

Colorado Information Sharing System (CISC): Protecting Civil Liberties, Preventing Crime & Assisting Individuals with Mental Health Challenges by Accurate Data-Sharing Between Public Safety Agencies

HB 19-1073 By Representative Adrienne Benavidez and Senator Rhonda Fields

The Problem

Colorado's public safety, mental health, and law enforcement professionals operate at an information disadvantage that diminishes their ability to protect civil liberties, to prevent crime, and to assist individuals with mental health challenges. Today, public safety personnel interact daily with a wide variety of people – from law-abiding citizens to individuals with mental health challenges to consistent offenders – often without reliable information to determine who presents a risk and who needs assistance. Each day, approximately 50% of individuals that law enforcement personnel interact with suffer from mental health challenges. Individuals suffering from mental health challenges deserve proper treatment instead of being processed and treated as a criminal. More accurate data-sharing systems between law enforcement agencies will improve treatment for all residents of Colorado.

A major problem is that the approximate 350 Colorado law enforcement agencies are often constrained by information silos or disparate databases. For example, each Sheriff and police department often has its own independent database and record management system that is not shared with other law enforcement agencies. These information disadvantages erode public trust, empower offenders, and compromise the safety of law enforcement officers. In some cases, a lack of information can result in an incorrect arrest and an unnecessarily large volume of contacts during an investigation. Also, a lack of information can lead to misinformation that spawns inaccurate BOLO (“Be on the Lookout”) notices (formerly known as All Point Bulletins or APBs).

Additionally, law enforcement personnel are often not aware if an individual has had a prior mental health or MI hold. Accurate information allows law enforcement personnel to respond appropriately (such as an award-winning co-responder model like in Arvada or Larimer County) and to invite a mental health professional to co-respond to a 911 call.

The reality is that alleged offenders do not honor jurisdictional boundaries when committing crimes. When alleged offenders are contacted by a law enforcement agency, or an agency is looking for an individual, incomplete local information is frequently all that is available. Incomplete information produces occasionally unlawful, unnecessary, and inconvenient interactions with law enforcement personnel, which reduces the safety of the public.

Traditional investigative approaches often dictate broad suspicion of large groups of individuals, resulting in a large volume of contacts. Accurate and more precise information allows officers to narrow their investigation before the first contact is made. For example, if an individual commits a crime in one jurisdiction and continues a crime spree in a second jurisdiction, the criminal activity is often not shared between law enforcement agencies. Not knowing the prior history, the officer may be in more danger if he or she acts to detain the individual. Knowingly or unknowingly, the alleged offender has just used law enforcement's lack of information connectivity to his or her advantage.

THE HISTORY OF THE UNITED STATES

From the first settlement of the colonies to the present time, the history of the United States has been a story of growth and development. The early years were marked by the struggle for independence from British rule, followed by a period of consolidation and expansion.

The American Revolution was a pivotal moment in the nation's history, leading to the birth of a new republic. The subsequent years saw the growth of the federal government and the expansion of the territory.

The early years of the United States were characterized by a spirit of adventure and exploration. The discovery of gold in California and the opening of the West led to a period of rapid growth and development. The Civil War was a defining moment in the nation's history, leading to the abolition of slavery and the strengthening of the federal government.

The late 19th and early 20th centuries saw the rise of industrialization and the growth of the middle class. The Progressive Era was a period of reform and social change, leading to the establishment of many of the institutions and policies that define the United States today.

The 20th century has been a period of great change and challenge for the United States. The two world wars were defining moments in the nation's history, leading to the emergence of the United States as a superpower.

The Cold War was a period of tension and conflict between the United States and the Soviet Union. The Vietnam War was a defining moment in the nation's history, leading to a reevaluation of the role of the United States in the world.

The late 20th and early 21st centuries have seen the rise of the information age and the growth of the service economy. The 9/11 attacks were a defining moment in the nation's history, leading to a reevaluation of the role of the United States in the world.

The Opportunity

Connecting Colorado's law enforcement information across jurisdictions allows law enforcement personnel to narrow their outreach activities and to operate with more complete information when making decisions, thereby taking more properly informed actions. For example, sharing more accurate information allows law enforcement to guide individuals with mental health issues to receive mental health providers instead of sending individuals through the criminal justice system. More accurate information also preserves civil liberties.

Connecting law enforcement information, and other valuable data, such as officer reports, victim and witness information, evidence records, pre and post-trial information, M1 hold information, and jail records through a secure technology platform designed for effective data integration and information sharing is game changing. This kind of integrated solution is important because it is the key foundational step that must be taken to break down the many information silos that keep our law enforcement officers at an information disadvantage. At a time when we must take actions to build the public's trust in our public safety officials, now is the time to more accurately share information between law enforcement agencies to both prevent crime and to protect civil liberties.

The Solution

In 2014, the Colorado Information Sharing Consortium (CISC) was created through an official intergovernmental agreement between more than 40 Colorado law enforcement agencies. The goal of the agreement was to pursue an efficient data-sharing system, to avoid duplication, to share costs, and to prevent crime while protecting civil liberties. The intergovernmental agreement was created through Colorado Title 29-1-203.

The CISC is a quasi-government entity with a Board of Directors of nearly a dozen sheriffs, police chiefs, and or top commanders. The CISC acts as facilitator between Colorado law enforcement agencies to enable each department to better share data. The 2019 CISC legislation would authorize the Department of Public Safety (DPS) Emergency Management Division to issue \$1.9M of marijuana cash tax grant funds to budget strapped law enforcement agencies to join the CISC data sharing system. The CISC would fund the technology tools to connect the law enforcement agencies' information.

To date, the CISC has signed up 25% of Colorado's law enforcement agencies, employing approximately 66% of Colorado law enforcement officers (8,855 of over 14,000 total certified peace officers). These percentages have mostly plateaued in recent years due to budget constraints. Thus, legislation is required for budget strapped law enforcement agencies to achieve the level of information sharing statewide to prevent crime, protect civil liberties, and assist individuals with mental health challenges.

Success Stories

The CISC has prevented crime, protected individual liberties, and assisted thousands of Coloradans. Below are some real-world, recent examples that highlight CISC's successes.

- The CBI used the CISC database to identify a Colorado woman who was mistakenly arrested due to an incorrect identification by law enforcement personnel. The CISC database immediately identified the mistake and reduced her detention time by days.
- A law enforcement agency used data sharing technology to locate and arrest a suspect in an attempted armed robbery incident. The suspect was arrested in a nearby city peacefully less than one hour after the incident.
- Two individuals were arrested in connection with more than 100 catalytic converter thefts from Fort Collins to Colorado Springs. Law enforcement officers, using data sharing technology, were able to piece the case together and charge the suspects. The suspects were arrested without incident.
- A detective was able to determine that an unusual anonymous tip on a major case was not based on facts, thus saving valuable investigative work time and allowing officers to focus on more important issues. Through data sharing technology, the detective was able to determine that the phone number the caller was using had been used to call in misleading tips on many other cases in neighboring jurisdictions.
- The Colorado Bureau of Investigations (CBI) received reports of an unknown subject using employees at retail outlets connected to banks to cash forged checks. The subject was then laundering the money using various methods. All that was available was a physical description and partial vehicle plate, along with several aliases used during forgeries. CBI Investigators inputted the available information into the Colorado Information Sharing Consortium (CISC) data warehouse and located a suspect. Once a suspect was identified, CISC data was used to put together a list of associates and develop a quick history of incidents involving the group in the metro area, which ultimately lead to criminal charges. Losses at ONE location were over \$40,000 and the group has been active all over the metro area for over a year."

Contact Information

For more information, please contact former Colorado State Representative and current CISC consultant, Joe Miklosi, at 303-919-4748 or joe@joemiklosi.com.