



TEXAS CRIMINAL JUSTICE INFORMATION SYSTEM
RECOMMENDATIONS FOR SYSTEM IMPROVEMENTS
FOR THE 1994 - 1995 BIENNIUM



September 30, 1992

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U.S. Department of Justice
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The Policy Council would especially like to recognize the local agency representatives from around the state who have provided input on system design and reporting procedures which would directly affect the functioning of their agencies. The input received from each of the regional hearings and subsequent correspondence has been crucial to developing a system which responds to the needs of the local agencies who will use it the most. A special acknowledgement is extended to the local clerks and data system experts who tirelessly attended planning meetings and provided insightful solutions throughout the planning process.

The Policy Council would also like to acknowledge the United States Department of Justice, Bureau of Justice Statistics and Bureau of Justice Assistance, for their continual support of criminal history records improvement activities in Texas.

EXECUTIVE SUMMARY

This report is in response to Chapter 60.16, Code of Criminal Procedure (CCP), which mandates a report proposing improvements to the Criminal Justice Information System (CJIS) to take place during the biennium beginning September 1, 1993. Since 1989, when Chapter 60 created CJIS, several major achievements have been realized.

- Development of the enhanced Computerized Criminal History (CCH) system by the Department of Public Safety;
- Successful testing of electronic data reporting over telecommunication lines between CCH and Tarrant County's IBM data system;
- Selection of Nueces County to serve as a second test county to develop a non-IBM reporting interface;
- Acquisition of \$820,000 in federal funds to assist DPS and two test counties in system conversion and electronic reporting implementation;
- Creation of a DPS pilot project in Caldwell County to test the proposed manual reporting procedures;
- Development of the Corrections Tracking System by the Department of Criminal Justice;
- Creation of the DCJ's automated State Ready System for sending inmate commitment packets electronically from county sheriffs' offices prior to the transfer of inmates to state facilities; and
- Establishment of a funding program, through a federal criminal justice records improvement initiative, available to counties to implement Chapter 60, CCP, and establish links from counties to the state for electronic reporting.

Local input has been the key to developing a system which is responsive to local needs. Efforts have been made to include local input throughout the planning, development, and implementation stages of the state CJIS. A complete list of forums for local input is in Chapter One. Through these forums, local law enforcement, prosecutors, court clerks, supervision personnel, and data system experts contributed ideas for improvements to the proposed CJIS. Chapter Two explains the CJIS system design, benefits, and information availability. The plan to link Texas counties with the CJIS is discussed in Chapter Three. Chapter Four provides insight on the feasibility of linking CJIS to the Incident-Based Reporting (IBR) system. Chapter Five provides more detail on the recommendations for CJIS system improvements received from local input as well as a timetable and cost estimate for each recommended improvement. The issues which apply to the 1994 - 1995 biennium and beyond are summarized below.

The legislature should consider providing direction on and resources necessary to address the following recommendations:

- (1) The state should conduct an extensive evaluation of criminal justice reporting requirements in order to reduce the burden of duplicative reporting on local jurisdictions.
- (2) CJIS should have the capability to receive arrest data electronically from automated law enforcement agencies in addition to its currently designed capability to electronically receive case tracking data from county data processing departments.

(3) The offense codes required by CJIS should be standardized state-wide and be specific to Texas statutes.

(4) The system design should include ethnic categories as a data field in CJIS.

(5) The investigative capabilities of CJIS should be increased by designing the probation, prison, and parolee databases to be searched interactively by suspect describers or by periodically sending these data sets to criminal justice agencies for interactive queries on PC's.

(6) Electronic records in CJIS should be accepted as proof of conviction.

(7) A system should be implemented to notify probation and parole offices through CJIS of the re-arrest of individuals under their supervision.

(8) A system should be developed by which agencies are notified through CJIS of parole hearing dates.

OFFENDER BASED POLICY ANALYSIS SYSTEM (OBPAS)

Implementation of the new Texas CJIS has as its primary goal the provision of complete and accurate criminal history information to law enforcement agencies, prosecutors, and corrections departments to help them make more informed offender processing and treatment decisions. Data in the CJIS will also provide policy makers with the opportunity to analyze the operations of the criminal justice system and use this new information in their funding decisions. Accomplishing this policy analysis goal will require the following actions.

- Identification of vital CJIS policy analysis data elements;
- Periodic extraction of CJIS policy analysis data sets;
- Establishment of an interactive database file which will allow policy relevant questions to be answered;
- Maintenance of the database and continued periodic data set extraction to keep the data relatively current; and
- Maintenance of research staff skilled in policy relevant statistical analysis to objectively interpret the data sets.

The legislature recognizes this continuing need by including in Chapter 60, CCP, the provision that the Criminal Justice Policy Council can receive data files from the Department of Public Safety and Department of Criminal Justice on an annual basis (Chapter 60.03(b), Code of Criminal Procedure) and on a more frequent basis with the approval of the directors of DPS and DCJ. It must be added that spontaneous interactive queries of the CJIS databases will not be allowed as these could greatly downgrade the response time to operational users.

It should be noted that the CJIS is optimized for use by operational agencies. To use CJIS data for policy analysis requires a completely different data extraction and analysis approach which involves policy relevant research skills. OBPAS will maximize policy relevant research uses of CJIS data.

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CHAPTER ONE

Background

CHAPTER 60, CODE OF CRIMINAL PROCEDURE

In 1988, the Criminal Justice Policy Council (CJPC) conducted an analysis of the records retained in the Department of Public Safety's (DPS) Computerized Criminal History (CCH) system. The "Analysis of the Texas Computerized Criminal History System", October 1988, concluded that many records in the CCH were lacking corresponding dispositions, and tracking an offender through the system was impossible. In addition, with no reporting requirements placed on local jurisdictions and local governments facing budget constraints, many agencies have unwillingly chosen not to report to the state. The analysis has served as the basis for the creation of a new information system which has the capability to track offenders and cases through the criminal justice system.

In an effort to enhance criminal justice information, the 71st Legislature created the Texas Criminal Justice Information System (CJIS), and the 72nd Legislature clarified the operations and expectations for the system. The requirements are codified in Chapter 60, Code of Criminal Procedure (CCP). The Chapter 60 mandates include the following.

- Enhancements to the Computerized Criminal History system managed by the Department of Public Safety;
- Creation of a Corrections Tracking System (CTS) to be managed by the Department of Criminal Justice (DCJ);
- Establishment of an electronic link between the enhanced CCH and the CTS;
- Encouragement of electronic reporting of court disposition and sentencing data between local contributors and the state;
- Coordination of all county criminal history record systems with the CJIS;
- Assignment of a CJIS incident tracking number to each arrest incident for all arrest charges reported to the CJIS. The CJIS incident tracking number will follow the offender through the system;
- Mandatory reporting to the state of all arrests for felonies and Class A and B misdemeanors;
- Mandatory reporting to the state of all court dispositions of arrests for felonies and Class A and B misdemeanors;
- Collection by DCJ of start and end dates for each offender's participation in corrections programs, level of probation or parole supervision, and reason for termination from programs;

- Holding of at least three regional hearings in the state to allow input on local needs for the CJIS; and
- Implementation of the CJIS by January 1, 1993.

STATE-WIDE FORUMS FOR LOCAL INPUT

Local entities will provide the bulk of the data in the state CJIS, and, when implemented, the system must meet local needs for it to succeed. Several forums have been created to allow for local and state input on CJIS system design, system implementation, and the electronic reporting of data. Participants in these forums include: local and state data systems experts, district clerks, county clerks, prosecutors, law enforcement, and corrections personnel.

Drafts of proposed legislation creating the CJIS and subsequently modifying it were distributed by Policy Council staff to local and state criminal justice system experts for review and suggestions. Suggestions were incorporated into the draft legislation where applicable.

While the participants in each forum have changed, the end result has been greater local participation than if a fixed membership task force had been created at the outset. Systems experts were brought into the decision making forums which best suited their areas of expertise. Continuity was maintained by ensuring a "core participant" list.

The following is a descriptive list of the forums:

(1) Statewide CJIS Workshop I.

Hosted by: Criminal Justice Policy Council; financial and technical assistance from the Criminal Justice Statistics Association and the United States Department of Justice, Bureau of Justice Statistics. Held December 5, 1989.

Participants: Representatives from state agencies, county data processing, law enforcement, prosecutors, courts personnel, judges, academia, and state policy makers. Representatives from California and New York were invited to give background information on those states' systems.

Purpose: To obtain user and contributor input on the design and implementation of the system.

(2) Reporting Study Committee.

Created by: Criminal Justice Policy Council.

Members: District clerks and county clerks.

Duties: Review and analyze existing reporting requirements; provide a local perspective on the CJIS; identify user requirements; and develop recommendations to improve reporting procedures.

Reports: "Reporting Requirements the State has Placed on Local Governments - Analysis and Recommendations", November 1990.

Recommendations:

- Maximize the use of existing automated and telecommunications capabilities.
- Automated local agencies should submit required reports to state agencies through electronic reporting
- Repeal provisions requiring clerks to report convictions to state licensing boards and replace them with a "computer matching" system.
- The state should consider reimbursing counties for the cost of meeting the needs of the Criminal Justice Information System and address the hardware, software, and telecommunications needs of smaller jurisdictions.
- Amend the Code of Criminal Procedure to enhance sentencing data collection.

(3) Technical Subcommittee.

Created by: Reporting Study Committee of the Criminal Justice Policy Council.

Members: DPS, DCJ, Department of Information Resources and local data systems experts.

Duties: Advise the Clerks Reporting Study Committee on technical issues; assist in the design of the CJIS; and review and make further refinements in the system.

Reports: The "Telecommunications Study", December, 1990.

Recommendations:

- Texas can implement a new state-of-the-art telecommunications network to replace current networks.
- If a new network replaces current DPS networks (TLETS), then FBI regulations on "management control" by a criminal justice agency must be addressed.
- If existing DPS networks are used for electronic reporting, upgrades will be necessary.

(4) Telecommunications Advisory Committee.

Created by: Criminal Justice Policy Council.

Members: Criminal Justice Policy Council, DPS, DCJ, and data systems experts from seven of the largest counties in Texas.

Duties: Develop standards and protocols for the electronic reporting of criminal justice data from counties to the state (these reporting standards will be based on the work performed by DPS and Tarrant County aimed at developing a prototype for electronic transfer of data.); examine user requirements and develop recommendations to achieve complete and accurate criminal justice records; and examine the flow of the counties' systems to coordinate them with the flow of the CJIS.

(5) CJIS Planning Board.

Created by: Department of Public Safety.

Members: Representatives of the criminal justice system including district clerks, county clerks, prosecutors, local law enforcement, Department of Public Safety, Department of Criminal Justice, and the Criminal Justice Policy Council.

Duties: Evaluate all prior assessments; provide solutions to current system problems; review current legislative requirements and administrative procedures; provide a forum for developing a CJIS which responds to the needs of local agencies; facilitate the standardization of reporting procedures; and advise on implementation of the statewide CJIS as mandated by Chapter 60, Code of Criminal Procedure. Intended to serve as an on-going Criminal Records Improvement Task Force.

(6) CJIS statewide Workshop II.

Hosted by: Department of Public Safety held this workshop on December 2, 1991.

Participants: Representatives from local law enforcement, prosecutors, court personnel, and corrections agencies participated in the workshop.

Purpose: To obtain further user and contributor input on the implementation of the system.

(7) Regional Public Hearings.

Held by: Criminal Justice Policy Council, Department of Public Safety and Department of Criminal Justice on April 27, 1992, in the Fort Worth area; May 11, 1992, in the Houston area; and May 18, 1992, in El Paso.

Purpose: Address questions and receive input on the development and design improvements from interested local law enforcement, prosecutors, courts, community corrections agencies and data processing departments.

Public hearing notices were mailed directly to approximately 2,000 agencies in Texas including the following list.

- Local police departments submitting more than 200 fingerprint cards during 1991;
- All elected sheriffs;
- All elected district and county attorneys;
- All elected district and county clerks;
- Members of the Texas Association of Governmental Data Processing Managers;
- Members of the Texas Criminal Justice Information Users Group;
- Local agency representatives of the CJPC's Telecommunications Advisory Committee;

- **Field commanders for the grant funded multi-jurisdictional narcotics task forces;**
- **Members of the Texas Association for Court Administration; and**
- **All Chief Adult Probation Officers in the state.**

In addition to the direct mailouts, a notice of each hearing was posted in the Texas Register. Information on CJIS development and design was sent to those respondents who were unable to attend the hearings.

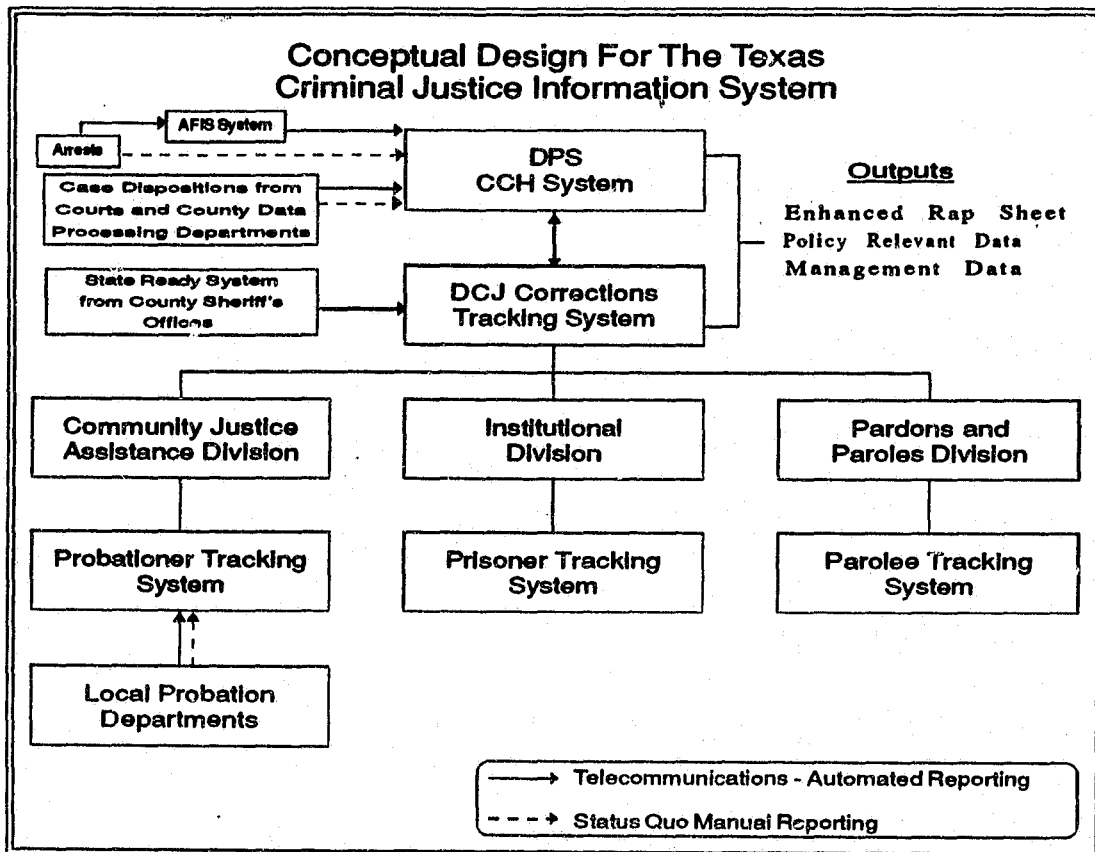
Results: In Tarrant County, 97 people attended the hearing, in Harris County 73 attended, and in El Paso 22 attended. Following the hearings, letters were sent to all of the attendees requesting that any further suggestions be sent in writing for inclusion in this report. Chapter Five discusses those suggestions which apply specifically to future CJIS enhancements. The rest of the recommended system improvements received from local contributors during the hearings and in follow-up correspondence are listed in Appendix A.

CHAPTER TWO

CJIS Design and Information Availability

CJIS DESIGN

CJIS will consist of two primary components: the Computerized Criminal History (CCH) system and the Corrections Tracking System (CTS). The CCH was originally developed in 1970 and is managed by the Department of Public Safety. The CCH will continue to store arrest and court disposition data, although in a considerably enhanced mode. The CTS is a new system mandated by the Texas Legislature in 1989 and is being developed by the Department of Criminal Justice. The CTS will store data on probationers, prisoners, and parolees. While these systems are physically and functionally separate, the need to share information between them is evident. These two systems will be electronically linked to allow the transfer of data between them as well as between the state and local users.



BENEFITS OF CJIS

The state's criminal justice information historically has been retained in various databases. The DPS keeps criminal history records, and DCJ keeps corrections information in separate probation, parole, and prison databases. The benefits of CJIS stem from the design of the system. That is, all criminal history information will be retained in the DPS's enhanced CCH, and all corrections and supervision information will be retained in the DCJ's CTS. It is the link between these two systems that will provide comprehensive criminal history and corrections data on all offenders in the state.

Most large and mid-sized counties operate on automated criminal justice systems. Each area of law enforcement must enter data into their county's system. Virtually the same information is reported manually to the state's automated system. When CJIS is operational, electronic links between county data systems and the state CJIS will be developed. For counties electronically interfaced with the CJIS, required court filing, disposition, and probation tracking data will be sent over telecommunication lines to the state CJIS.

Electronic reporting is the key to providing a system that is beneficial to both the state and local agencies. Electronic reporting will provide several benefits.

- Eliminate manual reporting of court filing data by those counties implementing electronic reporting;
- Eliminate manual reporting of court disposition data by those counties implementing electronic reporting;
- Create the potential to further reduce manual reporting in the future;
- Decrease the costs incurred by the state from manually entering data received from automated counties;
- Decrease the backlog that occurs in entering data into the state's system; and
- Send "state ready" information to DCJ's Institutional Division prior to the transfer of prisoners.

Approximately 60% of court disposition and sentencing data entered into the system originates from seven of the largest counties in Texas. With approximately nine of the largest counties expected to go on-line with electronic data reporting in the first year of CJIS implementation, the existing data reporting burden on the counties, the state data entry costs, and the state data entry backlog will decrease significantly. Additional benefits are listed below.

- Detailed criminal history information as well as corrections status and treatment program information to law enforcement;
- Detailed criminal history information to prosecutors to assist in identifying repeat or habitual offenders;
- Corrections treatment information to prosecutors to assist in determining proper sentence recommendations;
- On-line positive identification response from the DPS to county data systems;

- The ability to reduce or eliminate duplicative manual reporting to state licensing agencies; and
- System processing information to policy makers to use in making funding decisions.

Under the former CCH system, arresting agencies sent a completed fingerprint card to DPS and subsequently received a rap sheet from DPS containing the suspect's State Identification Number (SID, or DPS Number) and any prior criminal history. By the time the arresting agency received the rap sheet with positive identification of the individual, the case may have been referred to the prosecutor's office and the suspect may have been convicted, released, or transferred to the custody of another county or state. This created a reporting problem in that the arresting agency does not always know the status of the case after filing, and the rap sheet containing the suspect's SID may not catch up with the defendant. Therefore, subsequent case disposition reporting by the court will lack a verified SID.

For those agencies interfaced with the new CJIS, after the DPS makes a positive identification from the fingerprint card, an electronic message containing the SID and other identifying information can be sent to the county data processing department. This way, the court disposition records, which will be sent electronically to the CJIS from the county systems, contain all necessary identifiers, including the SID's. Rap sheets will also be sent to the arresting agencies and, if requested, to the prosecutors. This procedure ensures that, even in non-automated counties, the prosecutors will have all criminal history data as well as the correct SID for the individual.

INCREASING INFORMATION AVAILABILITY

One goal of the CJIS design is to increase and enhance the information currently available on offenders by providing a comprehensive database of criminal history, disposition and supervision information to local law enforcement, prosecutors, courts, and supervision agencies in the state. The Criminal Justice Policy Council's "Analysis of the Computerized Criminal History System Database", October 1988, found that a lack of local reporting has been one obstacle in maintaining a complete and accurate state-wide database on offenders. Chapter 60, CCP, mandates local agencies to report to ensure a more accurate and complete criminal justice database.

- Arresting agencies must report arrests within seven days;
- Court clerks must report within thirty days of their receipt of the data; and
- Offender filing and case disposition data should be reported electronically whenever possible.

More agencies will be reporting arrest and offender processing information to the state. In addition, more types of information will be reported. The following is a list of the types of information which various agencies will report.

- Law enforcement will report each applicable charge on a separate Incident Tracking Form, which has a unique pre-printed Incident Tracking Number; suspect characteristics; whether an offense affects driver's license privileges; citizenship status; and additional identification numbers.
- Prosecutors will report the acceptance, rejection or change of the original arrest charge; whether a rejection is a result of a successfully completed pre-trial diversion

program; the level and degree of added and changed offenses; the appropriate offense codes for all charges; and any added charges.

- The courts will report the court cause number; final pleading and case disposition; date of disposition; offense disposed; the degree of each offense disposed; sentence for each offense; amounts of any fines; the agency to receive custody; appeal status; and final court decision on the appeal.

Community Supervision and Corrections Departments (CSCD's) will provide probationer data to the state CJIS through DCJ's Community Justice Assistance Division (CJAD). This reporting can be manual or electronic.

- CSCD's will report probationer characteristics; offense type and sentencing information; each type of program entered and the treatment strategy; level of supervision; transfer information; program exit information; and details of probation revocation.

The State Ready System, developed by the Department of Criminal Justice as part of the Corrections Tracking System, will be used to enter information on inmates awaiting transfer from county jails to DCJ's Institutional Division (ID). The State Ready System is compatible with any county's system, from a PC to a mainframe, and data can be sent from the CSCD to the CTS electronically. Electronic reporting of state ready information will enhance the intake process at DCJ-ID and provide a more accurate database relative to the volume of Parole In Absentia (PIA) or Prison Management Act (PMA) eligible inmates housed in county jails.

With more information being reported, more information on offenders relative to criminal histories and corrections statuses will be available through CJIS. When CJIS is queried, the enhanced CCH will inform the user of the offender's criminal history and corrections status and indicate whether additional corrections tracking information is available in CTS. The CTS will provide the following information.

- offender characteristics;
- probation, parole, or prison status; level of supervision (current and past);
- offense for which the individual is on probation or parole;
- from where the individual is on probation or parole;
- the probation or parole officer responsible for the individual; and
- assigned treatment programs and completion status.

Since some individuals, such as prosecutors, have a routine need for both the DPS CCH record and the DCJ CTS record, the DPS is creating an inquiry screen which provides a CCH and a CTS reply in response to one transaction. This will alleviate the time it takes to access each system separately and will allow faster access to CJIS data.

Participants in the local input forums were addressing system design and operational aspects of the CJIS and generally did not express a need to add additional data elements to the CJIS databases. One area in which state and local input has encouraged an increase in the level of detail is in the collection of ethnicities, such as "Hispanic". The current CJIS design does not include the collection of ethnic categories, only race categories. In the first phase of system enhancements scheduled to occur in 1995, DPS will add a one character "Ethnicity" field in the

identification segment. This information is currently available in the Uniform Crime Reporting (UCR) system, however, for local and state evaluation purposes, ethnic categories are desirable in CJIS.

Another area of local concern is gang affiliation. This information will not be reported to either the CCH or CTS component of CJIS because of a lack of reliability. DCJ-ID keeps some internal information on suspected gang affiliation while the offender is in the Institutional Division. This information is reported by DCJ-ID to the parole office as the individual leaves prison and goes on parole. Suspected gang affiliation while in the Institutional Division could be included in a later version of CJIS through CTS, but gang activity will not be reported by local law enforcement to the CCH.

The CJIS design and Chapter 60, CCP, reporting requirements will enhance and increase the level of detail currently available on individuals in the criminal justice system. As the system is implemented state-wide, local input will continue to play an important role in increasing any information available from the system. Through on-going CJIS state/local forums, future suggestions to increase data items reported will be encouraged and evaluated. The Department of Criminal Justice will conduct a survey of CTS contributing agencies to determine any areas of information availability which need to be added or further enhanced. The Department of Public Safety will conduct regional meetings and on-site training during which the CJIS Field Representatives will receive input on any needs to increase the amounts or types of information currently available in CJIS. This local input will have an impact on determining any areas where more information must be made available on a local level.

CHAPTER THREE

Linking Counties with the State

FIVE PERCENT SET-ASIDE

Duplicative reporting has created problems in crime records improvement. For example, in the largest automated counties, court clerks enter case processing and disposition information into their county systems. Meanwhile, they report manually to the state where the data is entered into the state's automated system. In order to reduce duplicative reporting placed on local agencies, the state is encouraging electronic reporting from the automated county data systems to the state's central repository and, as allowed by available federal funds, the automation of manual court systems.

Two federal initiatives are designed to assist the states in improving their criminal history information. The first initiative is a result of Section 6213 of the Anti-Drug Abuse Act of 1988 which requires the United States Attorney General to develop a system for the immediate and accurate identification of felons who attempt to purchase firearms but who are ineligible to do so pursuant to federal law. As part of this initiative, the United States Attorney General implemented a nationwide Criminal History Record Improvement (CHRI) program which provides \$27 million to the states over a three year period for criminal history records improvement. The program is administered by the Department of Justice (DOJ), Bureau of Justice Statistics (BJS).

Under this program, the Criminal Justice Policy Council received \$470,000 for fiscal year 1991 and \$350,000 for fiscal year 1992. Most of the funds were passed through to the DPS for their CJIS system conversion and to two counties to test electronic data reporting from counties to the state. The CHRI initiative is a three year program, and FY 1992 is the last year these funds will be available.

The second federal initiative, the Criminal Justice Records Improvement (CJRI) program, is administered by the United States Department of Justice, Bureau of Justice Assistance (BJA). Each state must set aside no less than five percent of its DOJ block grant funds (Edward Byrne Memorial State and Local Law Enforcement Formula Grant) for the improvement of criminal justice records. In Texas, this amounts to \$1.28 million for fiscal year 1992. Each state must continue to set aside five percent of this money until its criminal justice records are in compliance with federal guidelines.

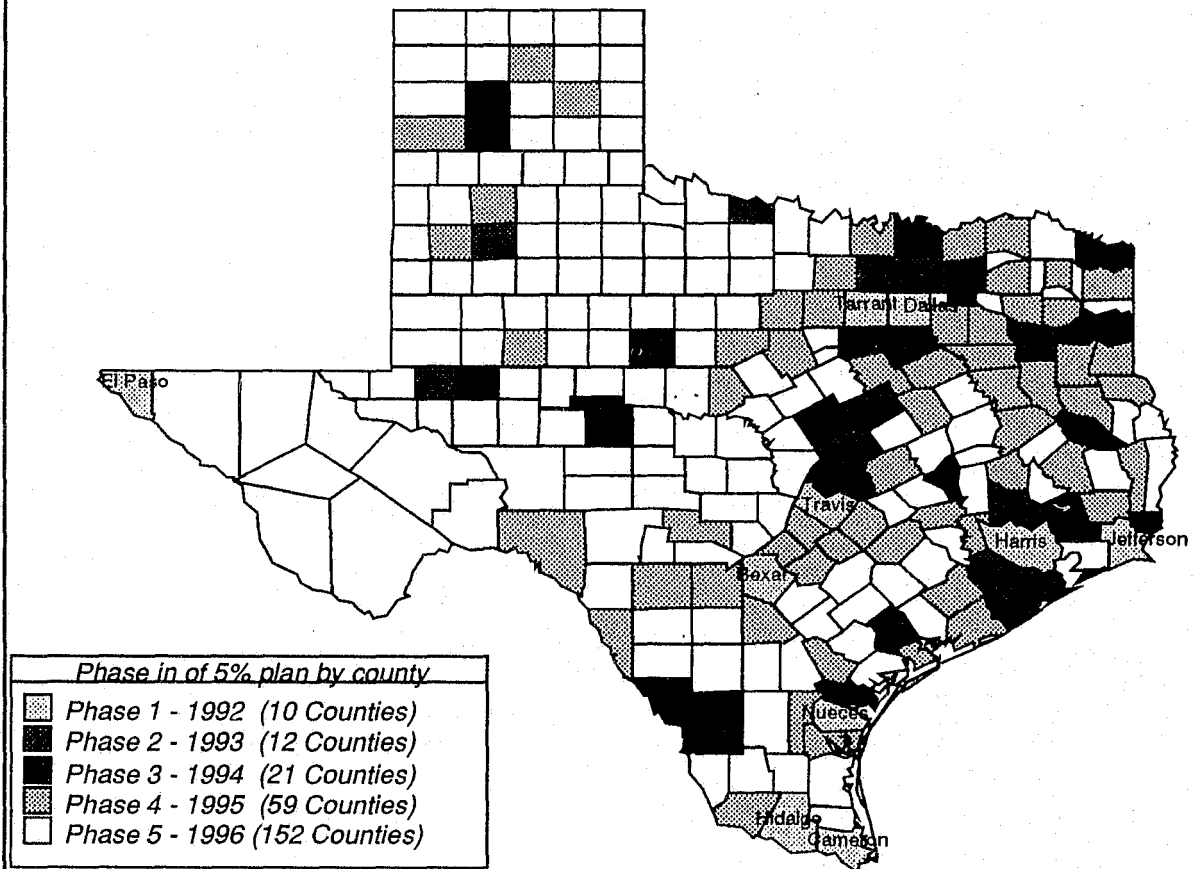
As part of the CJRI program requirements, the Criminal Justice Policy Council prepared the "Criminal Justice Records Improvement Plan for the State of Texas" on behalf of the Office of the Governor, Criminal Justice Division, which administers the federal funds. The plan was approved by the Department of Justice on June 24, 1992. This plan proposes that "set-aside" funds be distributed to counties, in population order, for system conversion, electronic reporting implementation, and reporting data to the CJIS in a standardized format. The rank ordering of counties will ensure that those reporting the most dispositions will be on-line first, thus reducing the amount of data currently entered manually at the state's central repository.

Seven of the largest counties, all of which will be among those counties receiving grant funds in 1992, account for approximately 60% of the dispositions reported to the state. After these counties complete system conversion, the amount of manual data entry at the central repository will decrease significantly. These counties have been involved in designing a system and establishing reporting procedures responsive to local needs. Local input will continue to be an important aspect of system conversion as more counties interface with CJIS.

Each county may apply for a maximum one time award of \$200,000 for system conversion and records improvement. The award requires a 25% match by the applicant (\$150,000 grant funds plus \$50,000 local funds). Each year, the funding will be awarded on a population basis until all counties are converted. As the size of the counties decreases, the amount of the award may decrease as smaller systems may require less expense. This would increase the number of counties awarded money each year, thus speeding up the conversion process. The "Proposed Implementation Schedule for the CJRI Plan in Texas 1992-1996" is on the following page. This schedule was originally published in the "CJRI Plan for the State of Texas".

If several counties have similar systems and would benefit by combining their system conversion efforts, a group of counties may apply as one entity, thereby increasing their affected population and moving them up on the funding order list. The DCJ and DPS will coordinate a survey of county data systems in order to determine which counties operate on similar systems. The effort will entail input from the Texas Criminal Justice Information User's Group (TCJIUG), the Texas Sheriff's Association, and the Texas Association of Governmental Data Processing Managers (TAGDPM).

PROPOSED IMPLEMENTATION SCHEDULE OF CJRI PLAN IN TEXAS 1992-1996



CHAPTER FOUR

CJIS and IBR

LINKING THE TWO SYSTEMS

The Incident-Based Reporting (IBR) system was implemented by the United States Department of Justice, Federal Bureau of Investigation, for local agencies to report incidents of crimes and arrests in a uniform manner. Local agencies must report all reported incidents and arrests for crimes classified as Index Crimes and arrests for all other crimes. Index crimes are: murder, rape, robbery, aggravated assault, burglary, theft, motor vehicle theft, and arson. Local agencies report IBR data to the DPS. The DPS compiles the data for state and local use and provides the data to the federal government for national crime analysis.

The legislature and local input has indicated a desire for the state's CJIS to be linked to the IBR system in order to ease the reporting burden placed on local jurisdictions and increase data availability. Although CJIS and the new IBR system share some common data, significant differences must be examined while considering a link between the two systems. Those differences include the types of offenses reported, data codes, agency participation, and the life of the data in each system. The "Comparison of Data Collected for IBR and CJIS" on the following page compares the two systems in relation to pertinent data compatibility issues.

In a meeting of 78 Uniform Crime Reporting managers and data processing representatives held at the DPS, there was a consensus that extracting the partial IBR data that would be available from their agencies' CJIS submissions would cause more complexity and require more resources than simply to report all of an agency's IBR arrest data through the separate IBR reporting programs. To extract the partial IBR arrest data from CJIS would require adding fields to the CJIS forms and would create more burden on local agencies than the small reduction in duplicate reporting which would be realized from extracting the partial data from CJIS.

The same group discussed linking CJIS and IBR through the inputting of the CJIS Tracking Number in the Arrest Transaction Number field in IBR. This link would allow an unprecedented view of the data in that the reported offense could be identified and followed through the system, in those cases where the link was made. The group felt that this was feasible, but identified instances in which the CJIS Tracking Number may not be available at the time of IBR reporting. There was consensus that linking in this manner was a good idea as long as it was a secondary priority to the actual reporting of the data itself. It was also pointed out that the link could only be potentially made in approximately 20% of the reported UCR index crimes (in addition to all other felonies and Class A and B misdemeanors), and that the link could only be made on offenses reported by agencies who have converted to the IBR system of UCR reporting.

The IBR Arrest Transaction Number data field is a mandatory field, thus for those offenses which fit the CJIS/IBR common link criteria, records in CJIS will be linked back to the IBR record. It should be restated, however, that the link will not be possible in the following circumstances.

- In jurisdictions which have not implemented IBR;
- Where either the local jurisdiction or the state has archived the IBR data set;
- In the cases of Class C misdemeanors; and
- In IBR records for which an offense with no arrest (80% of the index crimes) occurs.

Comparison of Data Collected for IBR and CJIS

	IBR Class I Offenses	IBR Class II Offenses	CJIS
Types of Offenses	Index Crimes - no arrests (80%) and Index Crimes - with arrests (20%)	Arrests for all non-Index crimes (100%)	Arrests only
Felonies	All	All	All
Misdemeanors	N/A	Class A, B, and C	Class A and B
Offenders	Juvenile and Adult	Juvenile and Adult	Adult
Data Codes	Federal IBR standards	Federal IBR standards	CJIS/state needs and federal standards
Participation	Voluntary	Voluntary	Mandatory
Life of Data	Short term	Short term	Lifetime of offender

The issue of data code incompatibility can be overcome by "translation tables", but the consideration that IBR will contain significant numbers of records for which no arrest is made is of concern. During 1991, only 20% of all index crimes reported to IBR were cleared by arrest. A total of 1,356,451 index crimes was reported, which means that for 1,085,160 (80%) of those crimes no arrest was made, and those records cannot be linked to the CJIS. (See chart on Page 17.)

For those records in IBR which do have a subsequent arrest, a link is possible from CJIS to IBR but not vice versa. A link between CJIS and IBR would open up a whole new area of crime research not possible with existing separate systems. Benefits will accrue for the 20% of index

crimes and 64% of the lesser crimes (adult arrests for non-index felonies and Class A and B misdemeanors) in CJIS for which an arrest is made during the IBR reporting year. An IBR offense with a subsequent arrest would be able to be followed through the criminal justice system.

For arrests on index crimes which occur in a subsequent year, a CJIS-IBR link is possible if the IBR record has not been archived. While, theoretically, IBR data could be kept on-line for extended periods of time, the costs of additional computer storage needed to accomplish this -- both at the state and local levels -- must be considered in relation to perceived benefits.

LINKING CJIS AND IBR

- **"PART I" IBR CRIMES -- ALL REPORTED INDEX CRIMES, WITH OR WITHOUT A SUBSEQUENT ARREST**
 - 1,356,451 index crimes reported in 1991
 - 271,290 had a subsequent arrest that year (20%)
 - 1,085,161 had no subsequent arrests (80%)
- **"PART II" IBR CRIMES -- ALL ARRESTS FOR ALL NON-INDEX CRIMES**
 - 1,003,081 total arrests of adult and juvenile offenders in 1991
 - 133,569 total juvenile arrests
 - 223,581 adult arrests for Class C misdemeanors
- **CJIS CRIMES -- ALL ARRESTS OF ADULT OFFENDERS FOR OFFENSES CLASSIFIED AS CLASS B MISDEMEANORS OR ABOVE**
 - 20% of the "Part I" crimes in IBR
 - 64% of the "Part II" crimes in IBR
- A link from CJIS to IBR is beneficial for those records in CJIS which can be linked to the 20% of reported index crimes which have subsequent arrests.
- A link from CJIS to IBR is beneficial for 64% of the "Part II" crimes in IBR, those crimes classified as a Class B misdemeanor or above for which an adult offender was arrested.

CHAPTER FIVE

Recommended System Improvements

The Criminal Justice Policy Council's local/state technical advisory forums (Reporting Study Committee, Technical Subcommittee, and Telecommunications Advisory Committee), the regional hearings, follow-up correspondence, and the DPS's CJIS Workshop II and CJIS Planning Board have allowed local input on system design and improvements. This chapter lists all of the recommendations which apply to possible future enhancements. One section focuses on recommendations which may require legislative initiatives, and the second section lists those recommendations which require only administrative solutions. A listing of additional system improvement recommendations is in Appendix A.

LEGISLATIVE INITIATIVES

(LI.1) The state should conduct an extensive evaluation of reporting requirements in order to reduce the burden of duplicative reporting placed on local jurisdictions.

Currently in Texas, local and state agencies complete a broad spectrum of reports for state use. The Criminal Justice Policy Council's Reporting Study Committee, composed of elected court clerks, studied state reporting requirements for court clerks and issued the "Reporting Requirements the State Has Placed on Local Governments -- Analysis and Recommendations" in November 1990. The Committee's recommendations are as follows.

- A system should be devised whereby all automated local agencies can submit required reports to state agencies using telecommunications lines;
- The provisions requiring clerks to report convictions to the state licensing agencies should be repealed and replaced with a system of computer matching;
- Amend the Code of Criminal Procedure to enhance sentencing data collection;
- The State Library and the Department of Information Resources should establish standards for the electronic archiving of electronic documents; and
- The state should consider reimbursing counties for the cost of meeting the needs of the Criminal Justice Information System and address the hardware, software, and telecommunications needs of smaller jurisdictions.

Electronic reporting, encouraged by Chapter 60, will decrease the duplicative reporting by local agencies reporting disposition data electronically to the state. Any possibilities of further reducing duplicative reports which may be derived from CJIS should be examined. The legislation which requires the reports should be examined and recommendations for eliminating unnecessary reporting requirements established. Within the scope of CJIS, the Criminal Justice Policy Council has requested DCJ to initiate an inter-agency review of forms currently required

in the "pen packet" which accompanies an offender to prison. DCJ is conducting an analysis of the forms and, in conjunction with the Criminal Justice Policy Council, Department of Public Safety, and other affected state agencies, will develop recommendations for the 73rd legislature. Beyond the scope of CJIS, the possibility of eliminating other criminal justice related reports may also be subsequently examined.

The problem of duplicative reporting to the state goes beyond the scope of CJIS. CJIS provides the potential for reducing reporting required on adult arrestees and offenders in custody. It is possible that in certain reports, demographic information may be able to be eliminated by the reporting agency supplying only the individual's SID. Legislation should mandate the examination of the feasibility of eliminating current reporting requirements for which reports may be derived from the new CJIS.

Timetable: Currently on-going but effort could be expanded through legislative mandate during the 1994-1995 biennium.

Cost Estimate: Cannot be determined until the scope of any new reporting reduction mandates are known.

(LI.2) The system should have the capability to allow the electronic submission of arrest data by automated law enforcement agencies in addition to its currently designed capability to electronically receive case tracking data from county data processing departments.

Chapter 60, CCP, encourages, but does not require, court disposition data to be reported electronically. The electronic reporting of arrest data is not addressed in Chapter 60. Federal funds being made available to state and local agencies are to be used to implement the United States Attorney General's initiative to improve reporting of court disposition data to the state's central repository. Current electronic reporting plans, therefore, focus on court disposition data, and, in the short term, arrest data will continue to be reported manually.

Several police departments and sheriffs' offices are currently operating automated systems. This means they will enter information into their own automated systems and submit the same information on paper to the state. For these counties, the DPS will accept computer print-outs as long as they contain all of the required data elements in a similar layout as the Uniform Incident Tracking Form. Blocks of Incident Tracking Numbers will be supplied to automated arresting agencies so their systems can assign TRN's to the charges as the arrest data is entered.

The Automated Fingerprint Identification System (AFIS) will assist agencies which have remote AFIS terminals in sending fingerprint images and receiving positive identifications electronically over AFIS lines. Arrest information, however, will still be submitted to DPS with the hard copy fingerprint cards. If arrest data were reported electronically, AFIS submissions or fingerprint cards would still be required for positive identification, and the electronic arrest record would have to be matched to the fingerprint data. Electronic reporting of arrest information will be considered by DPS following system implementation. Future legislation should encourage the electronic reporting of arrest information through CJIS to the state.

Timetable: Submission of arrest fingerprints and related data through AFIS is scheduled to begin in late 1993. The change to accept automated arrest data directly into CJIS will be considered following system implementation.

Cost Estimate: The AFIS is currently funded. No estimate can yet be made for enhancements to CJIS to accept automated arrest data.

(LI.3) The offense codes required by the CJIS should be standardized state-wide and be specific to Texas statutes.

Local input consistently indicates a desire to link NCIC codes with the Texas statutes to develop a code table specific to Texas offenses. The CJIS Planning Board, created by DPS in 1991, has formed a Code Tables Subcommittee to develop standardized offense codes for the CJIS. The CJIS offense codes will be linked primarily to Texas statutes and secondarily to NCIC codes. Included will be all offenses classified as Class B misdemeanors and above and enhanceable Class C misdemeanors. The first four digits will reflect the NCIC code most closely corresponding to the offense. The last four digits of the eight digit code will relate to the statute. So far, approximately 4,000 possible criminal offenses have been identified from Texas statutes. The process of reviewing that data and completing the final report will be finished by December 1992.

Some reporting to federal agencies entails the use of NCIC codes. When necessary, a group of detailed offense codes can always be "collapsed" into broader NCIC codes for use by federal officials. Additionally, most counties use their own offense codes. County systems may continue to operate using the same offense codes as long as their systems are equipped to "translate" those codes to the CJIS offense codes for reporting to the state.

The legislature should mandate the application of a unique offense code to each new criminal offense in Texas statutes. The offense code would coincide with the CJIS offense codes and consist of the most closely related four-digit NCIC code plus the statute code.

Timetable: The process of completing a final report will be finished by December 1992.

Cost Estimate: This recommendation is being accomplished within current DPS resources.

(LI.4) The system design should include a category for "Hispanic".

Local input during the regional hearings expressed a desire to add ethnicity to the CJIS database. In response to this, the DPS will add a one character "Ethnicity" field in the identification segment after the initial implementation of the system. The legislature could mandate that the CJIS collect information on the ethnicity of offenders.

Timetable: First quarter of 1995

Cost Estimate: This recommendation will be accomplished within current DPS resources.

(LI.5) The CJIS could be an excellent investigative tool for law enforcement. The probation and parolee databases should be designed either to be searched interactively by suspect describers or to periodically export data sets to send to criminal justice agencies for interactive queries on PC's.

Local law enforcement agencies would benefit from having access to the offender descriptions in the parolee and probationer databases in order to enhance their investigative capabilities. There are no plans at this time to allow local agencies to conduct interactive on-line searches of the central database as this would down-grade the response time of the system in performing its primary function -- providing information to law enforcement officers and prosecutors.

Current Program: The Department of Criminal Justice has conducted and will continue to conduct searches of their central database upon request from local law enforcement. The results of the searches are provided on any form of electronic media the automated agencies request. The CJIS will provide DCJ with an enhanced capability to respond to local requests.

Expanded Program: DCJ will expand the current program to provide, to those agencies wishing to receive it, probation and parolee information on a regular basis in an electronic medium to be determined by local input. DCJ plans to work with local agencies to develop a program which will benefit the local users. After CJIS is operational, DCJ will send a notification to all law enforcement agencies reminding them that searches of the central database for investigative purposes can be conducted by DCJ and informing them of the planned expansion of the program. After receiving search requests, DCJ will measure which types of information requests occur and which form of electronic media is requested most often.

DCJ will continue to conduct searches of the database upon request for those agencies which do not participate in the program. Information that is confidential under privacy or security restrictions could not be made available. In addition, the data must become well established before it can be reliable as an investigative tool.

The State of Oklahoma shares its corrections supervision database with local investigative agencies through a system called "L.I.N.C." Local agencies which request the information are periodically provided with disks containing offender characteristics and descriptors. The program has tangible benefits in that it encourages data reporting by giving back to the data providers a useful tool for conducting their investigations. A similar program should be implemented in Texas.

Timetable: DCJ will begin the expanded program in early FY 1993. The program to provide probation and parolee information on a regular basis will be in place by late FY 1993 or early FY 1994.

Cost Estimate: This recommendation will be accomplished within the current DCJ budget.

(LI.6) The records in CJIS should be acceptable as proof of conviction.

Since most court disposition and sentencing data will be reported electronically by court clerks, it makes sense that the clerks should not be required to complete duplicative records on paper for the state as proof of conviction. A method for certifying electronic conviction records should be established to eliminate the burden of duplicative reporting placed on court clerks. Furthermore, a procedure must be developed for assuring the validity of the certification. This issue should be addressed in the future as electronic reporting of disposition information becomes widespread. The acceptance of electronic records as certified records would require a statutory change and subsequent judicial review.

The trend in the state in regards to criminal justice records is moving toward electronic reporting. Electronic reporting reduces the amount of manual reporting which court clerks, and eventually most criminal justice agencies, must complete. For example, "state ready" information for state inmates held in county jails may now be sent through the State Ready System to DCJ's Institutional Division (ID). This data can be sent over telecommunication lines, on tape, or on diskette. This system has the potential to reduce the amount of paperwork for local agencies, but DCJ-ID still requires that the same information, including the proof of conviction, be sent in the hard copy commitment packets. The State Ready System would be more beneficial to counties if the hard copy were replaced by the electronic record at DCJ-ID. This action would require a legislative change and subsequent judicial review.

Timetable: The legislature should address this issue for the 1993 biennium. Any statutory changes would require judicial review.

(LI.7) A system should be implemented to notify probation and parole offices through CJIS of the re-arrest of individuals under their supervision.

When a probationer or parolee is re-arrested, the person may be processed without the supervising probation or parole department receiving any notice that the offender has been arrested in another jurisdiction. Implementing a re-arrest notification system would require CJIS to be equipped to send messages through telecommunication lines to the automated supervising agency or another designated address. Parole offices will be equipped to receive the messages through TLETS (Texas Law Enforcement Telecommunications System). Not all probation offices will have that capability. If a probation office is not equipped to receive messages through existing telecommunication lines, then CJIS can send an electronic notification to another designated address. This will provide parole or probation offices with timely notification of an individual's arrest.

Legislation should mandate that CJIS be equipped to send messages to the automated supervising agency or another designated address.

Timetable: DPS will implement such a system the first quarter of 1995.

Cost Estimate: This recommendation will be accomplished within current DPS resources.

(LI.8) Local agencies must receive timely notification of parole hearing dates.

The CTS will have a field for the parole eligibility date available on-line, but the actual parole hearing date will not be retained in the database as it is subject to frequent change. Notifications of hearing dates are sent thirteen months in advance of the hearing dates to the court, prosecutor, victim, and defense attorney according to legislative mandate.

The intent of the Department of Criminal Justice has always been to keep local criminal justice officials notified of parole hearings. Some law enforcement personnel have experienced difficulties in receiving the information in sufficient time to prepare responses to the parole hearing, if at all. County data processing departments want to obtain this information through the Corrections Tracking System component of the CJIS in order that it would be available to law enforcement, prosecutors, and courts through the county system. Providing parole hearing dates on-line through CTS would require a statutory change.

After implementation of the CTS, DCJ will send a questionnaire to criminal justice agencies to receive input on the functioning of the CTS and recommendations for future changes. The need for parole hearing dates being posted through CTS will be measured, and if a widespread need exists, the data will be made available. The Pardons and Parole Division of the Department of Criminal Justice sets the parole eligibility dates and updates this information as the dates change. Initially, the data could be down-loaded from the system and sent to the local agencies on diskettes or tapes. Constant updates would have to be sent as this information changes frequently.

Timetable: Parole eligibility dates will be available on-line in early 1993. The survey is currently being coordinated.

Cost Estimate: This recommendation can be accomplished with current resources.

ADMINISTRATIVE INITIATIVES

(AI.1) In order to determine the types of systems on which counties are operating and that may be linked to CJIS, a survey of the counties' existing data systems should be conducted.

Federal funding available for CJIS system conversion at the county level is being allocated on the basis of population. It is possible that some small or mid-sized counties are operating on very similar computer systems. Consideration should be given to counties which would like to combine their conversion efforts, thereby increasing their affected populations and moving them up on the funding list.

Currently, only partial data is available on the types of system hardware on which the smaller counties are operating. The DCJ and the DPS will coordinate a survey of county data systems with input from the Texas Criminal Justice Information User's Group (TCJIUG), the Texas Sheriff's Association and the Texas Association of Governmental Data Processing Managers (TAGDPM). The agencies will establish a procedure to keep this information timely and accurate.

Timetable: Currently scheduled for completion in March of 1993.

Cost Estimate: This recommendation will be accomplished within current resources.

(AI.2) A mechanism must be established to allow local input on the future development of CJIS.

Local input has been the backbone of CJIS development. It is the local law enforcement, prosecutors, courts, and supervision personnel who will provide most of the information in the CJIS and they will benefit from its use. The system must continue to be functional for the local users. The CJIS Field Representatives will conduct regional meetings and on-site visits. The DCJ will survey CTS contributors to receive input on the functioning of the CJIS. In addition, the CJIS Planning Committee, augmented by any needed ad hoc Criminal Justice Policy Council Committees, will meet to address the continuing evolution of the CJIS. Following is a list of forums created for local input on CJIS system design and reporting procedures:

State-wide CJIS Workshop I -- Held December 5, 1989, by the Criminal Justice Policy Council to obtain user and contributor input on the design and implementation of the system.

CJIS State-wide Workshop II -- Held on December 2, 1991, by the Department of Public Safety to obtain further user and contributor input on the implementation of the system from representatives of local law enforcement, prosecutors, court personnel, and corrections agencies.

Reporting Study Committee -- A group of district and county clerks formed to review and analyze existing reporting requirements, provide a local perspective on the CJIS, identify user requirements, and develop recommendations to improve reporting procedures.

Technical Subcommittee -- Advised the Clerks' Reporting Study Committee on technical issues, assisted in the design of the CJIS, and reviewed and made further refinements to the system.

Regional Public Hearings -- Criminal Justice Policy Council, Department of Public Safety, and Department of Criminal Justice held the hearings on April 27, 1992, in the

Fort Worth area; May 11, 1992, in the Houston area; and May 18, 1992, in the El Paso area to address questions and receive input on the development and design improvements from all interested local law enforcement, prosecutors, court personnel, community corrections agencies and data processing departments.

Telecommunications Advisory Committee -- A group of data system experts from seven of the largest counties which develops standards and protocols for the electronic reporting of criminal justice data from counties to the state, examines user requirements, develops recommendations to achieve complete and accurate criminal justice records, and examines the flow of the counties systems to coordinate them with the flow of the CJIS.

CJIS Planning Board -- Evaluates all prior assessments, provides solutions to current system problems, reviews current legislative requirements and administrative procedures, provides a forum for developing a CJIS which responds to the needs of local agencies, facilitates the standardization of reporting procedures, and will implement the state-wide CJIS as mandated by Chapter 60, Code of Criminal Procedure.

(AI.3) The Corrections Tracking System should be directly accessible for additional CTS data without having to separately access the CTS.

Currently, the system is designed so that an inquiry to CTS is a separate TLETS transaction. Some individuals, such as prosecutors, have a routine need for both the CCH and the CTS record. The DPS will create a TLETS inquiry screen which will, when the State Identification Number (SID) is known, provide both a CCH and a CTS reply in response to one transaction.

Timetable: August 1993

Cost Estimate: This recommendation will be accomplished within current DPS resources.

(AI.4) The state should consider using optical scanning for reporting to the CJIS.

Optical scanning of records may be a benefit in sending commitment papers, however, automated transmissions to the Corrections Tracking System go through the DPS's telecommunications system. Sending digitized images would overburden the DPS's transmission capabilities. Currently, there are no apparent advantages to using this technology, and there are no plans to implement this recommendation at this time.

Timetable: None

Cost Estimate: N/A

APPENDIX A

Recommendations Received From Forums for Local Input

The Criminal Justice Policy Council, with the Department of Public Safety and the Department of Criminal Justice, held three regional public hearings in the state to receive input on CJIS system design and reporting requirements. The following is a list of suggestions received during the hearings and as follow-up in the form of written correspondence. The reader should note that these suggestions have not been edited except in those cases where clarification was necessary. A few of the suggestions concern issues that, in fact, were addressed in Chapter 60, CCP, and are included in the CJIS design.

(1) Incident Tracking Numbers and Suffixes

(1A) Many arresting agencies are currently automated and plan on printing out their arrest data and sending it to the DPS. Automated agencies which plan on reporting this way would benefit from receiving a pre-assigned block of incident tracking numbers. This way, the numbers can be put in the system and assigned from the individual computer systems.

The DPS will assign a block of tracking numbers to automated arresting agencies for this purpose.

(1B) Some local arresting agencies had anticipated the use of the Incident Tracking Number Suffix (TRS) to identify multiple charges for an arrest and would assign the TRS at booking or at identification time. This way, the TRS would be recorded on the fingerprint card and entered into the automated systems at the same time. The arrest disposition associated with each charge could then be tracked by the arresting agencies.

The DPS's procedure corresponds to this recommendation. The TRS's will be assigned at the time of booking or identification. However, the suffixes will be assigned on the Supplemental Tracking Forms, not on the fingerprint cards. For reporting purposes, the fingerprint card will not be used to list additional suffixes, although a local agency could write or print any additional suffixes on the back of the card where a space is designated for local use. All charges assigned upon arrest can be entered into the local system using the Tracking and Supplemental Forms. Any added charges and dispositions will be linked to the initial incident by the Incident Tracking Number.

(2) Arrest Reporting

(2A) When the DPS is ready to accept electronic reporting, fingerprint cards without the Uniform Incident Tracking Form should be made available to counties reporting electronically. These cards could be with or without pin-feeds.

Automated arresting agencies will be supplied with these fingerprint cards without pin-feeds.

(2B) Fingerprint cards could be printed without the Incident Tracking Number (TRN) if separate peel-off labels with the Tracking Incident Number printed and bar-coded were supplied to be attached to the fingerprint cards, similar to the procedure used by county Tax Assessors to process vehicle registration. Bar coding would greatly reduce the errors from manual entry and should decrease the time needed for the county departments to enter information.

Bar coding is not being considered for the initial implementation.

(2C) In the case of court summons, indictments, or warrants when no arrest event occurs prior to the individual appearing in court, fingerprint cards should be supplied to local offices based on local procedures instead of the court trying to send the record without fingerprints.

In these situations, local procedures will determine when the person gets fingerprinted. The CJIS Field Representatives are available to assist counties in determining an appropriate procedure. The designated local agency will be supplied with tracking forms, fingerprint cards and, if necessary, a block of TRN's. The DPS must receive a fingerprint card in order to establish a record.

(2D) When an individual is indicted on a charge and has never been arrested on that charge, the prosecutor's office should initiate reporting by completing a Tracking Form.

While that is the general procedure envisioned, during the CJIS planning stages, such procedures must be determined by local policy, as long as one agency is designated as responsible for reporting in each instance. The CJIS Field Representatives are available to assist counties in determining an appropriate procedure. In all cases, a fingerprint card must be provided to DPS to establish a record and receive additional data.

(3) Class C Misdemeanors

(3A) In reference to felony and misdemeanor charges that are re-filed and disposed of in a lower court, the procedure indicates that dispositions of charges reduced to Class C misdemeanors should be reported. This would entail accessing Justice-of-the-Peace information, and analysis and programming for this task will require almost as much effort as the reporting for the District or County court cases. In addition, there is no suffix for Justice-of-the Peace charge sequences.

As the primary focus of CJIS is on felonies and misdemeanors above Class C, an offense re-filed in a lower court as a Class C will be coded as reduced to Class C. No further disposition information will be required.

(3B) When repeat offenders appear in court on Class C misdemeanors, no record will be established in CJIS. Class C misdemeanors should be accepted in CJIS to track the offenders who repeatedly appear on minor charges.

Chapter 60, CCP, requires the collection of data for offenses classified as Class B misdemeanors and above. If an arrest charge begins as a Class C and is subsequently enhanced by the prosecutor or court, it can be reported after the enhancement. The DPS may be willing to accept some fingerprint cards for Class C's in order to establish a record if the Class C offense is enhanceable, for example minor sex offenses. Routine Class C offenses, however, will not be accepted and should not be reported since the CJIS would not be able to handle the volume of Class C arrest charges.

(4) Warrant Arrests

(4A) In situations where one jurisdiction issues an arrest warrant but the suspect is arrested for that warrant in a different jurisdiction, the arresting jurisdiction should complete the Uniform Incident Tracking Form and Fingerprint Card. If the defendant is transported to the issuing jurisdiction, the Tracking Form would be forwarded with the defendant. If the defendant is allowed to post bond, the arresting jurisdiction would complete the Tracking Form with the bond information and forward the Tracking Form and the bond to the issuing jurisdiction. It would then be the issuing jurisdiction's responsibility to determine if the form from the "courtesy" county should be used to establish a TRN, or if an existing form and TRN should be used for reporting. This procedure would cause minimal confusion at the booking desk of most counties and place the responsibility for reporting on the issuing county where it belongs.

In order to minimize changes in local procedures, when a person is arrested out of jurisdiction on a warrant, the arresting jurisdiction will always print the individual and complete a Tracking Form. When the person or bond package is transferred to the issuing jurisdiction, the Tracking Form will be sent also. The issuing jurisdiction can use the arresting agency's form if there is no previous tracking number on the charge. If there is already a tracking number for that charge, the issuing jurisdiction will report to CJIS using the original tracking number. This way, the arresting agencies can continue with their printing policies, but it is up to the issuing jurisdiction to report the arrest to CJIS.

If the arresting agency has additional charges on the person, then they should complete their own Tracking Form and any Supplemental Form(s) for those charges and submit the form(s) to CJIS.

(4B) If a warrant results from a previous arrest, then the TRN should be put on the warrant through TCIC so the person is not assigned a new TRN when arrested on the warrant.

Including the TRN in TCIC could save unnecessary finger-printing, however, the above procedure for reporting warrant arrests out of jurisdiction will eliminate the need for a TRN to be on the warrant in TCIC. The arresting agency will not need to know that information because they will not be sending the Tracking Form to CJIS. It will be sent to the originating agency who will supply CJIS with the correct information.

(5) Data Arrangement

(5A) In the original CJIS system design, the court, the cause number and the disposition date were all retained within the "charge data" rather than the "sentence data". Because of various conditions, such as a new trial being granted after an appeal, a new disposition or sentence may occur. Due to change of venue, the court can be different for each disposition or sentence. The original arrangement of data would not accurately convey the relationship of this information. It would only show whether the first or last value of the disposition date, court, and cause number. The original arrangement of data could make certain types of reporting impossible.

The DPS has moved the fields as recommended.

(6) CJIS Operational Date

(6A) A delay should be allowed for local start-up to coincide with a date no earlier than the DPS operational date, with the local agency on-line/operational date of 1 January 1994 being a more realistic and achievable date to produce electronic data. It would appear that

heaping large amounts of paper on DPS would really be counterproductive and place unreasonably great demands on DPS personnel to process and enter the data in their system. It seems that batch reports of data captured up to and including start-up dates by DPS and the large counties could be sent when all agencies are capable.

The January 1993 operational date for CJIS applies only to the state agencies and does not apply to the local electronic interfaces. On this date, the state's CJIS is mandated to be in operation. The Department of Public Safety has indicated that the enhanced CCH will be operational in March 1993. If an automated county is ready to send electronic disposition data to the CJIS before the DPS is ready to process it, two options exist:

- The county can store the data until the DPS is ready to process it.
- The DPS can receive the data and store it until the system is ready for that phase. This option would allow for the testing of the established communication lines.

Delays in reporting conviction data to CJIS mean the electronic data will not be available to law enforcement and prosecutors until the system is able to process disposition data. It should be noted that currently few counties report convictions to the state, and few counties will be ready to send disposition data electronically to DPS before DPS is ready, so the net impact of temporarily storing this CJIS data will not be great.

(7) Timeliness of Electronic Reporting

(7A) If additional charges are not reported at the time of the addition and if all statuses of the case are not reported at the time they occur, the database will be inaccurate and untimely.

From the time of arrest until the time the defendant appears in court, cases and defendants can experience a number of status changes. CJIS will have code tables that accommodate major status changes. DPS is currently developing codes and reporting procedures.

(8) Electronic Transmission of Data

(8A) A modem could be used for communicating from the prosecutor to the SO to the DPS as opposed to a disk or tape.

Those counties reporting electronically will send data in 4000-byte blocks in batch mode from the county data system. Other types of data transfer will be considered on a case by case basis after the initial implementation.

(8B) Some counties would like to process the data in the evening hours and send the data in batch mode over the lines at night.

When electronic reporting is operational, data can be sent in either "batch mode" or "on-line real time" mode. If an agency would like to send their data overnight, there will be no problems in receiving it at that time.

(9) Electronic Acknowledgement of Receipt of Data

(9A) The format and procedure for electronic acknowledgment by DPS of receipt of data sent by the county electronically and the procedure for if a county's system goes down before this acknowledgment is received should be documented.

The DPS will send back the acknowledgement once the data is stored at the central repository.

The acknowledgement message will be sent to the county data processing department. The specific format and acknowledgement rules will be provided to the counties.

(10) Data Validation

(10A) The DPS should make available to county data processors the algorithm for determining the check digit in the Incident Tracking Number for data validation purposes.

This information has been provided to counties by DPS.

(11) Erroneous Data

(11A) The procedure for how erroneous data reported electronically will be corrected and how erroneous data reported manually will be corrected should be documented:

- **Data that needs to be corrected (example--fine amount entered incorrectly)**
- **Data that needs to be deleted (example--disposition entered on wrong cause number)**

The DPS has always had a procedure for correcting erroneous data entered into the criminal history files. This "Error Resolution Policy" will continue to be in effect for corrections to erroneous CJIS data. For data validity and reliability purposes, an on-line corrections procedure is not desirable. Local agencies will submit, manually or electronically, the information to be corrected and the DPS will correct it. The procedure will follow the laws and regulation which apply to any changes of information. Expunctions cannot be completed without a court order.

(12) Probation and Parole - Corrections Tracking System

(12A) Information on probationers should be enhanced from what is currently available. Probation officers should know which programs a person has participated in previously. Then, if that person violates his probation, the probation officer can let the judge know which programs have not been successful for this offender. Hopefully, this would prevent the same mistakes from being made over and over again.

Chapter 60 mandates the CTS to maintain this data, and the CJIS system design includes this feature. Probation officers will be able to obtain this corrections information on offenders through a "CTS Inquiry". The system will show if the person is on parole or probation, the county code for where the person is on parole or probation from, physical descriptors and the offense for which he is on parole or probation. Additional information will be available relative to programs, level of supervision, strategy, and revocations. Therefore, the information helpful during sentencing will be available to local agencies through the CTS. In addition, the DCJ will be surveying local law enforcement agencies, sheriff's offices, courts, and probation offices for feedback on the effectiveness of the information currently planned in the CTS. Local input is the key to a beneficial system, and any suggestions received will be closely considered for future enhancements.

(12B) Any information on skills or diagnostic testing which occurs while an offender is in prison should be sent back through CJIS to the local probation departments.

As long as there are no privacy or security regulations pertaining to the release of this information, there could be a flag on the screen to inform the user that this information is available. It could be sent to the requestor on-line or through the mail by DCJ.

(13) Duplicative Reporting Requirements

(13A) The CJIS has limitations that would make it impossible to produce the criminal portion of the State Judicial Council report for the District Clerk and County Clerk offices. Data needed that is not currently captured on CJIS includes:

- **Class C misdemeanors appealed to the County Courts**
- **Motions to revoke Probation or Deferred Adjudication**
- **Shock probations returned from TDCJ**
- **Transfers to lower courts**
- **Change of Venue**
- **New trials granted**
- **Cases remanded by higher court**
- **Cases continued on Probation or Deferred Adjudication**
- **Causes where jury panel was examined (voir dire)**
- **Causes where jury was sworn and any evidence was presented**
- **Causes where attorney was appointed as counsel**
- **Post-conviction writs of habeas corpus**
- **Post-conviction writs of habeas corpus disposed**
- **Writs of habeas corpus**
- **Writs of habeas corpus disposed**
- **Bond forfeiture proceedings**
- **Contempt and extradition proceedings**

A significant number of data fields in CJIS are compatible with the State Judicial Council's reports. The reporting requirements to the State Judicial Council are initiated by the judicial branch of state government. This branch would have to initiate a change with the legislature in the CJIS reporting requirements. There are no plans for CJIS to replace Judicial Council reports. These reports include data the CJIS will not have: data on civil cases, juvenile cases, and all cases filed when an arrest does not occur.

(13B) Clerks should be provided with a list of reports no longer necessary. Clerks should be notified if, at any time in the future, a report becomes obsolete.

Currently, there is no list of reports no longer necessary. A study of required reports and the feasibility of eliminating reporting requirements which may be derived from CJIS may be conducted by the Criminal Justice Policy Council. Any change in reporting requires a legislative change. The clerks will be notified through administrative procedure if a report or set of reports is no longer necessary.

(14) Special Requirements on Local Agencies

(14A) There should be no requirements on the local contributors to go through dead files for input into the new CJIS. It is very difficult and time consuming to go back and check these records.

Federal guidelines for the five percent set-aside funds state that "a reasonable attempt should be made to improve the availability of past records with a goal of achieving complete records for 90% of the felony arrests during the past five years". Once the CJIS is operational, computer matching of old records will be considered.

(15) Benefits of CJIS

(15A) Local agencies should be provided with a list of benefits.

A list of benefits is located in Chapter Two of this report.

(16) IBR and CJIS

(16A) The use of AFIS and incident tracking will closely parallel but not totally implement an incident based reporting system. Since IBR will become mandatory, and since states capable of reporting at a state UCR level are required to do so at the state level, not the agency level, serious attention should be directed to building the IBR data collection and reporting as well as CJIS. This would be of tremendous benefit to non-automated agencies, and would cut down on duplicate reporting and traffic from automated agencies should the state implement CJIS first, then IBR on a state-wide basis at a later date.

The section of Chapter 60 which requires this report, also requires that it proposes a plan to link the CJIS and IBR. This is discussed in detail in Chapter Four of this report.

(17) TLETS Enhancements

(17A) Some opinions in the field are that TLETS has about as much traffic as it can handle and is down 'a lot' from the user agency perspective. If TLETS is to be the medium for communication between the criminal justice agencies and the DPS, network capacity enhancements should be planned and budgeted for.

One of the things that DPS and DCJ have worked together on has been attempting to avoid processing and passing through so much information over the telecommunication lines that it bottlenecks them. This would down-grade the response time of the system. The CCH will use some TLETS circuitry at first until CCH's new lines are established. The TLETS lines will be used for system inquiries, but CJIS lines will be used for data transfer from county systems to the CJIS.

The TLETS administrators feel that the system's down time has been minimal and are not aware of frustrations in the field concerning the down time of the system. In response to this concern, the DPS has conducted a survey of TLETS response time with 66 agencies. The data is currently being compiled by DPS.

(18) Implementation

(18A) A great deal of training will be required to deal with the impact on the operation of the entities involved.

Most local agencies will experience changes in their reporting procedures. The DPS Field Representatives will provide training to local agencies. They will conduct group training, make on-site visits, and answer questions over the phone.

(18B) Data collection and the manual reporting of dispositions of charges begins as of January 1, 1993. Electronic reporting is to begin later in the year. The electronic return of SID's and check names, which are required for electronic reporting, will not begin until the same time as the local agency begins electronic reporting. Therefore, to report electronically, county employees will have to enter the SID's and check names manually for

those cases in which the original arrest occurred before the electronic return of those items.

Until an electronically reporting county's system is interfaced with the CJIS, county employees will have to enter the SID's manually into the local system. Once the CJIS is on-line, the system will return the verification of SID's and the electronic enhanced rap sheets to the county systems.

(19) Funding

(19A) A list of counties by funding order should be made available.

The "Proposed Implementation Schedule of CJRI Plan in Texas 1992-1996" is in Chapter Three of this report. This list was originally published in the "Criminal Justice Records Improvement Plan for the State of Texas" submitted to the Department of Justice, Bureau of Justice Assistance. The Criminal Justice Policy Council authored the report on behalf of the Governor's Office. The Department of Justice approved the plan on June 24, 1992.

(20) Follow-up

(20A) There should be a division at DPS formed to respond only to CJIS related questions.

The DPS has always had staff available to respond to questions or concerns of local reporting agencies. They have formed a section devoted only to training and troubleshooting for the CJIS system. The CJIS Field Representatives will conduct group training, on-site visits, and respond to any questions or suggestions related to the operation of the CJIS system. A new position, Criminal History Coordinator, has also been created to guide the enhanced CCH through implementation.