



Statewide Needs Assessment and Plan for the Improvement of Public Safety Radio Communications Systems in Wisconsin

Governance Process

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1 Executive Summary

There are a multitude of PSMR governance processes in use today across the country at both the state and local levels. After researching the dominant models, **FE** has concluded that several characteristics permeate these structures:

- They are all a work in progress. Most have only been operating for a few years at the most, and are still in the stages of developing their charters and operating procedures. While some have made more progress than others, they are still learning from their early experiences and from each other
- There is no 'best current practice' in a single entity at this point. **FE** has identified the critical success factors from the most-successful efforts and has packaged them into a recommendation for Wisconsin that builds on the experiences of others but customizes it to the political and operational environment of the State and the local stakeholders
- There is a need for strong sponsorship, preferably at the highest levels (the Governor, if possible), to insure that the stakeholders see that this is a serious and committed effort on the part of everyone. Stipulation of clear goals and objectives, as well as limitations of power, are critical for the governance body and stakeholders to understand.

Based on the analysis, **FE** recommends a governance structure for Wisconsin with the following components:

- Creation of the governance body (we will use the name Statewide Interoperability Executive Committee – **SIEC** – as it is a name that is familiar to many in the public safety arena already, although the committee can create whatever name they feels is appropriate) by either legislation or an Executive Order from the Governor. This gives the highest level of support to the effort
- Include representation from the key stakeholders at the State agencies as well as within the local municipalities. Identify 12-14 key individuals who will provide strength in both leadership and technology issues. Initially, the groups should be co-chaired by OJA and the Enterprise Technology Division. Longer term it is expected that the group will self-select their subcommittee structure. The detailed membership recommendations are in Section 2.2.
- Make it a priority effort to formalize the Operating Principles, norms, and mission/vision of the organization.
- Focus the group on the following priority issues:
 - Finalize the funding priorities and processes so that the grant process may continue without missing any opportunities.
 - Develop a communications mechanism (including web-based content on a State web site).



- Finalize and publish (loudly) the technical and operational standards that must be followed for system design, funding, and expansion. **FE** will provide these during the final part of Phase III.
- Develop a self-review process and perform an internal 'efficiency' analysis on a quarterly basis.
- Depending on the technical architecture that is selected, the group should establish clear operational authority for the selected alternative. If a statewide system or hybrid system is chosen, **FE** recommends that the operational responsibility be placed as quickly as possible in the Enterprise Technology division to provide a neutral authority not affiliated with any existing public safety entities.

2 Introduction

The success of a major project like public safety mobile radio interoperability in Wisconsin will require a process that includes communication, coordination, planning, and on-going management. This process is called *Governance*. It will be critical for Wisconsin to develop an effective means to provide the oversight for the project.

The National Governors Association Center for Best Practices in the issue brief "Achieving Statewide Public Safety Wireless Interoperability" stated:

The governance structure is instrumental to building out an interoperable communications system. Not only does the governance structure solidify relationships and bring various stakeholders to the table, this body provides a vehicle for exploring innovative technologies and potential funding to achieve a given jurisdiction's vision of interoperability.

Including local representation on the governance body and in the interoperability planning process is critical. The state governance board that oversees the development of public safety communications needs to include the local public safety agency requirements for emergency communications.

Increasingly, across the country, governance bodies are using the title of **State Interoperability Executive Committee** (SIEC). The term was used by the Federal Communications Commission in its order on 700 MHz spectrum planning. Whatever title is chosen, the concept of an oversight board has much support throughout Wisconsin. Federal Engineering found during stakeholder interviews in Phase I of this project that **93%** of those interviewed felt that an oversight board is needed. This position was validated by responses from the



Technical Skills and Leadership survey. A total of **76%** of respondents supported the concept of a regional or statewide oversight board, and **65%** of the respondents indicated that they felt that their agencies would serve on an oversight board.

The National Task Force on Interoperability in its report “*Why Can’t We Talk*” puts the proposition clearly that:

“The key to a successful effort resides within the strengths of committed leadership and the governance structure. Well-defined and structured governance will empower the effort because it requires the cooperation of both the public safety agencies and elected and appointed officials. These groups possess the detailed process knowledge about their communities, regions, or States that can provide deep and broad perspectives on interoperability needs. Elected and appointed officials can play vital roles in the development, implementation, and institutionalization of interoperability. Working together, they can give governance structures a voice in the political arena and statutory authority, help fund interoperability efforts, and bring professional management and knowledge to the process.”

2.1 Models from other States

States that have successfully built or are building statewide of multi-jurisdictional public safety radio systems were researched on the question of governance. Some of the resulting organizations were formed through legislation, some were created by Executive Order, and still others were developed on an ad-hoc basis. Regardless of how they were created they share a common mission of insuring that the public safety radio communications systems under their jurisdiction work well and are interoperable.

To accomplish the mission, oversight boards take similar paths, but have structures that reflect functions that are appropriate for the locale served. Some paths have been long in development but have yet to reach fruition. A representative from one state indicated to **FE** that there had been many unsuccessful or partially successful attempts to build a statewide public safety radio system over the last twenty years. On the matter of governance, the representative indicated that there is a centralized state agency that serves in a support role to other agencies, and that perhaps the public safety providers would better serve that role. In January of 2004, the State issued an enterprise standard for public safety radio which includes the endorsement of P25. At this time, the State is planning a seventeen county metropolitan regional system as a demonstration project, and is seeking Federal Grant funding to build it. Based on



conversations with many of the State representatives, supplemented by information gathered by the NGA Center for Best Practices in Washington, DC, some examples of successful projects and the oversight structure employed are as follows:

2.1.1 CapWin

The Capital Wireless Integrated Network (CapWin) is a multi-state, multi-jurisdictional wireless public safety system. It is a partnership serving communities and agencies from Washington, DC, Maryland, and Virginia, working together to develop an integrated mobile wireless public safety and transportation system.

CapWin's strength lies in its governance structure, which is representative of all its stakeholders. The Project Steering Group was established to provide oversight and consists of nine members from state, local, and Federal agencies, including law enforcement, emergency medical services, transportation, and public works. The Steering Group exercises routine oversight responsibilities, but defers to the executive group on matters of policy. The Project Executive Group is a thirty-two-member body representing state, local, and Federal agencies from fire, police, emergency management, medical services, transportation, and publicly elected officials. This group facilitates the implementing of policies based on input from the Steering Group.

2.1.2 Colorado

Oversight and authority for building a statewide public safety voice radio system was contained in the enabling legislation creating the Public Safety Communications Trust Fund. This Act placed the responsibility for administration of the trust fund, which was seeded with \$50 Million, with the Executive Director of the Department of Personnel, and set forth criteria to be considered by the Executive Director to consider when carrying out this function.

The Executive Director was required to:

- Develop bid specifications for acquiring radio communications equipment for state entities
- Adopt rules for the participation of state and local government agencies in, and distributions from the trust fund
- Account for all activities in connection with the trust fund and report annually to the Governor, the Legislature, and state auditor



- Adopt recommended standards for replacement of analog radio equipment with digital radio equipment in the Department of Public Safety
- Adopt recommended standards and establish a timetable for the replacement of radio telecommunications equipment with a system that meets certain FCC requirements as they relate to the telecommunications needs of state agencies

The act also required the Department of Personnel, Division of Colorado Information Technology Services, to develop and implement a two-way radio (digital trunked radio) system for voice communications for state and local governmental agencies. In this way, Colorado chose to place system implementation with its own technology group.

2.1.3 Illinois

Illinois created a Terrorism Task Force (ITTF) in 2002, a policy making body of fifty-four voting members. The Task Force forges consensus through the work of subject matter experts organized into twelve standing committees and eight working groups to those committees. The Task Force meets each month and its committees report on significant activities and issues discussed and acted upon at committee meetings. Projects that originate from a committee or several committees working together receive budget allocations from the SHSGP award for the state. The budget for funding strategic priorities of the state, subdivided into state and municipal shares, emanates from this process.

Interoperable communications is one of the top priorities of the ITTF for 2004. The ITTF communications plan includes:

- Buying and strategically placing throughout the state nine mobile interoperable communications suites capable of patching various responding frequencies together.
- Completing the Illinois Regional Emergency Access Channel (I-REACH) system in the 20 counties currently without I-REACH.
- Putting emergency radios at all key regional hospitals.
- Beginning distribution *STARCOM 21* 800 MHz interoperable radios to every police, fire, emergency management, and public health department in the state if that system comes online in 2004.

2.1.4 Indiana

Indiana created the Integrated Public Safety Commission (IPSC) in 1999, and it has been a key factor in winning support from local jurisdictions.



The twelve-member IPSC provides structure to the state-local relationship. Under the management of the IPSC, the state is constructing the backbone infrastructure of a statewide interoperable radio system, and the local agencies are required to purchase their user equipment. There are no user fees, a plan that is favorable to the local agencies.

The IPSC Director of Implementation shared his insights with **FE** on the progress of building the statewide radio system. IPSC was created without any staff, and today has only seven staff members. This has been a limiting factor in deploying the system. Funding has been secured through a tax on motor vehicle fees. End-user support has increasingly developed during the project. The director indicated that he would have had more local involvement from the beginning, which would have facilitated the design and support. Although the IPSC was given bonding authority it has not had to use it. Beyond that the state financial experts do not feel comfortable the repayment model using motor vehicle taxes.

What should be of interest to Wisconsin is the plan to form a Midwest Interstate Consortia to develop an interoperability process for radio communications. Initially, representatives from Indiana, Kentucky, Michigan, and Ohio have designed a memorandum of understanding (MOU) to accomplish the formation of the consortia. The MOU has been forwarded to the Governors of the respective states. Wisconsin needs to track the progress of this initiative for the future.

2.1.5 Michigan

Michigan's Public Safety Communications System is operated by the Michigan Department of Information Technology (DIT). A MPSCS State Advisory Board composed of fifteen member representatives acts as an advisory panel to DIT.

The MPSCS State Advisory Board is charged with responsibility for review and recommendations regarding member fees including non-payment of fees, future MPSCS system features and enhancements, review and advise on customer service complaints, non-performance issues and potential member termination because of abuse of member privileges and/or non-payment of member fees.

Key to the state-local relationship is the MPSCS Membership Agreement that details:

- System operations and performance levels
- State responsibilities
- Member fees and responsibilities



- Relationship management, and
- Dispute resolution

The MPSCS is a mature system that has worked through implementation and operational challenges, and can provide years of practical examples for Wisconsin to consider.

2.1.6 Minnesota

Legislation in 1995 created the Metropolitan Radio Board (MRB) to build a radio system to serve the counties in the metropolitan Minneapolis – St. Paul region. Today, the successor to the MRB is the State Radio Board (SRB), which will serve as the statewide oversight group. The MRB will transition to a regional oversight group. The SRB must establish advisory groups for planning, design, implementation, and administration of the statewide, shared trunked radio system. Implementation and operations for the statewide system has been placed under the Office of Electronic Communications in the Department of Transportation.

The program director for the Allied Radio Matrix for Emergency Response (ARMER), which is name for the statewide system, provided comments on the project. He felt that broad participation by local jurisdictions in the planning from the beginning would have improved the process. MRB was originally envisioned as having a life of two to four years. The MRB created some ill will by locking up all the 800 MHz frequencies in the metropolitan region. Today, there are still issues to resolve:

- Duplication of efforts by SRB and MRB
- Disputes over bill payment
- Lack of predictability for funding – having continued changes to system cost
- No clear enunciation of a funding strategy, and
- Need new sources of funding – 911 Surcharge is no longer reliable

Minnesota is building on the history of its Metropolitan Radio Board and the lessons learned from that project as it seeks to expand the public safety 800 MHz trunked radio system.

2.1.7 Ohio

Ohio's Multi-Agency Radio Communications System (MARCS) was legislated in 1994. Legislation created a MARCS Steering Committee, composed of the directors of the major user agencies, to support the director of the Department of Administrative Services (DAS) in the



procurement, management, and operations of MARCS. Local and federal entities are now included on the Steering Committee. MARCS serves all law enforcement and public safety entities across the state. MARCS offer different types of fee-based access including: mobile voice, mobile data, and computer-aided dispatch/records management system. The Information Technology Services Division/DAS provides project management, implementation, and operations support for MARCS. Ohio placed responsibility for its system in the existing state technology division.

2.1.8 Utah

UCAN, the Utah Communications Agency Network (UCAN) was formed in May 1997. In the same legislation, the Communications Agency Network Board was created. The Board is comprised of one member representative selected by each member. Duties of the board are:

- Adopt bylaws by a majority vote
- Elect ten representatives to the Executive Committee
- Recommend to the Executive Committee broad policies for the long-term implementation and operation of the communications network, and
- Dissolve the UCAN as provided in the enabling legislation by a $\frac{3}{4}$ vote

UCAN's Executive committee is its administrative body, and there are fifteen members. The distribution of members is:

- Ten members elected by the Board from its local agency representatives
- Four members appointed by the Governor, and
- The Utah State Treasurer

The Committees duties are:

- Manage the affairs and business of the UCAN
- Appoint an executive director to administer the UCAN
- Act upon reports covering the operations of the network and the funds administered by UCAN
- Ensure that UCAN follows the law
- Approve the operating budget of UCAN
- Act upon recommendations of the chair
- Recommend changes to statutes governing the UCAN
- Develop broad policies for the operations of the network



- Execute contracts and other instruments on behalf of the UCAN
- Authorize the borrowing of money, the incurring of indebtedness, and the issuance of bonds

UCAN's Executive Director said that a legislated governance model works best because everyone knows the rules. He also felt that being an independent agency led to a higher comfort level among the local agencies. In fact, ten of the fifteen members of the Executive Committee must be local representatives. The Executive Director stated that having a date certain, February 8, 2002, for completion made everyone pull together. In the aftermath of September 11, 2001, people were further committed to getting the job done. They recognized that the Winter Olympics in Salt Lake City was the first major event with international recognition since the terrorist attacks.

2.1.9 Washington

Washington established the State Interoperability Executive Council (SIEC) as a permanent sub-committee of the Information Services Board (ISB) in July 2003. Four required tasks set forth in the enabling legislation of the SIEC to be completed by 2005 are:

1. Conduct an inventory of state government operated radio systems
2. Complete an interim statewide public safety communications plan
3. Conduct an inventory of all public safety radio communications systems in the state, and
4. Prepare a final statewide public safety communications plan

The SIEC has fifteen voting members. Thirteen members are specified in the enabling legislation. Two members are appointed by the ISB. It was created to:

- Develop sources of funding for the for state wireless communications systems
- Coordinate public safety band frequencies for the state
- Be a the point of contact to the FCC for public safety radio spectrum
- To make policy on technical standards for wireless communications
- Author proposed legislation to promote interoperability of state wireless communications systems
- Promote cooperation and coordination between public safety agencies



- Actively work with professional associations and technology groups to make certain that interoperability is developed among all public safety wireless communications systems in the state

Washington's SIEC is on fast track to complete its initial tasks, which will keep them focused on meeting its goals.

3 Structure Recommendation

The challenge for Wisconsin is now to design a governance structure that reflects the Wisconsin environment. As the State establishes a governance structure, the following guiding principles should be considered:

- Ensure involvement and participation from all agencies and jurisdictions involved. Turf battles can significantly be reduced or eliminated if all relevant agencies and jurisdictions, regardless of size, are brought to the table and allowed fair involvement and participation.
- If a statewide or regional system is being developed, the governance structure should be representative of all the disciplines and levels of government.
- Set realistic goals and objectives with a reasonable timeframe for the plan to work.
- Identify immediate short-term successes that can be achieved early on in the planning process. Such achievements will motivate participants to strive for long-term accomplishments.
- Explore and secure funding for both the governance structure to be able to do its job and to fund the interoperability effort. Funding problems and concerns are major obstacles to interoperability and can mean success or failure of the effort.
- Maintain ongoing, open lines of communication with all agencies and jurisdictions involved. A governance structure helps to facilitate ongoing dialogue and other communication between the stakeholders. With all parties, or representatives of the parties at the table, needs and concerns will be addressed to the extent possible.
- Create a set of operating values and principles, being aware that structures can be destroyed when cliques within the structure make decisions, when essential parties are excluded from the communication links, and when parties involved are not open and honest.
- Obtain the support of county boards, mayors and city councils, the Governor and State legislators, and other elected and appointed leaders. Many efforts fail because they do not have the support of elected and appointed officials, such leaders do not understand public safety radio communication needs, or they do not include elected and appointed officials in the planning process. [*Why Can't We Talk*, 2003]



Research by **Federal Engineering**, shown in Table 3, indicated that the governance body was most often created as a legislated entity. Some of the entities started out under an executive order, but were later codified.

Table 3 – How Governance Groups Were Created

STATE OR REGION	LEGISLATED	EXECUTIVE ORDER	MEMORANDUM OF UNDERSTANDING
CapWin			●
Colorado	●		
Illinois	●		
Indiana	●		
Michigan	●		
Minnesota	●		
Ohio	●		
Utah	●		
Washington		●	

Wisconsin must also foster cooperative efforts to ensure maximum efficiencies of design and funding. Establishing a State Interoperability Executive Committee will promote efforts to coordinate planning and resources. Potential cost-savings and/or avoidance opportunities that can occur include:

- Sharing infrastructure
- Cooperatively purchasing equipment, and
- Developing joint grant applications

3.1 Recommended Actions

Wisconsin should move quickly while there is still a national focus on creating public safety mobile radio communications interoperability. The State may also realize benefits from interoperability efforts within the surrounding region.

To forward the efforts to create an interoperable radio system in Wisconsin, **FE** believes that the Office of Justice Assistance should recommend to the Governor that an Executive Order be issued that creates a State Interoperability Executive Committee as soon as possible. When it is opportune, the Governor can request legislation to permanently codify the SIEC.



By taking this course, Wisconsin will continue to build on efforts that are already underway across the state. A SIEC will bring focus and organization to the task of improving interoperability between public safety radio systems.

3.2 Membership

The State Interoperability Executive Committee, reporting to the Governor, should include as many of the following agency representatives or their designees and organizations as possible:

- Superintendent, Wisconsin State Patrol
- Executive Director, Office of Justice Assistance
- Administrator, Division of Enterprise Technology
- Administrator, Wisconsin Emergency Management
- Wisconsin Counties Association
- League of Municipalities
- Alliance of Cities
- Wisconsin Chiefs of Police
- Badger State Sheriffs Association
- Wisconsin State Fire Chiefs Association
- Wisconsin Emergency Managers Association

The SIEC should initially be co-chaired by representatives from OJA , with the Governor's express approval of these individuals to establish clear sponsorship. Each representative shall have one vote. The SIEC should meet monthly.

The Governor may also appoint tribal and federal representatives to the SIEC.

The broad make-up the SIEC will encourage the exchange of ideas and ensure that design requirements will consider both state and local needs.

3.3 Implementation and Operations

Successful projects require experience and management to achieve desired outcomes. An understanding of existing and emerging technologies is an absolute necessity. The prevalent direction of technology is the standardization on the Internet Protocol (IP). It would be best to place responsibility for the actual implementation and eventual operation with an entity that has the skills and experience in that area. In Wisconsin, the most knowledgeable organization, to lead the implementation and operations of the



solution that is chosen by the SIEC, is the Division of Enterprise Technology (DET).

The Division of Enterprise Technology has knowledge of:

- Current and emerging technologies
- Projects involving multiple agencies
- Building systems for performance and cost-effectiveness, and
- Procurement processes

The Division has further accountability to the Governor and the Legislature, besides seeking project approvals from the State Interoperability Executive Committee. DET has the background to create a workgroup that reflects radio communications experience and operations throughout the state. This work group would help to develop specifications for bids and to evaluate bid responses. An important role of the workgroup is communications to the SIEC so that its representatives have input for their decisions, which will lead to good decision-making as Wisconsin deals with creating and/or improving public safety mobile radio communications interoperability.

