

**STATE OF VERMONT
DEPARTMENT OF PUBLIC SAFETY**

Policy Title:	Privacy Policy	Scope:	Department Wide
Section:	General	Original Issue Date:	1/1/2016
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PURPOSE:

The Vermont Department of Public Safety (DPS) works to protect the privacy and confidentiality requirements of the information that is collected in the numerous systems and databases belonging to the department. Personally identifiable information is collected in a variety of electronic and manual situations and is protected by policy and law.

Public Safety employees only have access only to information which is necessary for the performance of their job duties except as otherwise approved by their employer. It is a department expectation that employees will take all appropriate measures to safeguard PII (see Personnel Policies and Procedures Section 5).

DEFINITIONS:

Personally Identifiable Information (PII) means information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual.

Protected Personally Identifiable Information (Protected PII) means an individual's first name or first initial and last name in combination with any one or more types of information, including, but not limited to, social security number, passport number, credit card numbers, clearances, band numbers, biometrics, data and place of birth, mother's maiden name, criminal, medical and financial records, educational transcripts.

REFERENCES:

Vermont Online Portal The state-wide website privacy policy is located at the following web address:

<http://www.vermont.gov/portal/policies/privacy.php>

Office of Management and Budget (OMB) "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," Final Rule, called "Uniform Guidance" 2 CFR 200 http://finance.vermont.gov/policies_procedures/uniform_guidance (sections 200.79 & 200.82)

US. Department of Homeland Security Grant Alert 15-05 January 16, 2015 "DHS Standard Terms and Conditions"

GENERAL STANDARDS:

A. What PII and Protected PII is collected by DPS?

PII is collected in a variety of systems for a variety of reasons. The law enforcement records management systems collects PII who have contacts with police throughout Vermont. Criminal history record information contains PII and is collected and incorporated in a person's criminal history record. PII is manually collected and stored in personnel records of DPS employees. PII and certain Protected PII is collected by the Division of Emergency Management and Homeland Security (DEMHS) for the purposes of determining buyouts and other reimbursements associated with disasters. PII and Protected PII is collected in certain registry databases such as the therapeutic use of marijuana program and sex offender registry program which are authorized in statute. The therapeutic use of marijuana program which allows the creation of a marijuana patient registry is authorized in 18 V.S.A. Chapter 86 Subchapter 2. The sex offender registry program is authorized in 13 V.S.A. Chapter 167.

B. How is the PII and Protected PII used?

PII and Protected PII is used in a variety of ways through the normal functions of government. Vermont law governs the use of this information according to Public Records Acts. DPS uses PII for transactions such as to record contacts that individuals have with police departments in Vermont to information collected regarding employee personnel information. The Vermont Crime Information Center collects PII that is incorporated into a person criminal history record, which is mandated by Vermont State Law. PII is collected for determining reimbursement and buy out information for individual's impacted by disasters.

C. What PII and Protected PII is shared?

PII and Protected PII is shared in accordance with Vermont Statutes and individual systems privacy and user policies. For example, police records management system information that contain PII is shared with other law enforcement agencies and other justice related agencies. The use of this information is controlled through the Vermont Justice Information Sharing System privacy policy and the Vermont Incident Based Reporting System user policy. Criminal history record information is shared in accordance with 20 V.S.A. Chapter 117. Employee personnel information that may contained PII is not shared and is kept confidential in accordance with 1 V.S.A. § 317. Certain registry information such as the marijuana registry shares information only with law enforcement for investigative purposes as authorized in 18 V.S.A. §4474d(b). The confidentiality of this registry and the PII it contains is controlled by 18 V.S.A. §4474d(a).

Financial records, supporting documents, statistical records, and all other records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report, or for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, or for any period required by law these records are available for inspection by any authorized representatives of the state or federal government (see 2 CFR 200.333).

D. How can individuals have their PII and Protected PII corrected that is contained in the systems at DPS?

Individuals that are concerned about their PII being in a criminal history record database may contact the Vermont Crime Information Center, 802 244-8727, or review information about the Center at www.vcic.vermont.gov

Information contained within the police records management systems are not available for disclosure to the public. If you feel there is miss information regarding your PII contained in this system you must contact the individual police that hold the record. If you are aware of misinformation it is assumed you must know which police department has entered the information as this information is not generally available to the public.

All other inquiries about an individual's PII or Protected PII can be directed to the Office of the Commissioner of the Department of Public Safety, 802 241-5000, and you will be directed to the Division that manages the record in which you have an inquiry.

E. What electronic systems contain PII and Protected PII?

The Department of Public Safety has a variety of electronic systems that may or may not contain PII and Protected PII. These systems are guided by their own privacy policies or user policies. They are described below.

1. Vermont Crime On Line (VCON)

The purpose Vermont Crime On-Line (VCON) is to provide both the public and criminal justice personnel with on-line crime information which is compliant with the FBI's National Incident Based Reporting System (NIBRS) in order to facilitate crime analysis at the local, regional, and statewide level.

In order to facilitate the analysis of crime and victimization patterns, VCON collects the following personal identifiers for individuals identified in police reports as offenders or crime victims:

- Age
- Gender
- Race

- Ethnicity
- Resident Status
- Relationship between Victim and Offender

This database does not contain PII and Protected PII as defined in this policy. Nonetheless a privacy policy for this system may be found at <http://vcic.vermont.gov/crime%20statistics/Vermont%20Crime%20On-Line>

2. Vermont Justice Information Sharing System (VJISS)

The vision for information sharing within Vermont's justice community is to provide the *right information* that is accurate, timely and complete, to the *right person*, at the *right time* for the *right purpose*.

A mission of the Vermont Justice Information Sharing System, also referred to as VJISS, is to promote the safety of the public through better information sharing among agencies in the justice field throughout the state of Vermont.

The purpose of establishing the Vermont Justice Information Sharing System (VJISS) is to provide name, vehicle, location and incident location information from the different computer aided dispatch/records management systems (CAD/RMS) and information from other related databases to criminal justice agencies and justice professionals to further the following purposes:

- Investigative purposes
- To provide background information on law enforcement activity for decision making and deployment purposes.
- To promote officer safety.
- To ensure the swift apprehension and timely consequences for criminal offenders.

PII sufficient to identify an individual is contained in the databases that are accessed by this electronic system.

3. Vermont Incident Based Reporting System (VIBRS)

VIBRS is computer aided dispatch and records management (CAD/RMS) system used by many law enforcement agencies in Vermont. It is centrally managed by the Department of Public Safety, which acts as a steward of the system. Information contained in this system is information that details a person's involvement with police departments in Vermont. PII describing an individual is contained in this system. Access, use and dissemination of information is controlled by a user policy that serves as a privacy policy.

4. Vermont Intelligence Center

The Vermont Intelligence Center as an operational entity of the Department of Public Safety collects, evaluates, analyzes and disseminates information and intelligence data regarding criminal activity in the state and region. The center follows the Fair Information Practices to ensure the rights and privacy of citizens.