

November 1, 2024

RE: Crime Victim and Witness Notification Advisory Committee (AVN Committee)

Dear Honorable Members of the Illinois General Assembly:

The Crime Victim and Witness Notification Advisory Committee was created in 1999 to assist the Office of the Illinois Attorney General in the implementation of the Automated Victim Notification System (VINE system). [725 ILCS 120/8.5 (g)].

The AVN Committee is charged with evaluating the operation of the system and reporting its activities and status to the General Assembly each year. The functionality of the VINE system, it's used by registrants, and communication with APPRISS have been evaluated to provide you with an update on the operation of the system.

IL- VINE System Basics

The IL-VINE system provides information about changes in an offender's custodial status and court case status. Victims, witnesses, family members, law enforcement officers, probation officers, and interested members of the public can request bilingual (English/Spanish) telephone, email, or text notifications. The service is free to users and is available 24 hours a day, seven days a week. The VINE system is used by law enforcement officials, the Department of Corrections, and prosecutors to assist with fulfilling their constitutional and statutory mandates to notify victims of changes in an offender's custodial status and upcoming court dates. [See Article I, section 8.1 (a) of the Illinois Constitution, delineating the rights of crime victims, and the implementation legislation contained in the Rights of Crime Victims and Witnesses Act. [725 ILCS 120/4 and 4.5]. Law enforcement officers, prosecutors, and victim advocates are given, upon request, special access to the system, affording them the opportunity to further assist victims.

The VINE system provides these notifications via a computer interface with county jail booking systems, the Illinois Department of Corrections, circuit court clerks, and selected Department of Mental Health facilities throughout the state. The VINE system also receives information about sex offenders through an interface with a vendor that receives data from law enforcement agencies registering sex offenders. The VINE system transfers information from these sources to a centralized communication center, which in turn generates telephone, email, or text message updates to any individual who is a registered user of the system. Concerns have arisen regarding the timeliness and accuracy of notifications that are being generated by the system. Occasions have arisen where the sex offender information generated by the third-party vendor Offender Watch has either been inaccurate or improperly posted. At this point, Appriss was unable to articulate any necessary safeguards to monitor the accuracy of information. When APPRISS was asked about recent concerns regarding inaccurate notifications, several contacts were required with APPRISS before the information was provided. At one point, intervention by the agency supervisor was required. Additional concerns have arisen regarding the ability to add additional notifications that would inform registrants about registration with the Prisoner Review Board. This request was made by staff from the Illinois Department of Corrections on October 4, 2024, and followed by meetings with APPRISS. We were informed that APPRISS would need to consult with their legal

department prior to adding the requested notifications to our VINE system. As of November 1, 2024, there has been no affirmative responses from APPRISS for this request. On October 1, 2024, the Office of the Illinois Attorney General (OAG) contacted APPRISS to obtain clarification about the types of notifications currently available within the system. The OAG did not receive a response to this inquiry until October 31, 2024, after APPRISS was contacted again in preparation for the report to the General Assembly.

Pursuant to information provided by APPRISS, there are presently 88 county jails, 96 court systems, 31 Illinois Department of Corrections Affiliated Facilities, and seven facilities in the Illinois Department of Mental Health, participating in VINE.

The Illinois Department of Mental Health is responsible for providing notifications related to offenders who have been found not guilty by reason of insanity or who have been found to be sexually violent or sexually dangerous persons. The notifications mandated by the Rights of Crime Victims and Witnesses Act [725 ILCS 120/4.5(d)(2)] include notices that the offenders in the Illinois Department of Mental Health custody have been released on and returned from an off-grounds pass and notice when the offender is conditionally released, dies, or escapes. IDMH notifications are provided only to victims as specified by statute. County Sheriffs are required by the Sex Offender Community Notification Act to provide information to victims of registered sex offenders. These notifications relate to changes in the sex offender's residence and employment and whether the offender fails to re-register with the appropriate law enforcement agency. [730 ILCS 152/120(a)].

To register for the VINE system, victims, witnesses, and other interested parties call a toll-free number: 1-866-5-NOTIFY (1-866-566-8439), (TTY-I-877-502-2423) or register online at www.vinelink.com (commonly referred to as "VINELink"). A mobile phone application (VINEmobile) is also available to ensure registrants are informed with up-to-date offender status notifications on a 24-hour basis. The toll-free telephone registration and notifications as well as the email and text message notifications are available in English and Spanish. Prosecutors' office staff and victim advocates assist many victims with registration. While these systems have been generally effective, concerns have arisen about the timeliness of information received by the registrants after the information is entered by the courthouse or jail. On October 1, 2024, APPRISS was asked to provide more detailed information about the notifications as they cycle the system. APPRISS was asked again on October 3, 2024, to provide this information. APPRISS was unable to identify the timeline for notifications, representing issues with various notice cycles throughout the system at different intervals for each type of notification. We were informed on October 3, 2024, that information would be provided after research into their systems. As of November 1, 2024, that information has not been provided.

Users who register for phone notification are required to select a four-digit Personal Identification Number (PIN), which allows the VINE system to monitor when the intended recipient has received the requested notification. If the phone call goes unanswered or if the correct PIN is not entered at the time of the call, the system will continue to attempt to make notification calls as often as every 30 minutes, depending on the nature of the notification, for 24 hours. At any point in the process, users may connect to a live operator for assistance. All e-mail and text message notifications are sent to an email or phone number of the user's choice. While this system works

well with accurate notifications, inaccurate notifications sent to victims have resulted in fear and often re-traumatization.

In addition, law enforcement officers, prosecutors, and victim advocates can request access to a restricted area of the VINE system. Pursuant to representations made by APPRISS, this restricted part of the system, referred to as "VINEWatch," allows criminal justice personnel and victim advocates to register victims, update registrations, run registration and notification reports, prepare statistical VINE usage reports, conduct emergency override procedures, and conduct offender and case searches. While some of these functions are available, many of the report functions used by the OAG to collect data have been difficult to navigate and failed to provide the data needed. When seeking to run reports for the General Assembly the OAG asked APPRISS for assistance. We were notified in prior years that the OAG would be responsible for running those reports. Upon request for FY25, APPRISS has provided some of the requested information. Additional concerns have been expressed by county agencies based on the information that APPRISS maintained. This vendor was privately owned when our contractual relationship began. APPRISS was recently sold and is currently owned and operated by Equifax. Concerns have been raised about the security of registered victims' information and the possibility of that information being sold.

Statewide System Utilization

Utilizing the system tools available, the FY24 report indicated that since its implementation in 2001, the IL-VINE system has provided information to 1,680,938 registered users. APPRISS indicated they were unable to provide information for 2001. However, from 2002 until present, APPRISS indicated there have only been 757,313 registered users. The reason for the data discrepancy is unclear. APPRISS has represented that in 2024, there were 8,662,012 searches and a total of 656,253 notifications as of October 31, 2024. Per data compiled by the OAG, searches for court and custody information in the prior year totaled 26,743,204. The reason for the data discrepancy is unclear. Based on information provided by Appriss, there are 77 organizations currently registered in the new Service Provider Directory.

As noted earlier, this service is secure and free-of-charge to the users. The law expressly prohibits the Office of the Attorney General from releasing names, addresses, phone numbers, and email addresses of those who register with the VINE system, thereby ensuring the victim's anonymity and safety. [725 ILCS 120/8.5(h)] With this mandate, there are concerns with the current vendor accessing this information.

System Improvement and Upgrades

As with any technology, improvements and upgrades are critical to maintain a robust system. Over the years, the Attorney General's Office utilized grant money to add the text messaging system (2011), upgrade the interfaces to 29 county systems (2012), and add DHS to the system (2012). VINEmobile was added in 2013 and the VINELink website was redesigned in September 2015.

Looking to the coming year, the VINE platform is being reviewed to determine whether its systems continue to adequately provide for the needs of registrants in Illinois. This review will include inquiries into the timeliness and accuracy of information provided through the system,

communication concerns with APPRISS, cost efficiency, and effectiveness of the platforms provided.

IL- VINE System Operational Costs

Until FY21, the operating costs for VINE were disbursed from the Violent Crime Victims Assistance (VCVA) Fund. The Violent Crime Victims Assistance Act imposes a fine on persons convicted of criminal offenses and certain offenses listed in the Illinois Vehicle Code. These fines are deposited in the Violent Crime Victims Assistance Fund, which was used not only for the VINE system, but also for victim service programs administered by the Office of the Illinois Attorney General, including grants to programs that provide services to crime victims. [725 ILCS 240/1 et. seq.]

Public Act 100-0987, effective July 1, 2019, made changes to the funding mechanism for the VCVA Fund. This law restructured the fines, fees, and costs assessed in criminal cases in Illinois, including the amounts deposited in the VCVA Fund. We continue to monitor the impact of Public Act 100-0987 on the VCVA Fund. In FY24 we received an appropriation in the State's General Revenue Fund (GRF) to cover operational costs of the Crime Victims Services Division. Annual VINE costs were paid out of that GRF appropriation. During the budget negotiation process for FY24, VINE Costs were shifted to the GRF appropriation, which is a more stable funding source. VINE is also being paid out of GRF for FY25.

In FY25 \$1,023,465.72 was paid from the General Revenue Fund for the system. While the language of our contract with APPRISS represents that the Illinois Enhanced VINE project will encompass all county jails and clerks, including Cook County, the Illinois Department of Corrections, and sex offender registry, there have been additional funds paid to Appriss through vendor contracts with Cook County and Offender Watch's Sex offender registry. The OAG requested an itemized accounting of additional amounts paid to APPRISS by counties and jails. That information has not been provided as of November 1, 2024.

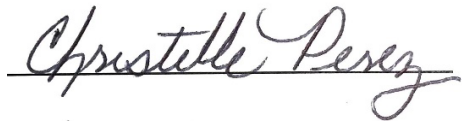
VINE System Benefits

The VINE system is a mechanism for providing notifications to registrants. The Attorney General's staff is dedicated to making sure the system's technologically serves its intended purpose, has appropriate safeguards, is up to date, user friendly, and well-managed.

To ensure the public is aware of this valuable service, staff from the Attorney General's Office provides training to agency users on the features and benefits of the VINE system. Training and a fact sheet are available to law enforcement, prosecutors, and victim advocates. In addition, the Attorney General's staff distributes materials about the system to interested parties throughout the state.

If you have any questions about the existing VINE system please do not hesitate to contact Sonya Tomkins at sonya.tompkins@ilag.gov or Christelle Perez at christelle.perez@ilag.gov of the Attorney General's Office.

Sincerely,

A handwritten signature in cursive script that reads "Christelle Perez". The signature is written in black ink and is positioned above a thin horizontal line.

Christelle Perez
Chief, Violence Prevention and Crime Victim Services Division