

Disclosure Control in the Census of Juveniles in Residential Placement

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The Office of Juvenile Justice and Delinquency Prevention is subject to Title 28 Code of Federal Regulations Part 22 (28 CFR 22) which governs the use and release of research and statistical information.¹ The Census of Juveniles in Residential Placement (CJRP) falls under these regulations. The indicated purpose of these rules is to (1) protect individuals' privacy, (2) prevent the use of research and statistical information for judicial proceedings, (3) increase the credibility and reliability of federally funded research, (4) provide clear guidance on the use of identifiable information, and (5) insure an appropriate balance between individual privacy and essential research needs.

The regulations provide the following critical definitions:

Private Person means any individual, partnership, corporation, association other than an agency or department of Federal, State, or local government, or any component or combination thereof.

Information identifiable to a private person means information which is either (1) labeled by name or other personal identifiers, or (2) can, by virtue of sample size or other factors, be reasonably interpreted as referring to a particular private person.

In other words, according to 28 CFR 22, OJJDP must take measures to assure specific information identifiable to a specific individual is not publicly released. The language of the regulation does not speak to the quantity or the quality of the information.

Under CJRP, OJJDP collects information on the following types of "persons":

1. Youth in residential facilities,
2. Public juvenile residential facilities, and
3. Private juvenile residential facilities.

Only two of these types fall under the rubric of "private person": private facilities and the youth.

The CJRP collects identifiable information for all three types of persons, both unique identifiers and indirectly identifiable information. The identifiers include Census Bureau ID's for facilities and facility level ID's for the juveniles. The census collects indirectly identifiable information such as age, race, sex, offense, legal status, State of the offense, and data of admission (among other things). CJRP also collects information on the facilities in which the juveniles are housed including State, facility type, and (through aggregation of the juvenile information) population counts of various sorts (e.g., by sex, race, age, offense, etc.).

The issue facing OJJDP with regard to CJRP boils down to this: how to release as much valuable information as possible while maintaining the confidentiality of the data. The term of art used in the statistical field to refer to the inappropriate release of confidential data is "disclosure."

¹ The complete Code of Federal Regulations can be found on the web at <http://www.access.gpo.gov/nara/cfr/index.html>.

Generally, disclosure is defined as “inappropriate attribution of information to a data subject whether an individual or an organization.”

This problem is not new in the Federal Government. Several agencies (particularly the Census Bureau, the National Center for Health Statistics, and the Bureau of Labor Statistics) have taken great pains to assure that the data they release cannot be used by itself or in combination with other sources of available data to identify an individual and confidential information about that individual. These and other Federal agencies have worked for many years on this particular problem. OMB published *Statistical Policy Working Paper 22* which describes disclosure and methods of avoiding this problem.² This document defines and categorizes disclosure:

Identity disclosure occurs if a third party can identify a subject or respondent from the released data. Revealing that an individual is a respondent or subject of a data collection may or may not violate confidentiality requirements. For tabulations, revealing identity is generally not disclosure, unless the identification leads to divulging confidential information (attribute disclosure) about those who are identified.

Attribute disclosure occurs when confidential information about a data subject is revealed and can be attributed to the subject. Attribute disclosure may occur when confidential information is revealed exactly or when it can be closely estimated. Thus, attribute disclosure comprises identification of the subject and divulging confidential information pertaining to that subject.

OJJDP has the responsibility to prevent disclosures due not only to the legal requirements of 28 CFR 22, but also for ethical and practical reasons. Ethically, OJJDP must assure that the individuals covered by the CJRP cannot under reasonable circumstances be harmed due to this census. Such harm involves loss of economic opportunity or social standing. Practically, OJJDP must guard the confidentiality of respondents because they provide information based specifically on the guarantee of anonymity and privacy. Should OJJDP publish information that compromises this guarantee, then respondents will be less likely to provide information in the future.

Data products from any data collection effort fall into two general types: microdata and tabular data. Microdata refers to the actual record for a particular respondent (either a facility or a juvenile in custody). For example, one juvenile microdata record would contain the age, race, sex, and offense of one juvenile from the census. Generally, when talking of microdata we are only talking of electronic data. Indeed, use of such data only makes sense when the user has a statistical analysis package to make sense of the information. With such data, the user has the freedom to perform any specific analysis deemed useful for a fairly specific purpose. However, this flexibility comes with a specific danger: the more specific variables a user has at hand, the more ability that user has to identify a specific juvenile. Thus, microdata poses a serious threat to the confidentiality required under 28 CFR 22.

² Subcommittee on Disclosure Limitation Methodology, Federal Committee on Statistical Methodology. 1994. *Statistical Policy Working Paper 22: Report on Statistical Disclosure Limitation Methodology*. Washington, D.C.: Office of Management and Budget. Available on the web at <http://www.fcsm.gov/working-papers/wp22.html>.

Tabular data refers to the publication of data in specific publications whether in words or in tables. Beyond the presentation of the numbers in the cells of the tables, tabular data encompasses the reporting of percent and rates. For example, OJJDP might publish a table that crosses age by race for violent offenses. Based on this table, OJJDP may report that X % of all violent offenders in custody were white males. Similarly, OJJDP could report on the rate per 100,000 of incarceration for serious violent males by State.

Tabular data generally do not pose as significant a threat to confidentiality as does microdata; however, the problems of tabular data are much greater. For example, if one cell in a table contains a total of one (for example one Hispanic male from Vermont), a user may be able to identify confidential information about that person. Table 1 illustrates this example. These data are exemplary and not actual data from the CJRP. In this particular table, there is only one disclosure problem: the Hispanic male delinquent offender. While the identification of this one person does not itself constitute a disclosure, in combination with other tables a user could easily identify other information about this person such as facility, most serious offense, and adjudication status. Juvenile justice statutes in most states seal such information from public view to protect the juvenile's privacy. The identification of this person, then, poses a significant legal and ethical problem for OJJDP. Further, once a user has identified this simple information about this youth, additional information could be brought to bear to locate where this person lives, what this person's employment history has been and even the use of health or mental health services. Given that this person is an Hispanic in Vermont, a State with a small minority population, such a task would prove relatively simple. Even deceptively simple problems as this example pose significant problems under OJJDP's confidentiality regulations.

Table 1.
Delinquent Offenders in Vermont
Raw data (artificial)

	Male	Female	Total
White	26	10	36
Black	4	3	7
Hispanic	1	0	1
Other	3	0	3
Total	34	13	47

The control of data in tables proves to be particularly difficult and at times unacceptable for the overall presentation of data. To protect the privacy of the single Hispanic juvenile in that one cell, OJJDP would need to suppress three additional cells to assure that a user cannot reconstruct the suppressed cell with simple arithmetic. Using the same example as above, we would need to present the information in table 2. In this table, “D” represents a suppressed table cell.

Table 2.
Delinquent Offenders in Vermont
Primary and Complementary Suppression

	Male	Female	Total
White	26	10	36
Black	D	D	7
Hispanic	D	D	1
Other	3	0	3
Total	34	13	47

This scheme would protect the confidentiality of the one juvenile involved, yet in the process, OJJDP would lose some of the information presented in the table. As the number of tables increases, OJJDP would need to check all tables in combination with all others to assure that such confidentiality problems do not arise across tables as well. For example, all cells that break down Black or Hispanic youth from Vermont into male or female would need to be suppressed in all subsequent tables. Similarly, if this same table is presented for each State and for the nation as a whole, at least one other State would need to have these same cells suppressed whether such suppression was necessary in that State or not. This requirement could lead to multiple suppressions in several tables even though the other tables may not pose disclosure problems. Such a scheme would logically end in a series of tables with many “holes” where data are withheld due to confidentiality concerns. The value of these published tables decreases considerably as the number of primary and complementary suppressions increase.

In working with various components in the Census Bureau (including the Disclosure Review Committee that oversees release of all Census Bureau data) OJJDP has developed a rule for the release of tabular data from the CJRP.

Tabular Data Rounding Rule

For all representations of bivariate or multivariate counts (i.e., counts which represent more than one variable such as age by sex by race) all cells must be rounded to the nearest multiple of three. As a result, each cell will have one added to it, one subtracted from it, or be left alone. The data user will not have information on what action was taken with that particular cell. This action will prevent the identification of a unique individual and will also prevent the use of linear methods to determine the attributes of one individual through combinations of cells and totals. Similarly, it obviates the need for cell suppressions which can become quite cumbersome and complicated. Table 3 provides the rounded data for the example used here.

Table 3.
Delinquent Offenders in Vermont
Rounded data

	Male	Female	Total
White	27	9	36
Black	3	3	6
Hispanic	0	0	0
Other	3	0	3
Total	33	12	48

Under this rule, all univariate statistics at the National level are not rounded. For example, reports can display either the raw data for sex and the raw data for State; however, tables providing sex by State, the cells must be rounded. In this example, the total (48) is rounded because it represents two variables: State and offender type (delinquent, status, or voluntary admission). If this table represented all offenders in Vermont, the total cell would not be rounded.

The rounding occurs at the final step before a table is finalized for publication. For example, when producing Table 3 for publication, the raw data are used to construct Table 1. Only once it has been determined that the table is indeed the final table are the numbers rounded. If, on the other hand, OJJDP wanted to further restrict the information to violent delinquent offenders, we would again use the raw data file to create the table and then round the cells.

This rule does not provide the same data as would come from a raw data file. There is, then, the potential for flawed analysis and flawed conclusions. However, such flaws occur only with very small numbers (such as happens routinely in the State of Vermont). With large numbers, particularly those above 25, the relative proportions are maintained and the actual distortion to the data is minimal (e.g. less than 5% change to the data). However, this method is superior to the cell suppression method discussed earlier.

This rule must be followed when reporting percentages and rates. If the raw, unrounded numbers are used to calculate ratios such as these, it becomes a relatively simple task to recreate the unrounded numbers even when only rounded numbers are reported. The reconstruction becomes easier as the cell size shrinks thus increasing the danger of unintended disclosure. Using rounded

numbers to calculate the ratios prevents the reconstruction of the actual, raw data. As with the actual numbers, the percent and rates do not change substantially between the use of actual numbers and the rounded numbers when the total being described is above 25. Below this threshold, the ratios appear to be less accurate. Thus, data users must carefully consider whether the susceptibility of the cell to small changes makes the particular estimate sufficiently unstable to produce accurate conclusions.

§ 21.7

the same manner as witnesses called on behalf of the Government. The attendance must be certified by the presiding officer of the court. The expenses of Federal Government employees are treated in the same manner as they are treated when the employee is called by a Government attorney.

§ 21.7 Certification of witness attendance.

In any case in which the U.S. Department of Justice, or office or organization thereof, is a party, the Department of Justice shall pay all fees and allowances of witnesses, except for those witnesses as defined in § 21.2, paragraph (d)(1), on the certification of the following officials: The U.S. Attorney, an Assistant U.S. Attorney, a U.S. Trustee, or the U.S. Department of Justice attorney who actually conducts the case. In criminal proceedings *in forma pauperis* or in proceedings before a U.S. Commissioner, U.S. Magistrate or U.S. Parole Commission Hearing Examiner, the Department of Justice shall pay all fees and allowances of witnesses on the certification of the U.S. District Judge hearing the case or such Commissioner, Magistrate, or Hearing Examiner.

PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION

Sec.

- 22.1 Purpose.
- 22.2 Definitions.
- 22.20 Applicability.
- 22.21 Use of identifiable data.
- 22.22 Revelation of identifiable data.
- 22.23 Privacy certification.
- 22.24 Information transfer agreement.
- 22.25 Final disposition of identifiable materials.
- 22.26 Requests for transfer of information.
- 22.27 Notification.
- 22.28 Use of data identifiable to a private person for judicial, legislative or administrative purposes.
- 22.29 Sanctions.

AUTHORITY: Secs. 801(a), 812(a), Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3701, *et seq.*, as amended (Pub. L. 90-351, as amended by Pub. L. 93-83, Pub. L. 93-415, Pub. L. 94-430, Pub. L. 94-503, Pub. L. 95-115, Pub. L. 96-157, and Pub. L. 98-473); secs. 262(b), 262(d), Juvenile Justice and Delinquency Prevention Act of 1974, 42 U.S.C. 5601,

28 CFR Ch. I (7-1-97 Edition)

et seq., as amended (Pub. L. 93-415, as amended by Pub. L. 94-503, Pub. L. 95-115, Pub. L. 99-509, and Pub. L. 98-473); and secs. 1407(a) and 1407(d) of the Victims of Crime Act of 1984, 42 U.S.C. 10601, *et seq.*, Pub. L. 98-473.

SOURCE: 41 FR 54846, Dec. 15, 1976, unless otherwise noted.

§ 22.1 Purpose.

The purpose of these regulations is to:

(a) Protect privacy of individuals by requiring that information identifiable to a private person obtained in a research or statistical program may only be used and/or revealed for the purpose for which obtained;

(b) Insure that copies of such information shall not, without the consent of the person to whom the information pertains, be admitted as evidence or used for any purpose in any judicial or administrative proceedings;

(c) Increase the credibility and reliability of federally-supported research and statistical findings by minimizing subject concern over subsequent uses of identifiable information;

(d) Provide needed guidance to persons engaged in research and statistical activities by clarifying the purposes for which identifiable information may be used or revealed; and

(e) Insure appropriate balance between individual privacy and essential needs of the research community for data to advance the state of knowledge in the area of criminal justice.

(f) Insure the confidentiality of information provided by crime victims to crisis intervention counselors working for victim services programs receiving funds provided under the Crime Control Act, and Juvenile Justice Act, and the Victims of Crime Act.

[41 FR 54846, Dec. 15, 1976, as amended at 51 FR 6400, Feb. 24, 1986]

§ 22.2 Definitions.

(a) *Person* means any individual, partnership, corporation, association, public or private organization or governmental entity, or combination thereof.

(b) *Private person* means any person defined in § 22.2(a) other than an agency, or department of Federal, State, or local government, or any component or

combination thereof. Included as a private person is an individual acting in his or her official capacity.

(c) *Research or statistical project* means any program, project, or component thereof which is supported in whole or in part with funds appropriated under the Act and whose purpose is to develop, measure, evaluate, or otherwise advance the state of knowledge in a particular area. The term does not include "intelligence" or other information-gathering activities in which information pertaining to specific individuals is obtained for purposes directly related to enforcement of the criminal laws.

(d) *Research or statistical information* means any information which is collected during the conduct of a research or statistical project and which is intended to be utilized for research or statistical purposes. The term includes information which is collected directly from the individual or obtained from any agency or individual having possession, knowledge, or control thereof.

(e) *Information identifiable to a private person* means information which either—

(1) Is labelled by name or other personal identifiers, or

(2) Can, by virtue of sample size or other factors, be reasonably interpreted as referring to a particular private person.

(f) *Recipient of assistance* means any recipient of a grant, contract, interagency agreement, subgrant, or subcontract under the Act and any person, including subcontractors, employed by such recipient in connection with performances of the grant, contract, or interagency agreement.

(g) *Officer or employee of the Federal Government* means any person employed as a regular or special employee of the U.S. (including experts, consultants, and advisory board members) as of July 1, 1973, or at any time thereafter.

(h) The act means the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

(i) *Applicant* means any person who applies for a grant, contract, or subgrant to be funded pursuant to the Act.

(j) *The Juvenile Justice Act* means the "Juvenile Justice and Delinquency Prevention Act of 1974, as amended."

(k) *The Victims of Crime Act* means the Victims of Crime Act of 1984.

[41 FR 54846, Dec. 15, 1976, as amended at 43 FR 16974, Apr. 21, 1978; 51 FR 6400, Feb. 24, 1986]

§ 22.20 Applicability.

(a) These regulations govern use and revelation of research and statistical information obtained, collected, or produced either directly by BJA, OJJDP, BJS, NIJ, or OJP or under any interagency agreement, grant, contract, or subgrant awarded under the Crime Control Act, the Juvenile Justice Act, and the Victims of Crime Act.

(b) The regulations do not apply to any records from which identifiable research or statistical information was originally obtained; or to any records which are designated under existing statutes as public; or to any information extracted from any records designated as public.

(c) The regulations do not apply to information gained regarding future criminal conduct.

[41 FR 54846, Dec. 15, 1976, as amended at 43 FR 16974, Apr. 21, 1978; 51 FR 6400, 6401, Feb. 24, 1986]

§ 22.21 Use of identifiable data.

Research or statistical information identifiable to a private person may be used only for research or statistical purposes.

§ 22.22 Revelation of identifiable data.

(a) Except as noted in paragraph (b) of this section, research and statistical information relating to a private person may be revealed in identifiable form on a need-to-know basis only to—

(1) Officers, employees, and subcontractors of the recipient of assistance;

(2) Such individuals as needed to implement sections 202(c)(3), 801, and 811(b) of the Act; and sections 223(a)(12)(A), 223(a)(13), 223(a)(14), and 243 of the Juvenile Justice and Delinquency Prevention Act.

(3) Persons or organizations for research or statistical purposes. Information may only be transferred for such

purposes upon a clear demonstration that the standards of § 22.26 have been met and that, except where information is transferred under paragraphs (a) (1) and (2) of this section, such transfers shall be conditioned on compliance with a § 22.24 agreement.

(b) Information may be revealed in identifiable form where prior consent is obtained from an individual or where the individual has agreed to participate in a project with knowledge that the findings cannot, by virtue of sample size, or uniqueness of subject, be expected to totally conceal subject identity.

[41 FR 54846, Dec. 15, 1976, as amended at 51 FR 6400, Feb. 24, 1986]

§ 22.23 Privacy certification.

(a) Each applicant for BJA, OJJDP, BJS, NIJ, or OJP support either directly or under a State plan shall submit a Privacy Certificate as a condition of approval of a grant application or contract proposal which has a research or statistical project component under which information identifiable to a private person will be collected.

(b) The Privacy Certificate shall briefly describe the project and shall contain assurance by the applicant that:

(1) Data identifiable to a private person will not be used or revealed, except as authorized under §§ 22.21, 22.22.

(2) Access to data will be limited to those employees having a need therefore and that such persons shall be advised of and agree in writing to comply with these regulations.

(3) All subcontracts which require access to identifiable data will contain conditions meeting the requirements of § 22.24.

(4) To the extent required by § 22.27 any private persons from whom identifiable data are collected or obtained, either orally or by means of written questionnaire, shall be advised that the data will only be used or revealed for research or statistical purposes and that compliance with requests for information is not mandatory. Where the notification requirement is to be waived, pursuant to § 22.27(c), a justification must be included in the Privacy Certificate.

(5) Adequate precautions will be taken to insure administrative and physical security of identifiable data.

(6) A log will be maintained indicating that identifiable data have been transmitted to persons other than BJA, OJJDP, BJS, NIJ, or OJP or grantee/contractor staff or subcontractors, that such data have been returned, or that alternative arrangements have been agreed upon for future maintenance of such data.

(7) Project plans will be designed to preserve anonymity of private persons to whom information relates, including, where appropriate, name-stripping, coding of data, or other similar procedures.

(8) Project findings and reports prepared for dissemination will not contain information which can reasonably be expected to be identifiable to a private person except as authorized under § 22.22.

(c) The applicant shall attach to the Privacy Certification a description of physical and/or administrative procedures to be followed to insure the security of the data to meet the requirements of § 22.25.

[41 FR 5486, Dec. 15, 1976, as amended at 51 FR 6401, Feb. 24, 1986]

§ 22.24 Information transfer agreement.

Prior to the transfer of any identifiable information to persons other than BJA, OJJDP, BJS, NIJ, or OJP or project staff, an agreement shall be entered into which shall provide, as a minimum, that the recipient of data agrees that:

(a) Information identifiable to a private person will be used only for research and statistical purposes.

(b) Information identifiable to a private person will not be revealed to any person for any purpose except where the information has already been included in research findings (and/or data bases) and is revealed on a need-to-know basis for research or statistical purposes, provided that such transfer is approved by the person providing information under the agreement, or authorized under § 22.24(e).

(c) Knowingly and willfully using or disseminating information contrary to the provisions of the agreement shall

constitute a violation of these regulations, punishable in accordance with the Act.

(d) Adequate administrative and physical precautions will be taken to assure security of information obtained for such purpose.

(e) Access to information will be limited to those employees or subcontractors having a need therefore in connection with performance of the activity for which obtained, and that such persons shall be advised of, and agree to comply with, these regulations.

(f) Project plans will be designed to preserve anonymity of private persons to whom information relates, including, where appropriate, required name-stripping and/or coding of data or other similar procedures.

(g) Project findings and reports prepared for dissemination will not contain information which can reasonably be expected to be identifiable to a private person.

(h) Information identifiable to a private person (obtained in accordance with this agreement) will, unless otherwise agreed upon, be returned upon completion of the project for which obtained and no copies of that information retained.

[41 FR 5486, Dec. 15, 1976, as amended at 51 FR 6401, Feb. 24, 1986]

§ 22.25 Final disposition of identifiable materials.

Upon completion of a research or statistical project the security of identifiable research or statistical information shall be protected by:

(a) Complete physical destruction of all copies of the materials or the identifiable portion of such materials after a three-year required recipient retention period or as soon as authorized by law, or

(b) Removal of identifiers from data and separate maintenance of a name-code index in a secure location.

The Privacy Certificate shall indicate the procedures to be followed and shall, in the case of paragraph (b) of this section, describe procedures to secure the name index.

§ 22.26 Requests for transfer of information.

(a) Requests for transfer of information identifiable to an individual shall be submitted to the person submitting the Privacy Certificate pursuant to § 22.23.

(b) Except where information is requested by BJA, OJJDP, BJS, NIJ, or OJP, the request shall describe the general objectives of the project for which information is requested, and specifically justify the need for such information in identifiable form. The request shall also indicate, and provide justification for the conclusion that conduct of the project will not, either directly or indirectly, cause legal, economic, physical, or social harm to individuals whose identification is revealed in the transfer of information.

(c) Data may not be transferred pursuant to this section where a clear showing of the criteria set forth above is not made by the person requesting the data.

[41 FR 5486, Dec. 15, 1976, as amended at 51 FR 6401, Feb. 24, 1986]

§ 22.27 Notification.

(a) Any person from whom information identifiable to a private person is to be obtained directly, either orally, by questionnaire, or other written documents, shall be advised:

(1) That the information will only be used or revealed for research or statistical purposes; and

(2) That compliance with the request for information is entirely voluntary and may be terminated at any time.

(b) Except as noted in paragraph (c) of this section, where information is to be obtained through observation of individual activity or performance, such individuals shall be advised:

(1) Of the particular types of information to be collected;

(2) That the data will only be utilized or revealed for research or statistical purposes; and

(3) That participation in the project in question is voluntary and may be terminated at any time.

(c) Notification, as described in paragraph (b) of this section, may be eliminated where information is obtained through field observation of individual activity or performance and in the

judgment of the researcher such notification is impractical or may seriously impede the progress of the research.

(d) Where findings in a project cannot, by virtue of sample size, or uniqueness of subject, be expected to totally conceal subject identity, an individual shall be so advised.

§22.28 Use of data identifiable to a private person for judicial, legislative or administrative purposes.

(a) Research or statistical information identifiable to a private person shall be immune from legal process and shall only be admitted as evidence or used for any purpose in any action, suit, or other judicial, legislative or administrative proceeding with the written consent of the individual to whom the data pertains.

(b) Where consent is obtained, such consent shall:

(1) Be obtained at the time that information is sought for use in judicial, legislative or administrative proceedings;

(2) Set out specific purposes in connection with which information will be used;

(3) Limit, where appropriate, the scope of the information subject to such consent.

[41 FR 54846, Dec. 15, 1976, as amended at 45 FR 62038, Sept. 18, 1980]

§22.29 Sanctions.

Where BJA, OJJDP, BJS, NIJ, or OJP believes that a violation has occurred of section 812(a) of the Act or section 1407(d) of the Victims of Crime Act, these regulations, or any grant or contract conditions entered into thereunder, it may initiate administrative actions leading to termination of a grant or contract, commence appropriate personnel and/or other procedures in cases involving Federal employees, and/or initiate appropriate legal actions leading to imposition of a fine of not to exceed \$10,000 against any person responsible for such violations.

[41 FR 54846, Dec. 15, 1976, as amended at 45 FR 62038, Sept. 18, 1980; 51 FR 6401, Feb. 24, 1986]

PART 23—CRIMINAL INTELLIGENCE SYSTEMS OPERATING POLICIES

Sec.

23.1 Purpose.

23.2 Background.

23.3 Applicability.

23.20 Operating principles.

23.30 Funding guidelines.

23.40 Monitoring and auditing of grants for the funding of intelligence systems.

AUTHORITY: 42 U.S.C. 3782(a); 42 U.S.C. 3789g(c).

SOURCE: 58 FR 48452, Sept. 16, 1993, unless otherwise noted.

§23.1 Purpose.

The purpose of this regulation is to assure that all criminal intelligence systems operating through support under the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3711, *et seq.*, as amended (Pub. L. 90-351, as amended by Pub. L. 91-644, Pub. L. 93-83, Pub. L. 93-415, Pub. L. 94-430, Pub. L. 94-503, Pub. L. 95-115, Pub. L. 96-157, Pub. L. 98-473, Pub. L. 99-570, Pub. L. 100-690, and Pub. L. 101-647), are utilized in conformance with the privacy and constitutional rights of individuals.

§23.2 Background.

It is recognized that certain criminal activities including but not limited to loan sharking, drug trafficking, trafficking in stolen property, gambling, extortion, smuggling, bribery, and corruption of public officials often involve some degree of regular coordination and permanent organization involving a large number of participants over a broad geographical area. The exposure of such ongoing networks of criminal activity can be aided by the pooling of information about such activities. However, because the collection and exchange of intelligence data necessary to support control of serious criminal activity may represent potential threats to the privacy of individuals to whom such data relates, policy guidelines for Federally funded projects are required.

§23.3 Applicability.

(a) These policy standards are applicable to all criminal intelligence systems operating through support under