

Considering the Creation or Utilization of New Data Capabilities

A framework is utilized by decision-makers to assist with the understanding of complexities and challenges associated with the adoption of new datasets.

The following framework illustrates the implications to be considered prior to generating or acquiring new data sets for law enforcement use:

Consider legal, constitutional, civil liberties and privacy:

- What are law enforcement restrictions on use of commercial data?
- Are these restrictions constitutional, statutory or legal?
- What are privacy and civil liberty concerns with how data is stored and managed?
- What methods of safeguarding the data and auditing the use of the data are in use?

Communicate transparently with the Community:

- Will the public support or object to law enforcement's use of this data capability?
- How will courts and juries view law enforcement's use of this data capability?
- Are there accreditation regimes associated with storage or management of this data capability that will withstand legal scrutiny?
- Have you considered a full range of communications platforms to ensure awareness?

Evaluate data viability:

- Do you have a routine to evaluate the viability and reliability of data?
- What is the plan to determine when a dataset needs to be refreshed, reconditioned, or should no longer used?
- What is the schedule for data retention and destruction?
- What factors do you take into account for determining storage media?
- What do you take under consideration for storage security, capacity, and access speed?
- What are the considerations for selecting cloud storage options?

Consider appropriate data formats:

- How might data reporting requirements be met or enabled through the use of a new dataset?
- Have potential investigative and officer safety benefits been taken into account when considering data accessibility by other systems?
- When necessary, for enhanced security or privacy, have data structures and schemas been employed to ensure data cannot be read by other systems, or aggregated with other datasets?

Determine and account for the total cost of ownership:

- Has the total cost of developing or acquiring the data capability been considered?
- Have the following costs been considered:
 - Procurement?
 - Implementation?
 - Ongoing fees?
 - Maintenance?
 - § Storage, Extraction, Migration, Additional infrastructure, Bandwidth
 - Recapitalization?
 - § Storage, Security, Performance requirements
- Has the decision been made to shift data capabilities to the cloud?
- Is initial funding one-time funding, e.g., grants, and is there a plan for follow on funding?

Determine and account for the cybersecurity implications:

- Has a cybersecurity framework, e.g., (National Institute of Standards and Technology (NIST) guidelines or the ISO 27000 series of information security standards) been identified?
- Has a data exposure response plan been developed to mitigate the impact of data breaches that may result from a host of threats such as insider threats, hacking, or spillage?
- Is there an exercise plan for the data exposure response plan?

