



Advisory Panel Meeting Read Ahead

December 7-8, 2015

Thank you for agreeing to participate in the advisory panel for the NLECTC Justice Innovation Center (JIC) for Small, Rural, Tribal, and Border Agencies.

Over the past year, the Justice Innovation Center (JIC) has conducted interviews with nearly 150 agencies, attended dozens of conferences, and conducted a literature review to identify major challenges facing small, rural, tribal and border (SRTB) agencies. In this meeting, we would like you to identify ways to help address these needs.

In this read ahead, we will review the format and agenda for the meeting, and summarize some of our observations to date on SRTB need for each of four criminal justice communities of practice (law enforcement, courts, institutional corrections, and community corrections).

Advisory Panel Format

After reviewing the top needs we have learned date, we will ask the advisory panel to help us identify promising *technology elements*, including physical technologies, policies and procedures, and business models that might help address the operational needs we identified. We will then ask the panel to help us identify and prioritize specific needs for technology research, development, and dissemination that would have the greatest benefits for SRTB agencies.

- On the morning of day 1, there will be brief introductions from the National Institute of Justice (NIJ) and the JIC, with the JIC's presentation summarizing the top operational issues emerging from the agency interviews. Panelists will then introduce themselves, briefly giving an example of both a technology acquisition they are familiar with that did not work well and an acquisition that did work well (or at least seems promising).
- From mid-morning on day 1 to the end of day 1, panelists will split into four breakout groups (law enforcement, courts, community corrections, and institutional corrections) to discuss top issues facing their field, promising technology elements.
- The morning of day 2 will start with summaries of the top issues identified in each breakout group. The full group will discuss the breakout groups' results, and whether there are priority needs that cut across the criminal justice system.
- On mid-morning on day 2, the panelists will fill out an electronic questionnaire to assess the likely benefits to SRTB agencies of identifying practical solutions to each of the priority needs.
- Finally, during the late morning of day 2, the panelists will discuss two special topics for the JIC – setting up an ongoing panel survey of SRTB practitioners and identifying what information products would be most useful for the JIC to develop for SRTB practitioners.

Agenda

Day 1 Monday, December 7

9:00 Introduction and Overview (National Institute of Justice / RAND)

10:00 Introduction of Panel Members

11:00 Break Out Groups (Law Enforcement, Courts, or Corrections)

12:00 Break for Lunch

1:00 Break Out Groups (continued)

5:00 Adjourned

Day 2 Tuesday, December 8

9:00 Summary of Break Out Group Issues and Technology Solutions

9:45 Group Discussion of Cross-Sector Issues and Technologies

10:30 Electronic Panelist Assessment of Solutions

11:15 Discussion of special topics for the JIC:

- Ongoing panel survey of SRTB practitioners
- What would make the JIC website most useful

12:00 Meeting Adjourned

Top Operational Issues from Prior JIC Research

Below, we have summarized the top issues and themes from our interviews with dozens of criminal justice practitioners, as well as our reviews of prior literature related to small, rural, tribal, and border agencies. Results are presented in the following order: law enforcement, courts, institutional corrections, and community corrections. The law enforcement discussion includes breakouts specifically for tribal and border agency issues.

Broadly speaking, we identified four top-level themes in the issues. These include:

- Shortfalls related to *information technology*, including interoperability, infrastructure, and difficulties upgrading to new systems.
- Shortfalls related to *agency operations*, including policies, governance, “business” processes, training, recruiting, and retention.
- Shortfalls specifically due to the geographic dispersion of many SRTB agencies, including the challenges to having to cover large areas, travel long distances regularly, and having comparatively few services and resources locally.
- Shortfalls due to lack of funding and other resources that can be especially acute for SRTB agencies.

Law Enforcement Needs

Information Technology Challenges

- **Interoperability.**
 - Radio communications interoperability across agencies and with other first responder agencies is lacking.
 - Data interoperability across agencies (e.g., with records management system and federal repository data) is also challenging.
 - Accessing key information needed in the field is difficult, in large part due to a lack of infrastructure (see below).
- **Special interoperability issues for border agencies.**
 - Communications with partnering agencies across borders can be limited.
 - Communications towers and rules in neighboring countries can cause interference.
 - Border agencies may not have personnel with sufficient clearances to work with the FBI and other federal agencies whose work often brings them border regions.
- **Infrastructure.**
 - Communications radio technology can be antiquated and /or lacking necessary equipment.
 - Other common field technology deficits include a lack of laptop computers and cameras in patrol cars, license plate readers, TASERs, and radios.
- **Impacts of large areas and distances.**
 - Distances can make radio frequencies weak.
 - Distance, terrain features, and a lack of commercial cell coverage in large areas, can cause large gaps in coverage.
- **Difficulties in adopting new technologies.**
 - Agencies suffer from a general shortfall in IT personnel capable of acquiring, installing, and maintaining core systems.
 - Technologies developed for larger departments are not always applicable to smaller agencies.

Agency Operations Challenges

- **Lack of specialization.** In small agencies, staff must become generalists for both the full range of law enforcement operations as well as technologies.
- **Difficulties in recruiting and retention.**

- Finding qualified candidates and retaining them is challenging, in part due to salary and equipment competition from larger departments.
- Chronic understaffing and overwork can also result in burnout.
- Finding multilingual officers can be especially challenging.
- **Difficulties in relationships with the community.**
 - Police–community relations problems (i.e., lack of trust) have created communication issues with community residents.
 - Language barriers have limited the amount of communication between the community and law enforcement, in both directions.
- **Issues specifically for border agencies.**
 - Border agencies frequently struggle to establish trustworthy relationships with international law enforcement agencies.
 - Police involvement in immigration issues can further degrade community–police relations.
 - Language and cultural barriers between the police and immigrant communities can be particularly acute.
- **Issues specifically for tribal agencies.** Information sharing and joint operations between tribal and non–tribal agencies are especially problematic due to tribal sovereignty and cultural issues.
- Tribal locations do not necessarily follow traditional US postal service rules for addresses, making finding locations of calls and incidents and resulting data quality challenging.

Geographic Challenges

- **Lack of key local resources.** Juvenile detention facilities and jails may not be available locally, requiring officers to spend large portions of their shifts driving arrestees to facilities that are hours away. This travel time takes officers off–duty for much of their shifts.
- **Impacts of large distances.** Agencies may be challenged by having to cover large swaths of territory, with patrols and responses separated by hours of driving.

Funding and Resourcing Challenges

- **General.** There is a lack of funding in general, to include being able to maintain sufficiently–sized law enforcement agencies needed to provide sufficient patrol levels, perform crime analysis, and train to maintain skills. The budget cutbacks post–2008 have made staffing and other shortfalls acute, especially in areas with high rates of

substance abuse, domestic violence, drugs trafficking and human trafficking. The Attorney General's recent limitations on using confiscated assets for funding have reduced budgets. Unfunded mandates, such as some states' requirements that police use body worn cameras, have put further pressure on budgets.

- **Technology funding.**

- Funding to acquire or maintain key equipment, including radio communications systems and other key pieces of technology identified under "Infrastructure" above, is extremely limited.
- Body worn cameras were seen as being especially expensive, in terms of purchasing the cameras and managing the resulting video footage.
- Limited funding also precludes staff from being able to attend technology conferences and training classes.
- Because smaller agencies cannot buy in bulk, procurement costs can be more expensive per piece of equipment than in larger agencies.

- **Federal funding.**

- Respondents felt they were unlikely to compete successfully for federal technology funding against large agencies.
- Agencies that win grant funding for new systems are then challenged by the long term costs of operating and maintaining that system.

- **Special issues for border agencies.**

- Border agencies can be especially challenged by high volumes of drug and human trafficking.
- There are concerns that cuts to border security grants (Stonegarden, etc.) from DHS will reduce operational capacity.

Courts Needs

Information Technology Challenges

- **Interoperability shortfalls.**
 - A lack of sharing infrastructure such as authentication/ permission control and flexible license agreements prevent judges and qualified staff from electronic access to important case records.
 - Case management systems for civil, family, and criminal courts are antiquated or dysfunctional.
 - Components that should work together are incompatible (e.g. financial system is divorced from case management systems).
 - Some electronic systems lack interoperability for sharing information with external partners (e.g. police, probation).
- **Infrastructure shortfalls.**
 - Communications infrastructure (broadband, cellphone coverage) is unreliable or unavailable and may hinder adoption of technological solutions (e.g. GPS monitoring).
 - Even basic utilities such as electricity can be unreliable.
 - There also is a lack of web infrastructure necessary to provide services to the public in some places.
- **Difficulties of adopting technology**
 - Systems can be difficult to adapt to statutory and policy changes.
 - Many courts retain manual, paper-based workflows. Manual filing of forms can cause confusion and delay among the increasing number of self-represented litigants. Manual records management, payment, reporting, and payout increases caseloads due to the heavy time investment required of staff. Digitization efforts are often behind schedule, because they are manually intensive or costly.
- **Language barriers.**
 - Courts lack adequate interpreter and translation services for the increasing number of non-English speaking clients.
 - Telephonic translation services may be inappropriate for longer proceedings.

Agency Operations Challenges

- **Process innovation.**
 - Dispute resolution procedures are inefficient compared to innovative practices used by online competitors and alternate dispute resolution providers. This is

bad for ensuring that parties needing the courts use them and delays access to justice.

- Courts may be slow to adopt innovations due to a culture of distrust of technology among many judges and other influential figures.
- Some jurisdictions are hampered by political opposition to alternatives to incarceration (e.g., treatment).
- Technology standards for evidence are lacking.

- **Access to justice.**

- A lack of accessibility (such as mobile web optimization, use of plain language, and general user-friendliness) hinder clients' attempts to participate in justice procedures.
- Courts are unprepared to handle the increasing *pro se* population.

Geographic Challenges

- **Distance challenges.**

- Lengthy travel time limits timely access to resources (e.g., IT support, training, treatment, reentry services) and delays implementation of change in outlying offices.
- Many activities require physical presence at courthouse (e.g. original signature on court documents) due to legal rules, which requires lengthy travel times for all involved parties. This can limit the number of private bar attorneys willing to take cases in remote courts.
- Public transportation is limited, which can be especially challenging for the elderly, those with license revocations (e.g. DUI probationers), and children who are involved in proceedings.

- **Shortfalls in local capabilities in rural areas.** At a local level, rural areas experience severe limitations in: training opportunities and IT staff; treatment programs, service providers for mental health and substance use, and other local reentry/reintegration services (e.g. halfway houses, counseling); and legal service providers (e.g., lawyers, bonding agencies).

Funding and Resourcing Challenges

- **Revenues.** Courts suffer from budget instability due to broad socioeconomic trends (e.g. recession, unreliable tax revenue, declining civil caseloads). They can be over-reliant on specific industries for tax revenue (e.g. coal, oil). The declining working-age population in some areas also reduces tax revenue.

- **Equipment.**

- Small courts lack the resources to invest in sophisticated technologies.
- Many courts lack basic security measures (e.g. security staff, barriers, screening technologies, cameras).

- **Staffing.**

- Small courts are unable to benefit from specialization of courts and judges (e.g. problem-solving courts).
- When a few judges are covering multiple courts, this can lead to different judges handling the same case, reducing continuity.
- Small courthouses can mean the court shuts down if a single person is sick, at least until someone else can be found to fill in for them (but that person may be an hour or more away at a neighboring county court).

Institutional Corrections Needs

Information Technology Challenges

- **Interoperability.** Data, including records from court agencies, law enforcement and neighboring jail and prison facilities—necessary for better identifying inmate needs and risks—are difficult for jail staff to obtain.
- **Infrastructure.**
 - Many agencies lack sufficient bandwidth to run systems including RMS, video visitation, telemedicine and remote arraignment. These problems lead to increased transportation and contracting costs, as well as added stress to staff and inmates as services must be conducted offsite.
 - Slow internet speeds hamper opportunities to offer inexpensive internet-based services such as job training and legal research to inmates.
 - Wiring in older facilities is not sufficient to support digital cameras and improved jail management systems.
- **Jail Management Systems.**
 - JMS platforms are often not user friendly, do not function correctly, or cannot be used to full capacity with many older jails' current infrastructure. Many JMSs are based on law enforcement needs, and were not designed with corrections tasks in mind.
 - Redundancy in data entry and needless complexity are common, and customization requires programming expertise that many agencies lack.
- **Qualified Vendors.**
 - Reliable, ongoing support from vendors and the cost of maintenance are challenges. Vendors may understate costs or fail to provide long-term support.
 - Some areas suffer from limited vendor options because of their remote locations, or are required to deal with local vendors who are less competent than larger, more experienced vendors.

Agency Operations Challenges

- **Mental Health and Substance Abuse Treatment.**
 - A large number of inmates suffer from chemical dependency issues, physical health problems, and especially mental health problems, and correctional agencies lack sufficient resources to address the problems.

- In agencies that cannot afford to keep social workers or nurses on staff inmates requiring care must be transported to external facilities, taking up valuable staff time and resources.
- Reliance on external providers limits the ability of correctional facilities to respond to inmates in crisis.
- Limited aftercare or reentry support services for released inmates increase the likelihood that an inmate will return to confinement.
- **Staffing.**
 - Many agencies face long-term problems due to a lack of IT management expertise.
 - Turnover makes it difficult to create institutional knowledge about IT systems and decisions.
 - In some states, retaining staff is difficult because being a correctional officer is no longer considered a stepping stone to becoming a law enforcement officer. In other areas, staff are hard to retain because after gaining some experience, staff leave to become law enforcement officers.

Geographic Barriers

- **Transportation.**
 - Geographic isolation limits agencies' access to potential staff, treatment services, community interaction, and visitation for inmates.
 - In areas where the court system does not offer video arraignment, transportation of inmates to court, often for very short hearings, can take significant amounts of staff time and coordination.

Funding and Resourcing Challenges

- **Budget.**
 - Funding often lags need for institutional corrections, leading to low wages and slow adoption of new technology, and in turn difficulties attracting and retaining qualified staff.
 - Agencies frequently lack discretionary funds for technology acquisition. In some states, technology planning is handled at the state level and new equipment is implemented by mandate, reducing administrator decision-making power.
 - Diverse funding sources (local, regional, state, federal) require significant time and resources be spent on procurement and acquisition processes.

- **Facilities.** Older facilities present challenges for staff that are exacerbated by Prison Rape Elimination Act (PREA) mandates, and changes in solitary confinement and segregation policies. In older facilities, challenges with getting into compliance with PREA—and improving surveillance in general—is complicated by poor sightlines, narrow corridors, isolated areas, low ceilings, and outdated wiring. Those in very old facilities may forgo technology improvements until a new facility is built.
- **Addressing Health Needs.** Telemedicine and remote treatment services are the most promising approach to addressing significant inmate health needs, but they come with high start-up costs—financially and otherwise. Many facilities lack the physical space for and funding to purchase required equipment. Coordinating with providers and insurance companies can be a huge barrier to implementing telemedicine.

Community Corrections Needs

Information Technology Challenges

- **Interoperability challenges.** Limited data sharing with other agencies in the same state is a common and significant challenge. Data from agencies using mandated state systems are typically kept in county- or district-level silos. Other states allow each county to choose its own case management system, limiting the interoperability of systems between jurisdictions. Limitations on data sharing among different agencies regarding active clients reduce the ability of officers to determine client risk level.
- **Infrastructure challenges.**
 - Some rural and border agencies struggle to support basic technologies, considered standard in larger or urban agencies.
 - Limited cell phone coverage and WiFi access are common in extremely rural areas. Cell phone coverage limits the ability of some agencies to use remote monitoring devices.
 - Officers sometimes have limited access to mobile devices because of cost and challenges with connectivity.
 - Agencies lack sufficient systems to track and collect supervision fees from clients.
- **IT Support.** Small and rural agencies usually do not have the resources to support their own IT departments and rely on the county-level information technology departments to provide IT support to their offices. The ability of county IT offices can be limited in these areas and community corrections departments must compete with other county agencies and priorities for IT support. County IT departments may also have limited understanding of correction agencies' needs.
- **Remote data access.** Necessary access to client data for field officers can be challenging. Remote data access is complicated by reliance on a CMS that is not web-based or accessible through any web-browser, or a lack of apps created by the software vendor to allow remote access to the data system through a smart phone or tablet. Security concerns can further limit the ease with which field officers access data remotely.

Agency Operations Challenges

- **Electronic files.** Agencies have limited ability to go paperless or limit their use of paper forms because of reporting and filing mandates from other agencies, including state-level oversight agencies and court systems. Agencies lack access to or the ability to

use electronic forms, electronic signatures, and e-filing of court documents, like presentence investigations.

- **Substance testing.**
 - Rapid drug tests using urine samples, used by most community corrections agencies, can be time consuming for staff and clients.
 - Many agencies must rely on local law enforcement to conduct tests using their portable breath testers, which are more accurate but prohibitively expensive for community corrections agencies.
- **Office management.**
 - Many agencies lack electronic systems that allow clients to check-in for meetings at the office in order to reduce the need for an administrative assistant to spend time interacting with clients and notifying officers about their schedule.
 - More limited record keeping systems regarding client meetings, payments, and reporting requirements reduce accountability on the part of the officer and the client.

Geographic Challenges

- **Transportation.**
 - In agencies where home visits are required—especially among those with higher-risk caseloads—getting to clients and getting clients to services poses significant challenges.
 - Conducting home visits or employment checks and traveling to local courts across large districts reduces the caseload that each staff member can carry, increasing staff needs.
 - Getting clients to services that are far away is complicated by limited public transportation and the high costs of transportation like cabs. Difficulty with transportation reduces clients' likelihood for successfully completing supervision.

Funding and Resourcing Challenges

- **Budget.**
 - Funding for technology upgrades is extremely limited.
 - Financial constraints are especially significant for agencies operating at the county level, where supportive or adversarial county boards can mean the difference between regular technology upgrades and repeating requests for technology over several years before receiving approval.

- Limited resources restrict the number of staff agencies can hire or the amount of overtime officers can incur.
- **Service Provision.**
 - The availability of high quality treatment programs and support services in many rural areas limited.
 - Agencies frequently have difficulties getting clients into services, whether due to the high cost of the program that has to be paid by the probationer, the lack of programs available in rural areas, or the lack of openings in existing programs.
 - Increased heroin use is creating an increased demand for drug treatment services.
 - Specialized service provision and treatment, such as anger management treatment or shoplifting programs, are difficult to find and difficult to place clients into. Appropriate online programs or programs provided over remote video links are limited.