

The criminal justice system is most effective in holding offenders accountable and responding to victims of crime when there is trust between community members and the players who make up that system—law enforcement, prosecution, the courts, corrections, etc. The many types of data collected through these systems provide critical information for preventing, reducing, and protecting the public from crime—helping to secure that trust.

How and why data is collected is complex. There are historical divisions between law enforcement and community groups around data collection and sharing data across government entities. The complexities of these issues demand an inclusive and thoughtful approach in the creation of data collection and data sharing policies. When addressing the data issues relevant to domestic violence cases, there is a compelling need to balance victim rights, public interests, criminal accountability and law enforcement requirements. With each proposed solution, these competing needs should be assessed and potential consequences evaluated to ensure the safety of victims.

- Take the time to develop and adopt a statewide plan setting forth policies, procedures, standards, and training throughout the state for investigative data collection and sharing. Components of the plan may include all issues pertinent to data collection throughout the criminal justice system, including but not limited to: the electronic format of photographs shared between law enforcement and prosecutors; uniform data collection in compliance with the data practices act; parameters for what information should or should not be transmitted and to whom; and the collection of criminal intelligence data within our state, from state-to-state, from state-to-federal government, and from state-to-Tribal government. Note: 23 CFR 28 merely provides federal funding guidelines and does not create a comprehensive statewide “architecture” for intelligence-led policing.

The impact of any decisions made today is too important to rush as these decisions will shape the future of criminal justice system response and have an impact on the trust between that system and our wider communities. Recognizing the limited time constraints of the SF 2725 workgroup, the best interests of all stakeholders would be better met by investing more time, content expertise and resources for the creation of a comprehensive plan with both criminal justice system and community support.

- Mandate annual reporting. All law enforcement agencies should be required to report annually, any and all database systems they use to collect and store data, whether investigative, gang, or criminal intelligence. To date, no such common knowledge base on law enforcement data collection exists.
- Define an “incident” in accordance with the MN Data Practices Act. Currently in practice there are varying definitions and interpretations of what constitutes an “incident” and varying responses to how an “incident” is handled. For example, whether or not a police report is written on a domestic violence call hinges on different interpretations of “incident” from department to department. There is no uniform understanding of the MN Data Practices Act.