



Global Privacy and Information Quality Working Group (GPIQWG)

Executive Summary and Items for GAC Approval

Leadership

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

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

GPIQWG Mission

The Global Privacy and Information Quality Working Group (GPIQWG) mission is to advance the adoption of privacy and information quality policies by justice system participants that promote the responsible collection, handling, management, review, and sharing of personal information about individuals.

For GAC Approval

**Fusion Center Privacy Policy
Development Guide: Privacy, Civil
Rights, and Civil Liberties Policy
Template**

In collaboration with the DHS/DOJ Fusion Process Technical Assistance Program, the Global Privacy and Information Quality Working Group (GPIQWG) presents the *Fusion Center Privacy Policy Development Guide: Privacy, Civil Rights, and Civil Liberties Policy Template* for GAC approval.

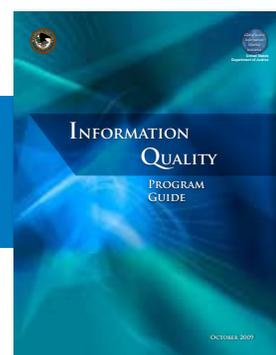
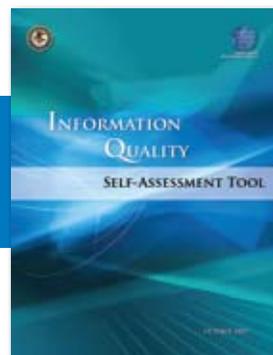
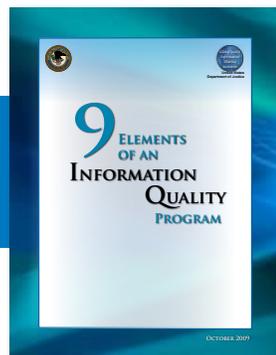


Next Meeting

July 13–14, 2010, Washington, DC

Update

- **Information Quality Series:** The GPIQWG information quality series is now published and available for distribution.



GPIQWG For GAC Approval

Fusion Center Privacy Policy Development Guide: Privacy, Civil Rights, and Civil Liberties Policy Template

In collaboration with the DHS/DOJ Fusion Process Technical Assistance Program, the Global Privacy and Information Quality Working Group (GPIQWG) presents the *Fusion Center Privacy Policy Development Guide: Privacy, Civil Rights, and Civil Liberties Policy Template* for GAC approval.

The purpose of this template is to assist fusion center personnel in developing a center privacy policy related to the information the center collects, receives, maintains, archives, accesses, and discloses to center personnel, governmental agencies, Information Sharing Environment (ISE) participants, and other participating criminal justice and public safety agencies, as well as to private contractors and the general public. The provisions suggested in this template are intended to be incorporated into the center's general operational policies and day-to-day operations and to provide explicit and detailed privacy protection guidance to center personnel and other authorized source and user agencies. Privacy policy concepts are grouped into related sections that contain pertinent questions to which a center representative may respond with policy language. Useful sample language is provided along with each question to assist in the policy drafting process



Vetting and Quality of Guidance: This template has undergone significant vetting through Global (GIWG and GPIQWG), as well as through federal agencies such as DOJ, DHS, the Program Manager for the Information Sharing Environment (PM-ISE), and the ISE Privacy Guidelines Committee (PGC).

Each provision in this template has been drafted based on two areas: (1) established guidelines and requirements, and (2) hands-on field experience. Provisions have been designed to meet requirements and recommendations in documents such as the FY 2010 Homeland

Security Grant Program Guidance, 28 CFR Part 23, the *Information Sharing Environment (ISE) Privacy Guidelines*, the *National Criminal Intelligence Sharing Plan (NCISP)*, the *Fusion Center Guidelines*, the *Findings and Recommendations of the Suspicious Activity Report (SAR) Support and Implementation Project*, and others. Field experience has strongly influenced the clarity of this document. It is the result of three years' work by the Privacy Policy Review Team (PPRT), which, under

GPIQWG For GAC Approval

the auspices of the DHS/DOJ Fusion Process Technical Assistance Program, reviewed 61 privacy policies from the 72 primary designated fusion centers. In addition, clarifications, enhancements, and best practices have been incorporated based on feedback from fusion center personnel as they utilized the draft template to draft their center privacy policies.

Value to the Community

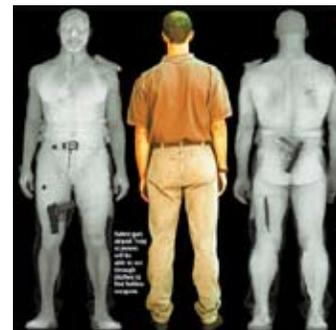


A strong privacy policy is good public policy. It is responsive to widely held public expectations about the collection and use of information about individuals and the fair and open operation of a democratic government. The values expressed in this one-stop source for fusion center privacy protections, SAR provisions, and *ISE Privacy Guidelines* requirements are that it is time-tested, field vetted, and, most certainly, the most comprehensive tool a fusion center can use to draft solid privacy protections policies. This template will help centers to articulate to center personnel, to external agencies, and to the public that the center will adhere to legal requirements and center policy and procedural provisions that enable gathering and sharing of information to occur in a manner that protects constitutional rights, including personal privacy and other civil liberties, and civil rights.

GPIQWG Researches Whole Body Imaging (WBI)

In January, as part of GPIQWG's venture into the privacy concerns associated with justice agency use of biometric technology, GPIQWG members teleconferenced with Mr. Peter Pietra, Privacy Officer, Transportation Security Administration (TSA), and Ms. Mary Ellen Callahan, Chief Privacy Officer, DHS, on TSA's installation and use of the Millimeter Wave Whole Body Imaging (WBI) devices at airports. TSA's purpose in using these devices is security, to make sure air travel is safe and secure.

Mr. Pietra discussed TSA's privacy efforts, including a privacy impact assessment, outreach to privacy advocates, and implementation of privacy protections.



GPIQWG Relevance

Several jurisdictions are employing whole body imaging technology in the justice arena, which may bring the state and local use of WBI into GPIQWG's privacy arena: Colorado Springs Court House, Cook County Court House, Pennsylvania Department of Corrections facility, Douglas County Colorado Justice Center, Montana State Prison, and Utah State Correctional Facility. In relation to the local agency use of these devices, GPIQWG is currently researching:

- Whether each of these agencies has completed privacy impact assessments and whether they have drafted privacy policies outlining their privacy protections in the use of this technology.
- What options the manufacturer makes available on the WBI devices—to store/not store the image, to blur or not blur the face or any other portion of the body, a certain level of clarity of image, etc.

For chiefs of police, sheriffs, and law enforcement officers, it may be useful for GPIQWG to draft a flyer that informs them that if they are considering the purchase and use of this technology, to consider, at minimum, implementing certain privacy protections.

GPIQWG Highlights

- **Press Release:** In collaboration with Global Outreach Working Group (GOWG) efforts, GPIQWG has drafted a press release/news article to debut and promote the IQ series in trade publications and for distribution to Global constituents. GOWG will be coordinating the publication of this news release.
- **Biometrics Primer:** GPIQWG met in Washington, DC, on March 23–24, 2010, and continued work on the GPIQWG biometric awareness primer, *Justice Information Quality Risks: Justice Agency Use of Biometrics*. This primer includes two useful reference charts to help a justice agency determine, based on the agency's collection of biometrics and use of biometric technologies, the potential for privacy and information quality risks.
- **OJJDP Coordination:** GPIQWG, Global, and BJA/OJP leadership held a meeting on March 23, 2010 in Washington, DC, with Mr. Jeff Slowikowski, Acting Administrator, Office Juvenile Justice and Delinquency Prevention (OJJDP), to discuss coordination efforts between OJJDP and Global, including OJJDP representation on GPIQWG. It is anticipated that OJJDP will become more involved in Global and in Global working groups by providing representation.

- **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 date February 2008). GPIQWG is currently working to revise the guide to provide more comprehensive privacy policy guidance; to incorporate the current applicable provisions in the *Fusion Center Privacy Policy Development Template* that apply to state, local, and tribal (SLT) agencies; to revise outdated content; and to enhance the usefulness of the guide. It is envisioned that the title will also be updated to clarify that the guide is for SLT agency use.



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



This project was supported by Grant No. 2007-NC-BX-K001 awarded by the Bureau of Justice Assistance, in collaboration with the U.S. Department of Justice's Global Justice Information Sharing Initiative. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the SMART Office, and the Office for Victims of Crime. Points of view or opinions in this document are those of the author and do not represent the official position or policies of the U.S. Department of Justice.