



U.S. Department of Justice

Office of the Deputy Attorney General

The Deputy Attorney General

Washington, D.C. 20530

December 21, 2006

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL, OFFICE OF JUSTICE
PROGRAMS
ALL UNITED STATES ATTORNEYS
DIRECTOR, FEDERAL BUREAU OF INVESTIGATION
DIRECTOR, BUREAU OF ALCOHOL, TOBACCO, FIREARMS
AND EXPLOSIVES
ADMINISTRATOR, DRUG ENFORCEMENT ADMINISTRATION
DIRECTOR, UNITED STATES MARSHALS SERVICE
DIRECTOR, FEDERAL BUREAU OF PRISONS

FROM: Paul J. McNulty *PJM*
Deputy Attorney General

SUBJECT: Law Enforcement Information Sharing Policy Statement and Directives

This memorandum reaffirms the Department of Justice's continued commitment to the exchange of law enforcement information between the Department and state and local agencies. It also provides guidance related to the Department of Justice's Law Enforcement Information Sharing Program (LEISP) and directs particular action by Department components for further implementing this program.

Background and General Policy

In October 2005, the Department published its LEISP strategy and continued on its course to transform the way we share information with our federal, state, local, and tribal partners. At the center of LEISP lies the recognition of the vital need to share as much information as possible. LEISP envisions comprehensive information sharing through integrated systems and within workplaces dedicated to routine and systemic sharing across jurisdictional boundaries. The goal is to enable efficient and effective law enforcement operations.

In recent years, we have made significant progress in the information sharing arena, and we must continue to achieve successes in the short and long term. Our commitment to information sharing must remain tireless, as we shoulder the weighty obligation and high duty of enforcing our Nation's laws and protecting our citizens and communities from acts of terrorism and other crimes. Only through an aggressive approach to information sharing can we fully accomplish our important mission and establish, as the President has directed, a "culture of information sharing" within our day-to-day work environments.

The recent rollout of certain regional information sharing initiatives has marked important progress in implementing LEISP. In August 2005, for example, the Department launched an information-sharing pilot program with the Northwest Law Enforcement Information Exchange (LInX) in Seattle, Washington. Approximately seven months later, in March 2006, the Department entered into a partnership with the Automated Regional Justice Information Sharing (ARJIS) system in San Diego, California. In addition, the FBI has used the Regional Data Exchange system (R-DEx) to facilitate information sharing in Jacksonville, Florida, and St. Louis, Missouri. These efforts, among others, have resulted in the Department and its components learning important lessons and receiving valuable feedback on the operational successes and difficulties associated with implementing our information-sharing objectives. Regional information sharing systems are being established or expanded throughout the country, including many in the image of the sharing initiative and system started in the northwest. These systems are facilitating noteworthy investigative achievements.

In issuing this memorandum, I wish to reinforce LEISP's essential principles, review our long-term policy objectives, and stress the imperative of the Department moving forward in tangible and practical ways to maximize information sharing with our partners. We owe it to the people and communities we serve to renew our commitment to our information-sharing mission.

The Essential Principles of LEISP

To fulfill our law enforcement mission and to support the national effort to prevent terrorism, the Department, through LEISP, remains committed to sharing as much information as possible, lawful, and practicable. We must work to achieve this objective without delay and within the confines of our present resources—always searching and striving for ways to get more out of our existing systems and assets and to accomplish as many successes as possible in the short term. In furtherance of this commitment, members of my staff have been dedicated to oversee the Department's information sharing activities. These individuals have worked closely with the participating investigative components, United States Attorneys, the Department's Chief Information Officer, and, as necessary, representatives of regional and local governance boards, to monitor and implement the expansion of our information sharing efforts. This work will continue and be invigorated by the establishment of a new LEISP Coordinating Committee.

A guiding principle of the LEISP strategy is the concept of OneDOJ. As its name implies, OneDOJ embodies the Department's commitment to presenting a single face to our information-sharing partners by enabling components' information to be presented in a uniform and consistent manner through the use of common tools, systems, and other sharing mechanisms. Accordingly, OneDOJ requires components to work together in undertaking and implementing information-sharing efforts and initiatives. Our collaborative and cooperative efforts will reinforce the central attributes of LEISP—to ensure that the Department's information is shared comprehensively and routinely within the Department and with our federal, state, local, and tribal partners; to provide information responsive to the needs of law enforcement officers; and to present that information in forms useful to the recipients.

Our OneDOJ approach enables and indeed obligates Department components to move forward aggressively to expand existing information-sharing capacities and capabilities. Capacity and capability expansion will permit each component to participate more fully and uniformly in existing Department-wide information sharing programs and initiatives, including but not limited to R-DEx, the National Data Exchange system (N-DEx), the National Gang Intelligence Center, and the Organized Crime Drug Enforcement Task Force Fusion Center. Our LEISP strategy and OneDOJ approach also recognize the reality of resource limitations and the fact that different components possess different capabilities. Accordingly, care must be taken to move forward aggressively and efficiently and within the limits of available resources and capacities.

In our ongoing and future information-sharing initiatives, and consistent with the principles outlined above, each component must accelerate its efforts to share information from both open and closed cases, including investigative reports; criminal event data (e.g., characteristics of criminal activities and incidents revealing links or patterns); criminal history information (e.g., history of arrests, nature and disposition of criminal charges, sentencing, confinement, and release); and identifying information about individual offenders (e.g., name, address, date of birth, birthplace, and physical description).

In meeting our commitments under the LEISP strategy, the Department will not disclose information endangering our Nation's security or the life of any law enforcement or intelligence officer or member of the public, including witnesses and certain crime victims. Nor will the Department share information the dissemination of which is prohibited under international or inter-agency agreements. Furthermore, components are permitted to refrain from sharing information revealing or related to public corruption cases, sensitive sources and methods of intelligence collection, civil rights investigations involving color of law violations, internal investigations, and administrative cases. No other category of information will be exempt from sharing unless approved by the LEISP Coordinating Committee.

As the Department further implements LEISP and enters into future information-sharing initiatives, we will employ common standards and ask our partners to do the same. The OneDOJ pilot initiatives launched within the past year with the LInX system in Seattle and the ARJIS system in San Diego are two examples of the types of partnerships the Department will pursue as we move forward. Both systems have yielded law enforcement successes and have widespread support within their communities. Where local or regional systems exist or are constructed, be they LInX, ARJIS, or any other system, we will evaluate the prospects of a sharing partnership by considering the strategic and tactical interests of our components, the maturity of the potential information sharing partner system and its governance structure, and the degree to which the sharing initiative will adhere to privacy and other applicable laws and regulations. Consistent with existing policy, our partnership decisions will remain vendor-neutral; we will partner with any local or regional system meeting our common-standards requirements and thus will continue to allow state and local governments to acquire and use systems of their own choosing. Department data will be shared through interfaces or connections between our R-DEx system and the local or regional system with which we have entered into a sharing initiative.

In partnering with regional or local systems, we must strive to use all of our assets. Our United States Attorneys, for example, often have longstanding and deep-seated relationships in

place with local officials. They are uniquely positioned to bring together the broad spectrum of law enforcement agencies. We should draw upon such relationships wherever possible and lend our leadership and assistance to the stand-up and implementation of regional and local initiatives. United States Attorneys currently leading LinX and other information sharing systems are encouraged to continue these efforts, in coordination with the LEISP Coordinating Committee and Attorney General's Advisory Committee. Of course, our leadership efforts will continue to ensure that the management and governance of local and regional systems remains at the local and regional level. Where governance structures of both current and future regional information sharing initiatives include appropriate leadership roles for United States Attorneys, our United States Attorneys should make their best efforts to serve in such capacities.

Our participation in any information-sharing effort will be conducted under a memorandum of understanding between the Department and our partner in a particular initiative. In addition to delineating all rules and protocols which must be adhered to, a memorandum of understanding must address who will have access to the shared information, how that information can be used by recipients, and the measures that will be in place to ensure compliance with all applicable privacy laws. In all instances, our sharing arrangements and partnerships must also comply with Department security requirements.

LEISP Coordinating Committee

To ensure a collaborative and integrated focus on these objectives, I am establishing a Law Enforcement Information Sharing Program Coordinating Committee. This Committee will be chaired by a member of my staff and will report directly to me on the Department's efforts to accomplish our policy objectives. The Committee will include the Department's Chief Information Officer, a senior representative from each of the investigative components, a representative of the Office of Justice Programs, and a United States Attorney and one or more additional prosecutors. The Committee will meet regularly and seek broad input into the Department's information sharing initiatives, including from existing advisory groups, such as the Attorney General's Advisory Committee, Criminal Justice Services Advisory Policy Board, Justice Intelligence Coordinating Council, and Global Information Sharing Advisory Committee. Through the work of this new Committee, I am confident that the Department will remain a leader in law enforcement information sharing.

Directives to Department Components

To further implement LEISP and advance our OneDOJ strategy, I am directing that each of the Department's investigative components take the following steps within the time periods specified.

1. Effective immediately each component shall take all actions necessary and practicable to participate fully in the following ongoing information sharing initiatives:
 - a. The initiative in Washington State;
 - b. The initiative in San Diego, California;

- c. The initiative in St. Louis, Missouri;
 - d. The initiative in Jacksonville, Florida, and Kings Bay, Georgia;
 - e. The Organized Crime Drug Enforcement Task Force (OCDETF) Fusion Center;
 - f. The National Gang Intelligence Center; and
 - g. The National Data Exchange (N-DEX) program.
2. Because the Department and its components have limited tools and capabilities in place, I am directing the Department's Chief Information Officer to work with each of the components to develop an aggressive but practical plan for building the information sharing capabilities needed to fulfill the Department's information sharing policy commitments and participating in the ongoing initiatives identified above. As part of this plan, each component – working with the CIO – will identify the measures taken to date to participate in those initiatives; the full scope of present participation in those initiatives (e.g., data, personnel, and financial contributions); and the steps capable of being undertaken within the next 180 days for more complete participation in those initiatives. Each component's plan shall be submitted to my office by February 9, 2007.
 3. My office recently received from the Justice Intelligence Coordinating Council a prioritized list of the 15 metropolitan areas or other regions where Department operations will most benefit from implementation of the OneDOJ initiative. Based on these priorities, the LEISP Coordinating Committee and my staff will work with the Office of the CIO to develop implementation plans. These plans will address resource availability and take into consideration all of the factors identified previously for evaluating prospects for sharing partnerships. The systems currently operating and in planning, including LInX systems, will be considered for future OneDOJ implementation.
 4. On or before March 30, 2007, and every six months thereafter, components shall submit to my office through the LEISP Coordinating Committee a report detailing efforts undertaken to implement the regional initiatives plan, instill and encourage an information-sharing culture, and achieve the long-term objectives outlined in this memorandum.
 5. Component heads shall immediately distribute this memorandum to their respective field offices, divisions, and districts.

Conclusion

Thank you for your ongoing support of the Department's information-sharing mandate. With sustained and renewed efforts across the entire Department, we are well positioned to continue leading by example and to achieve important successes in our law enforcement mission and the war on terror.