

TO: Chairman and Members

DATE: July 22, 2013

SUBJECT: Requesting Approval of a Memorandum of Understanding (MOU) between the Board of State and Community Corrections and the Public Policy Institute of California (PPIC) implementing a Multi-County Data Collection Project

AGENDA ITEM: E

**ACTION: X
INFORMATION:**

RESOURCE PERSON: Robert Takeshta

Summary:

This agenda item requests the Board of State and Community Corrections (BSCC) to approve the Memorandum of Understanding (MOU) between the BSCC and the Public Policy Institute of California (PPIC) for a Multi-County Data Collection Project.

Background:

The PPIC has proposed to partner with the BSCC to conduct a Multi-County data collection research project to identify the most effective and efficient practices under California's public safety realignment. PPIC will work with the BSCC to document county activities and analyze outcomes across a set of key performance measures. The ultimate goals of the project are to identify the sanctions, interventions and services that are the most effective for reducing recidivism and to provide the necessary information for counties to plan further steps to reduce criminal justice costs while maintaining public safety.

PPIC is in the process of selecting a subset of counties for analysis based on their representativeness of the state as a whole and the diversity of their approaches to realignment. As a group, these counties should capture the majority of the California population and the majority of the projected realignment population. This group of counties should also approximate the state population well in terms of demographic and economic characteristics, as well as the regional and urban/rural diversity of the state.

The MOU has been reviewed by BSCC legal counsel and PPIC and it is before you today for your approval.

Recommendation/Action Needed:

Staff recommends that the BSCC approve the MOU between the Public Policy Institute of California and the BSCC.

MEMORANDUM OF UNDERSTANDING
BETWEEN
BOARD OF STATE AND COMMUNITY CORRECTIONS
AND
PUBLIC POLICY INSTITUTE OF CALIFORNIA

I. PURPOSE

Over the next 36 months, the Board of State and Community Corrections (BSCC) and the Public Policy Institute of California (PPIC) will develop a multi-county data collection project and create a data collection system. The project, entitled Measuring Performance and Outcomes of California's Public Safety Realignment, will assist the BSCC in achieving its mission of aligning fiscal policy and correctional practices to promote a justice investment strategy to improve public safety through cost-effective, promising, and evidence-based strategies for managing criminal justice populations.

The project will also assist BSCC to carry out its statutory duty to collect and make publicly available up-to-date data and information reflecting the impact of state and community correctional policies and practices enacted in the state. To carry out the project, the Board has statutory authority to collect, evaluate, publish, and disseminate statistics and other information on the condition and progress of criminal justice in the state.

II. SCOPE OF WORK

From July 1, 2013 to June 30, 2016, BSCC and PPIC will implement the project in phases:

1. BSCC and PPIC will design a data collection system.
2. BSCC and PPIC will request and collect data from the Department of Justice.
3. BSCC and PPIC will request data from the California Department of Corrections and Rehabilitation, and BSCC will collect and maintain it.
4. BSCC and PPIC will contact selected counties.
5. BSCC and PPIC will implement data collection by working with participating counties to identify and compile data elements.
6. BSCC and PPIC will assist participating counties in developing reporting systems, creating file structures for compiling and storing data, and creating data extraction procedures to retrieve data.
7. BSCC and PPIC will request data from participating counties, and BSCC will collect and maintain it.

III. CRIMINAL OFFENDER RECORD INFORMATION DATA

As part of this project, BSCC and PPIC will collect criminal offender record information (CORI) from the Department of Justice (DOJ). BSCC and PPIC acknowledge that DOJ is responsible for the security of CORI data. For purposes of this project, a project team member from PPIC and a project team member from BSCC were approved for access to CORI data in a letter dated May 9, 2013 from Mark Hayward, analyst, DOJ Bureau of Criminal Information and Analysis. As reflected in the letter, access to CORI data is subject to certain conditions established by DOJ. During the project, BSCC and PPIC agree to comply with DOJ's "Conditions for Release of Criminal Offender Record Information" as well as all statutes, regulations and policies affecting the handling and dissemination of CORI data. Each project team member must receive individual authorization from DOJ to access CORI data. Upon completion of the data collection project, PPIC will destroy any CORI data with personal identifiers in its possession.

IV. NON-CRIMINAL OFFENDER RECORD INFORMATION DATA

As part of this project, BSCC will collect non-CORI data from the California Department of Corrections and Rehabilitation (CDCR) and selected counties. BSCC shall establish safeguards for the use of non-CORI data and PPIC agrees to comply with those safeguards, including all applicable laws. BSCC shall designate an employee of BSCC who shall be responsible for ensuring that the use of non-CORI data by BSCC and PPIC comply with BSCC safeguards and the Information Practices Act. PPIC agrees it will not have access to any non-CORI data with personal identifiers.

V. PPIC RESEARCH ACCESS TO RESULTING DATA

Upon completion of the data collection project, BSCC will implement a policy that will govern access by PPIC to de-identified information from the data collection system for research purposes. At no time will PPIC use data with personal identifiers for research purposes. PPIC agrees that any published written material with information derived from the data collection system will not include personal identifiers. PPIC agrees that BSCC may review a final draft of the written material before publication to ensure that it does not contain any personal identifiers. PPIC agrees that BSCC may require PPIC to include a disclaimer in the written material to the effect that BSCC does not endorse or approve any opinions, conclusions or recommendations in the written material. BSCC and PPIC agree that a copy of any printed publication with information derived from CORI data must be submitted to DOJ.

VI. PROJECT TEAM; CHANGES TO WORKPLAN

In the event that BSCC or PPIC propose to replace key members of the project team or make significant adjustments, the respective party shall notify the other of the name and qualifications of the substitute. If the parties cannot agree on a successor, either party may terminate this memorandum of understanding.

Signed:

Signed:

BOARD OF STATE AND COMMUNITY CORRECTIONS

PUBLIC POLICY INSTITUTE OF CALIFORNIA

Jeffrey A. Beard, Chair

Mark Baldassare, President and CEO

Date

Date