



Council Communication

Office of the City Manager

Date | April 23, 2007

Agenda Item No. 63
Roll Call No. 07-
Communication No. 07-244
Submitted by: Dale Patch, Chief of Police;
Debra Christopher, CIO

AGENDA HEADING:

Contract with i2 Inc/ChoicePoint for Law Enforcement Intelligence Database.

SYNOPSIS:

The Police Department requests approval to purchase an integrated criminal intelligence system from i2 Inc/Choice Point, (1430 Spring Hill Road, Suite 600; McLean, Virginia 22102; Phillip Egelston, Senior Attorney) for computer software, hardware, operating system, software program licensing, implementation services and maintenance, in support of the development and operation of a law enforcement intelligence database. This is part of the \$1.4 million Homeland Security Initiative approved by the City Council on February 12, 2007.

FISCAL IMPACT:

Amount:

\$189,752 for the three years of operation.

Funding Source:

- \$152,855 - 2007-08 Recommended Operating Budget, City's Master Lease Supplement B-7 Program, as approved for the implementation of the City's Homeland Security Initiative, DS001, FIN905900
- \$30,000 - 2007-08 Recommended Operating Budget, FY2005 Law Enforcement Terrorism Prevention Program (LETPP), SP751, POL980510, Page 285
- \$6,897 - 2007-08 Recommended Operating Budget, State Asset Forfeiture Funds, SP324, POL982200, Page 285

ADDITIONAL INFORMATION:

At the April 9, 2007, City Council meeting, the Council delayed action on awarding a software contract to i2/ChoicePoint because of questions raised during the meeting. The questions concerned ChoicePoint as a vendor, details on what was to be purchased, and why this is a sole source purchase rather than a competitive bid. The answers are detailed below. In short, the City is purchasing software, not information. The vendor will not have access to any information. There is no other analytical software available to law enforcement to meet our operational requirements.

ChoicePoint

One concern appeared to be with ChoicePoint as a vendor. Part of the Company's business involves providing public records to customers for a fee. (It is critical to note this is not the product for which the City would be contracting.)

In October 2004, ChoicePoint discovered that it mistakenly had issued user accounts to a group posing as a legitimate small business. The group potentially gained access to some 140,000 consumer records in ChoicePoint's system. Ultimately, the group was discovered by a ChoicePoint employee and the company reported the suspicious behavior to local authorities, which arrested the individuals. ChoicePoint was required to notify affected consumers that their information may have been compromised.

In January 2006, ChoicePoint reached a settlement with the Federal Trade Commission (FTC), paid a fine, and agreed to change its business practices. A more complete statement from ChoicePoint is included with the Roll Call information.

i2

The City is not proposing to purchase information from ChoicePoint. The City is proposing to purchase software from i2, which is a separate business unit within ChoicePoint. This software, along with training and software installation support, would be used by the Police Department. The software will be installed on City servers (purchased separately). i2 will assist in installing the software and provide training to users and City system administrators. The City will also purchase three years of system maintenance support.

The proposed system will allow us to transition from several inadequate and independent systems to a single integrated, state-of-the-art, automated system. The new system will dramatically improve our ability to collect, analyze, use, and share criminal gang and intelligence information with other local, state, and federal law enforcement agencies with whom we have direct daily operational relationships.

The i2 iBase SSE, iBridge, and Analyst Notebook products will allow the Police Department to interface our information with state and federal intelligence, drug, gang, and corrections agencies to provide a comprehensive compilation and correlation of data to aid in identifying perpetrators and activities in order to prevent terrorism, solve crimes, and apprehend offenders.

All information collected will reside on City equipment, with appropriate security and firewall protection to prevent unauthorized access. The information will only be available to a select number of investigators and will only be shared with other law enforcement agencies on a need-to-know basis. Neither i2 nor ChoicePoint will have access to any of our information nor will any of our information be shared with them.

The i2 software product is compliant with Federal Code of Regulations (28 CFR Part 23) "*Criminal Intelligence Systems Operating Policies*". 28 CFR Part 23 contains standards for operating federally grant-funded multi-jurisdictional criminal intelligence systems in five primary areas: submission and entry of criminal intelligence information, security, inquiry, dissemination, and review-and-purge processes. i2 is also compliant with Iowa Code Chapter 692 "*Criminal History and Intelligence Data*," which provides governance for state and local law enforcement agencies requiring separate and controlled access to criminal intelligence and classified information, apart from law enforcement records management systems.

Sole Source

The second concern was why this was a sole source purchase rather than a competitive bid. Since the previous Council meeting, we have determined that the interface issue is not as critical as the analytical capability of the software. We have also determined that there is no other analytical software available to law enforcement that meets our operational requirements. We believe it is in the City's best interest to acquire this particular software. The reasons have to do with compatibility, ease of implementation and use, ability to share information with other law enforcement agencies, and the management of long term costs.

The Des Moines Police Department operates Iowa's Region 5 Fusion Center, and participates in the Midwest High Intensity Drug Trafficking Area (HIDTA), Iowa's Law Enforcement Intelligence Network (LEIN), and the Mid-states Organized Crime Information Center (MOCIC). We are also participants in the Federal Bureau of Investigation's Joint Terrorism Task Force (JTTF) and work with the Bureau of Alcohol, Tobacco, Firearms and Explosives on Firearms Task Force operations.

i2 products and services are currently being used by the Intelligence Bureau of Iowa's Department of Public Safety (Fusion Center Hub), LEIN, Iowa Department of Corrections, HIDTA, MOCIC, and approximately 2,000 other law enforcement operations across the United States, U.S. Homeland Security, and the U.S. Military. Investigators within the Des Moines Police Department are currently using i2's Analyst's Notebook as a feature of the shared MOCIC database program.

The i2 iBase SSE, iBridge, and Analyst's Notebook products will allow the Police Department to enter criminal intelligence information into a common centralized database that is compliant with 28 CFR Part 23 "*Criminal Intelligence Systems Operating Policies*" and Iowa Code Chapter 692 "*Criminal History and Intelligence Data*". The criminal intelligence database will be interfaced with the Department of Public Safety, State Corrections, LEIN, HIDTA, and MOCIC to provide a comprehensive compilation and correlation of data to aid in identifying perpetrators and activities, in order to prevent terrorism, solve crimes, and apprehend offenders.

For the Des Moines Police Department to be successful, it is essential that we are able to collect, analyze and exchange data from a number of sources with a common interface and intelligence database program, to support intelligence operations within the Police Department and to exchange information with the other agencies that we interact with on a daily basis. The interoperability of intelligence capabilities is important to create actionable intelligence in support of field and special operations.

Attached to the roll call are a Sole Source Letter from i2 (dated 11/14/06), which references their products and letters of support from Iowa Department of Public Safety, Midwest HIDTA, and MOCIC.

PREVIOUS COUNCIL ACTION(S):

Date: February 12, 2007

Roll Call Number: 07-295

Action: Intergovernmental 28E Agreement with Metropolitan Advisory Council (MAC) member communities, for funding and implementation of Homeland Security Services. (Council Communication No. 07-068) Moved by Kiernan to adopt; refer to the City Manager to continue cost sharing discussions with Polk County. Motion Carried 7-0

Date: October 23, 2006

Roll Call Number: 06-2134

Action: Grant agreement with State of Iowa Homeland Security and Emergency Management Division for FY2006 Law Enforcement Terrorism Prevention Program (LETPP), \$366,305.50. (Council Communication No. 06-660) Moved by Kiernan to approve. Motion Carried 6-0.

Date: September 11, 2006

Roll Call Number: 06-568

Action: Supplement No. B7 to the Governmental Lease-Purchase Master Agreement with Banc of America Leasing & Capital, LLC to purchase equipment for the Homeland Security Bureau, not to exceed \$302,500. (Council Communication No. 06-568) Moved by Vlassis to adopt. Motion Carried 5-1.
Absent: Coleman.

Date: March 20, 2006

Roll Call Number: 06-539

Action: Amendment No. 2 to FY2004 Law Enforcement Terrorism Prevention Program Grant changing the performance period of the original grant to include start date of 6-9-04 and ending date of 5-31-06. (Council Communication No. 06-133) Moved by Brooks to approve. Motion Carried 7-0.

Date: December 05, 2005

Roll Call Number: 05-2899

Action: Grant Agreement with Iowa Homeland Security Emergency Management to administer Federal Homeland Security Funds through Law Enforcement Terrorism Prevention Program for Law Enforcement Intelligence Network. (Council Communication No. 05-676), Moved by Hensley to approve. Motion Carried 6-1.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

The total annual cost for software maintenance support is \$14,793. It is anticipated the Metropolitan Advisory Committee (MAC) Homeland Security 28E Agreement funding will fund this expense on an annual basis.