

From: Batsie, Daniel
Sent: Friday, April 14, 2023 5:08 PM
To: Martin LaLonde
Subject: S.36 Report Generation from Public Safety

Rep Lalonde,

I've now had an opportunity to speak to both the Agency of Digital Services and Commissioner Morrison regarding House Judiciary's question on Public Safety's ability to generate an annual report of arrests associated with changes made in S.36. I have to apologize as this request is evidently many orders of magnitude more complicated than I anticipated during testimony.

Commissioner Morrison had broad concerns. She noted that for DPS to create a report, "there would need to be new statute designations to distinguish these crimes from the "usual" assaults, criminal threatenings, etc." Altering Rule 3 to allow for unwitnessed arrest will not create a paper trail of which arrests relate to this new area of interest. In other words, there is no way, using the current system, to specify in a data search for just these arrests.

It might be possible to use addresses of hospitals, however, as ADS points out, these addresses are often very broad and could incorporate a large geographic footprint. If, for example, an arrest was made after a traffic stop on Pearl St adjacent to the hospital, it would show in the same way as a person arrested in the emergency room. While dredging by address would be sensitive, it would not be at all specific. Finding the specific data your committee requested would require our team to hand search each disorderly conduct, threatening, and assault case at the corresponding addresses to discern which were perpetrated against a protected party rather than a fellow patient or visitor. That would be significantly difficult and require resources our department does not have.

The Commissioner wanted me to note that she understands the desire to examine data once the changes are implemented. She would be happy to help sort this out in order to be able to give you what you want on the back end. It just may take significantly more effort than I originally anticipated.

Thanks very much for considering this input.

All the best,

Dan Batsie

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