

TITLE 19
CRIMINAL PROCEDURE

CHAPTER 48
CRIMINAL JUSTICE INTEGRATED DATA SYSTEM ACT

19-4801. SHORT TITLE. This chapter shall be known and may be cited as the "Criminal Justice Integrated Data System Act."

[19-4801, added 2020, ch. 239, sec. 1, p. 697.]

19-4802. LEGISLATIVE INTENT. The local governments and state agencies and departments that comprise and interact with the criminal justice system in Idaho possess a wealth of data. A centralized data repository to manage and link data across separate entities will aid in evaluating the effectiveness of the criminal justice system and enable data-driven, cost-saving decision-making on issues facing the criminal justice system in Idaho. The Criminal Justice Integrated Data System establishes the legal framework by which the various contributing entities may share, integrate, merge, observe, examine, and research siloed data in a way that protects sensitive or legally protected personal information.

[19-4802, added 2020, ch. 239, sec. 1, p. 697.]

19-4803. CRIMINAL JUSTICE INTEGRATED DATA SYSTEM. (1) There is hereby created in the office of the state controller the criminal justice integrated data system to receive, store, secure, and maintain data and information from local governments, state agencies and departments, or volunteer nongovernmental entities.

(2) The office of the state controller, as the managing agency of the criminal justice integrated data system, may:

(a) Require contributing local governments, state agencies and departments, or volunteer nongovernmental entities to deliver data and information in a certain format and on schedules established for the criminal justice integrated data system; and

(b) Enter into or adopt a memorandum of understanding with each contributing local government, state agency and department, or volunteer nongovernmental entity, and such memorandum must identify the confidentiality of the information and any conditions or restrictions on the use of the data or information.

(3) No memorandum of understanding with a contributing volunteer nongovernmental entity shall:

(a) Give said volunteer nongovernmental entity priority in determining the use of the data system or compel the criminal justice integrated data system to produce any project, report, or data analysis for or on behalf of any contributing volunteer nongovernmental entity; or

(b) Waive or otherwise inhibit a contributing volunteer nongovernmental entity's option to discontinue further contribution of data or information to the criminal justice integrated data system at any time.

(4) The records and data collected and stored by the criminal justice integrated data system shall be exempt from disclosure as set forth in section [74-105](#)(19), Idaho Code. The confidentiality of all records and data collected by the criminal justice integrated data system shall comply with

applicable state and federal laws governing the privacy of records, data, and personal identifiable information.

[19-4803, added 2020, ch. 239, sec. 1, p. 697.]

19-4804. DATA OVERSIGHT COUNCIL. (1) There is hereby created in the office of the state controller the data oversight council. All requests for projects, reports, and data analyses generated from the criminal justice integrated data system must be approved by the data oversight council.

(2) The data oversight council shall be comprised of:

- (a) The governor or his designee;
- (b) The chief justice of the Idaho supreme court or his designee;
- (c) The attorney general or his designee;
- (d) The state controller or his designee;
- (e) The director of the department of correction or his designee;
- (f) The executive director of the commission of pardons and parole or his designee;
- (g) The director of the department of juvenile corrections or his designee;
- (h) The director of the department of health and welfare or his designee;
- (i) The director of the Idaho state police or his designee;
- (j) The administrator of the office of information technology services or his designee; and
- (k) A designee from the state department of education selected by the governor.

(3) Any designee under subsection (2) of this section must be an employee in the office, agency, or department of his respective designating authority. Members of the data oversight council shall serve without any additional compensation or honorarium.

(4) The data oversight council, by majority vote, shall elect a chairman among its members who shall serve a term of two (2) years while serving on the council.

(5) All meetings of the data oversight council shall be held in compliance with the open meetings law as provided in [chapter 2, title 74](#), Idaho Code.

(6) The state controller shall work in collaboration with the data oversight council to manage the criminal justice integrated data system. It shall be the duty of the state controller, in conjunction with the data oversight council, to assure confidentiality of all records and data collected by the criminal justice integrated data system and to assure compliance with applicable state and federal laws and rules governing the privacy of records, data, and personal identifiable information.

(7) Any projects, reports, or data analyses in final form produced by persons authorized to conduct research and analyses under this chapter shall belong to the requesting local government or state agency or department and not the office of the state controller.

(8) The Idaho legislature, as well as the contributing state agencies and department and local governments shall have priority in requesting any projects, reports, or data analyses to be produced by persons authorized by the data oversight council. The data oversight council may, in its discretion, deny any requested project, report, or data analysis where it determines the request is unduly burdensome, voluminous, or cost-prohibitive.

(9) The office of the state controller, members of the data oversight council, and all contributing local governments, state agencies and departments, or volunteer nongovernmental entities shall be immune from liability to any person or entity for any invasion of the right to privacy or use of records or data generated by the criminal justice integrated data system.

(10) In collaboration with contributing local governments, state agencies and departments, or volunteer nongovernmental entities and the data oversight council, the state controller may establish policies addressing the creation of reports generated through the query of records and data possessed by the criminal justice integrated data system. Provided, however, contributing volunteer nongovernmental entities may only collaborate with respect to the data or information contributed by that volunteer nongovernmental entity.

[19-4804, added 2020, ch. 239, sec. 1, p. 697.]