1095 State agency law enforcement radio system.--

13 (2)

14 (a) The Joint Task Force on State Agency Law
15 Enforcement Communications shall consist of eight ~~nine~~
16 members, as follows:

17 1. A representative of the Division of Alcoholic
18 Beverages and Tobacco of the Department of Business and
19 Professional Regulation who shall be appointed by the
20 secretary of the department.

21 2. A representative of the Division of Florida Highway
22 Patrol of the Department of Highway Safety and Motor Vehicles
23 who shall be appointed by the executive director of the
24 department.

25 3. A representative of the Department of Law
26 Enforcement who shall be appointed by the executive director
27 of the department.

28 4. A representative of the Game and Fresh Water Fish
29 Commission who shall be appointed by the executive director of
30 the commission.

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1 5. A representative of the Division of Law Enforcement
2 of the Department of Environmental Protection who shall be
3 appointed by the secretary of the department.

4 6. A representative of the Department of Corrections
5 who shall be appointed by the secretary of the department.

6 7. A representative of the Division of State Fire
7 Marshal of the Department of Insurance who shall be appointed
8 by the State Fire Marshal.

9 8. A representative of the Department of
10 Transportation who shall be appointed by the secretary of the
11 department.

12 ~~9. A representative of the Criminal and Juvenile~~
13 ~~Justice Information Systems Council who shall be appointed by~~
14 ~~the chair of the council.~~

15 Section 8. Subsection (5) of section 282.111, Florida
16 Statutes, 1996 Supplement, is amended to read:

17 282.111 Statewide system of regional law enforcement
18 communications.--

19 (5) No law enforcement communications system shall be
20 established or present system expanded after July 1, 1972,
21 without the prior approval of the Division of Communications.
22 ~~After January 1, 1997, the Division of Communications shall~~
23 ~~consult with the Criminal and Juvenile Justice Information~~
24 ~~Systems Council before approving any law enforcement~~
25 ~~communications system or system expansion.~~

26 Section 9. This act shall take effect July 1, 1997.

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HOUSE SUMMARY

Requires the Department of Law Enforcement to develop and maintain, in consultation with the Criminal and Juvenile Justice Information Systems Council, an information system in administrative support of state criminal and juvenile justice system. Revises duties of the council. Provides for certain recommendations by the council. Provides guidelines for criminal and juvenile justice information systems and applications supported by the department and Department of Corrections and Department of Juvenile Justice. Provides for installation and operation of statewide telecommunications networks to support data sharing among federal, state, and local criminal and juvenile justice agencies and other authorized entities. Conforms terminology relating to development and maintenance by the Department of Corrections of offender-based information system. Conforms terminology relating to development by the Department of Juvenile Justice of juvenile justice information system. Removes provision requiring report by department to the council. Revises specified provisions relating to state agency strategic plans. Provides for review by the Executive Office of the Governor of recommendations of the council. Revises specified provisions for budget evaluation by the Information Resource Commission to substitute references to the executive director of the commission for references to the executive administrator. Provides for consideration of findings and recommendations made by the council. Reduces the membership of the Joint Task Force on State Agency Law Enforcement Communications from nine members to eight members to eliminate representative of the council. Revises specified provisions relating to statewide system of regional law enforcement communications to remove requirement for certain consultation by the Division of Communications with the council.