

CRIMINAL JUSTICE RECORDS IMPROVEMENT PLAN FOR THE STATE OF TEXAS

U.S. Department of Justice
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Prepared by the Criminal Justice Policy Council
on behalf of the Office of the Governor,
Criminal Justice Division,
for submission to the United States Department of Justice,
Bureau of Justice Assistance

July 2, 1992

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ACKNOWLEDGEMENTS

The Criminal Justice Policy Council wishes to acknowledge the contributions made by the following agencies and associations to cooperatively design and implement a state-of-the-art Texas Criminal Justice Information System:

Department of Public Safety	Department of Criminal Justice
Harris County Justice Information Management System	Dallas County Data Processing
Tarrant County Data Processing	Bexar County Data Processing
Travis County Data Processing	Nueces County Data Processing
El Paso County Data Processing	County Clerk, Dallas County
District Clerk, Harris County	District Clerk, Smith County
District Clerk, Bexar County	District Clerk, Travis County

Harris County Data Services and Communication Center

State Purchasing Commission, Telecommunications Services Division

Texas Criminal Justice Information User's Group

The United States Department of Justice, Bureau of Justice Statistics (BJS), has provided federal Criminal History Records Improvement grant funds and technical assistance on other states' accomplishments. These funds have been used to assist Texas to successfully test the feasibility of electronic reporting of court disposition data from counties to the state Criminal Justice Information System.

The United States Department of Justice, Bureau of Justice Assistance (BJA), has created state/federal forums for policy development in criminal justice records improvement in which Texas was invited to participate. Additionally BJA is providing the federal grant assistance which will be used to implement federal and state mandates.

Gratitude is extended to the Office of the Governor, Criminal Justice Division, for their continuing support of crime records improvement through grant assistance to the Criminal Justice Policy Council and through support of cooperative projects such as the development of this plan.

A special thanks to Ernie Davis whose wisdom, vision and determination we should all strive to emulate. The principal author of this plan always turned to Ernie first for advice on the direction the state should take in creating the CJIS and how high we can set our goals. Formerly with the Harris County District Clerk's Office in Houston, Ernie is now retired from public service.

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INTRODUCTION

INTRODUCTION

In 1989, the 71st Texas Legislature created Chapter 60, Code of Criminal Procedure (CCP), mandating the development of the Texas Criminal Justice Information System (CJIS). The 72nd Texas Legislature amended this legislation to include the provision that the CJIS be operational no later than January 1, 1993. The planned CJIS is composed of the enhanced Computerized Criminal History system managed by the Department of Public Safety and the new Corrections Tracking System managed by the Department of Criminal Justice. The Criminal Justice Policy Council (CJPC) was also mandated by the Legislature to conduct strategic planning to assist in the implementation of the system.

Over the past four years the United States Department of Justice (DOJ) has been analyzing the nation's capability to prevent the sale of firearms by licensed dealers to convicted felons. Primary among the DOJ findings is that the criminal history systems across the nation are not capable of properly identifying convicted felons and the systems must be improved. To help strengthen criminal history records the DOJ developed a three year \$27 million federal funding initiative administered by the Bureau of Justice Statistics (BJS). This initiative, the Criminal History Records Improvement (CHRI) program, has provided Texas with \$470,000 for FY 91 and a continuation application has been submitted for an additional \$350,000 for FY 92.

A second major federal initiative, the Criminal Justice Records Improvement (CJRI) program, which this plan addresses, is administered by the DOJ, Bureau of Justice Assistance (BJA). This program requires each state to devote no less than five percent of its federal DOJ block grant funds (Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant) to be used for criminal records improvement. In Texas this amounts to \$1.28 million in FY 1992. The requirement to set aside five percent of the block grant funds will continue in each future year until the state is in compliance with federally developed minimum standards. The "Criteria to Define Compliance" are listed in Appendix A.

Success of the CJIS will require a long-term commitment from the state to provide the necessary operational resources to keep the system properly functioning. The federal five percent set-aside funding, addressed in this plan, will provide the state with some of the resources needed to comply with the federal standards and allow local governments in Texas to implement changes mandated in Chapter 60, CCP. One overriding concern throughout the process of implementing Chapter 60, CCP, has been the impact of these changes on the local data contributors. With the state facing fiscal problems, financial assistance to local governments to implement needed

changes in their data systems has been limited.

The DOJ block grant funds allocated to Texas are administered by the Office of the Governor, Criminal Justice Division. The development of a criminal justice records improvement plan under the five percent set-aside mandate is under their discretion. The Executive Director of the Criminal Justice Division is aware of the Policy Council's past and continuing work in crime records improvement and, to avoid duplication of effort and waste of resources, requested the Criminal Justice Policy Council to develop this plan for Texas on behalf of the Office of the Governor.

Plans to improve criminal history records in Texas have been underway since 1987. This "Criminal Justice Records Improvement Plan" continues this effort by identifying the current condition of the State's criminal records systems and the problems associated with any incomplete or inaccurate data. It outlines current and proposed initiatives to improve criminal justice records in Texas.

HISTORICAL PERSPECTIVE

COMPUTERIZED CRIMINAL HISTORY SYSTEM

The Computerized Criminal History (CCH) system managed by the Department of Public Safety (DPS) serves the law enforcement community as the central repository for arrest, disposition and custody/supervision data in the state. The CCH system is housed at DPS headquarters in Austin, Texas.

Conversion of the CCH system from a manual to an automated system began in 1970. In 1971 the Texas CCH system became affiliated with the United States Department of Justice, Federal Bureau of Investigation, National Crime Information Center (NCIC) system which provides access to criminal history records in other states. On-line access by local Texas law enforcement agencies to CCH was implemented through the Texas Law Enforcement Telecommunications System (TLETS) in 1973.

The CCH is accessed by police and prosecutors while the data in the system is also used by researchers. At the point of arrest the CCH is used primarily to determine if the arrestee is currently on probation or parole or may be violating any conditions of release. In addition, law enforcement investigators use CCH inquiries to determine if a suspect in a particular crime is currently in prison thereby eliminating that person as a suspect.

Prosecutors are frequent users of the CCH system as they must know a person's criminal history record for purposes of setting bail recommendations, enhancing any charges to be filed, deciding on an acceptable sentence in any plea negotiations, and recommending sentences to a judge or jury. Prosecutors also use CCH data when presenting charges to a Grand Jury for an indictment. The introduction of prior criminal acts may strengthen the arguments of the prosecutor in favor of a Grand Jury indictment.

CCH information is periodically used for research purposes. For example, recidivism rates of offenders can be computed by analyzing arrest records of offenders after they are released from prison or from a treatment program. The information retained in CCH is critical in establishing the "success rate" of different types of offenders and programs and in designing new programs.

On-going audits of NCIC users are conducted to determine compliance with NCIC rules. However, these audits focus on the response time to inquiries, the confidentiality of data in the system, restricting access to data in the system, and controls on the further dissemination of CCH information by local users.

CCH users have been aware for some time that the system suffers from deficiencies of completeness and utility. Local agencies have not been required to report arrest and disposition information to the CCH. Numerous arrests are reported without subsequent disposition information. Conversely, some offenders are received in prison without having an arrest record in the CCH. In addition, the current CCH lacks the capability to track an offender through the criminal justice system on a given charge or to provide workload information on the different components of the system.

ACCURACY AND COMPLETENESS OF CRIMINAL JUSTICE RECORDS

In 1987 the first analysis examining the accuracy, effectiveness, and functionality of the CCH information was conducted by the Criminal Justice Policy Council (CJPC) and the results were published in a report titled Analysis of the Texas Computerized Criminal History System Database, 1988 (hereafter referred to as the CJPC Report). After analyzing a sample of 10,000 arrest records created in the system in 1981-1982 and another 10,000 from 1985-1986, the CJPC Report concluded that tracking an offender through the criminal justice system was impossible. Other findings are listed below.

- 11.4% of the applicable arrests of adults were not reported to CCH.
 - Missing arrest disposition data in 81.9% (1985) and 84.2% (1986) of the records.
 - 9.9% of the cases "Not Prosecuted" had a conviction entered in the record.
 - From a set of records with court data entered, 47.7% had no court disposition date.
 - Of the records with a court conviction noted, only 75.7% had a value entered in a "sentence" field. The remaining records had literals or text entered.
 - From a sample of 500 known probationers who had been on probation for nine months, 90.2% had no CCH record entry showing that they were on probation.
 - Over one year backlog existed in updating the CCH record of probationers.
 - Of the 269 records examined of offenders admitted to prison, 33.8% had no record of arrest in the CCH.
-

- From a sample of 1,000 known prison inmates, 12.8% had no CCH record entry showing that they were in prison.
- From a sample of 1,511 known parolees, 5.6% had no CCH record entry showing that they were on parole.

The focus of the analysis was on the system itself, therefore, an on-site audit of the accuracy of data in the records was not performed. The ability to measure data accuracy was present, however, by using logic checks. One indicator of data accuracy, as listed above, is the finding that 9.9% of the cases "Not Prosecuted" had a conviction entered in the record.

In looking at data completeness, the analysis found that:

- Only 27.5% of the arrest dispositions were reported.
- Of those reported, only 61.8% of the arrest dispositions used offense codes.
- The remaining 32.8% of the reported arrest dispositions used literals or text which cannot be analyzed without conversion to standardized offense codes.

With only voluntary reporting of arrest and court processing data, reporting was incomplete. As law enforcement officers perform arrests, fingerprint cards are prepared and submitted to the CCH. Many agencies facing fiscal constraints have been forced to prioritize their activities, and voluntary arrest reporting has often been given a lower priority than having officers on assignment.

Since 1988, the CJPC Report has served as the basis for state legislation on CCH system enhancement. These state legislative initiatives are discussed in the second section of this plan, Improvement Initiatives.

CORRECTIONS TRACKING SYSTEM

In the past, corrections data was maintained by the Texas Department of Corrections on offenders in prison and by the Board of Pardons and Paroles on offenders released from prison. The Texas Adult Probation Commission maintained detailed records on certain types of programs such as Intensive Supervision Probation, however, no state-wide database existed for probationers in general. This probationer data was maintained at the local probation department

level.

State prison inmates and parolee data is used for both operational and research purposes. For the past seven years data tapes from the prison data system and the parolee system have been used in the JUSTICE simulation model developed and operated by the CJPC. This simulation model has been used in past legislative sessions to project the impact of proposed legislation on the state corrections system. Parolees have been tracked to determine recidivism rates by using parole data in conjunction with CCH rearrest and conviction data.

The 71st Legislature abolished the former Department of Corrections, Board of Pardons and Parole, and the Adult Probation Commission and merged them into the newly created Department of Criminal Justice (DCJ). Chapter 60, CCP, mandates the DCJ to create a Corrections Tracking System (CTS) which complements the CCH system. The need to strengthen criminal history records led the legislature to mandate establishing common fields in the CTS and the CCH systems. To allow the rapid interchange of data between the two systems, the legislature also mandated an electronic link between the CCH and the CTS. In addition, to ensure completeness of criminal history records the legislature mandated the creation of a state probationers module of the CTS which will be linked with the CCH.

REPORTING PROCEDURES

When a suspect is arrested and taken to a city or county jail the arresting agency fills out a fingerprint card, commonly referred to as a "ten print card". The card contains information on the suspect and inked impressions of fingerprints from all of the suspect's fingers. If the arrest is made for an offense above a Class C misdemeanor the agency sends the "ten print card" to the DPS, Crime Records Division, where a search of the CCH database and fingerprint cards on file is conducted and a positive identification of the suspect is made. Fingerprints, rather than the suspect's name, are used to verify identities against the CCH database because aliases or false identities are frequently used by suspects.

Within the CCH system each offender is given a unique number called the "DPS number" or generically referred to as the state identification number, or "SID". If the suspect has been previously arrested the DPS updates the offender's CCH record with the latest arrest. If no match is made then the suspect is given a new DPS number and the system creates a CCH record for the suspect.

While there is a current backlog to which DPS is applying resources to overcome, the normal turn-around time at DPS for matching "ten print cards" against existing CCH records, updating an existing record or creating a new record ranges from five to ten days. On the day following the CCH update the DPS mails a copy of the new "rap sheet" to the arresting agency. Thus, the total turn-around time including confirmation back to the arresting agency ranges from six to eleven days.

Except for DWI cases, no mandated procedure has existed for reporting court dispositions, and local policies have prevailed. Currently, the district clerk in felony cases and the county clerk in misdemeanor cases may prepare a court disposition form containing the official court action. Court actions include convictions, acquittals, dismissals and deferred adjudications. In addition, based upon local policies, other criminal justice agencies may receive a copy of the court disposition form. For example, a copy of the court disposition form may be sent to a probation office when the offender is sentenced to probation. These agencies may or may not report the disposition to the CCH resulting in either no reporting or duplicative reporting.

REASONS FOR INCOMPLETE AND INACCURATE DATA

Currently, all local jurisdictions report criminal justice data to DPS manually. The CJPC Report found that this situation has caused backlogs at DPS of up to one year because of the large number of arrests and dispositions. The backlogs decrease the reliability and credibility of the system, especially for local users. In turn, the willingness on the part of local agencies to report to CCH decreases. Budgetary constraints and the fact that reporting is not required, force many agencies to choose not to report to the CCH.

Court disposition reporting is spotty at best. As court personnel have no need to access the CCH system, there has been no strong incentive to report case dispositions to the CCH under a voluntary reporting system. Additional reasons for incomplete or inaccurate data include the following:

- In the larger automated counties, local clerks must enter information into their own automated systems as well as manually report to the CCH. Because of budget and time constraints, this situation often discourages the timely reporting of data to the state.
 - Data fields designated as "optional" result in those fields being left empty and reduce the effectiveness of the system for research purposes.
-

- Lack of assignment of a tracking incident number for each arrest event makes the tracking of an offender through the system impossible and decreases the credibility of the system.

The CJPC Report identified these existing problems and proposed the implementation of electronic reporting. The 71st Texas Legislature mandated changes in the criminal justice records system, including the encouragement of electronic reporting wherever possible. In addition, various local forums have identified opportunities to develop reporting incentives by reducing duplicative reporting by local court clerks.¹ Recently DPS has identified an instance of duplicative reporting involving drivers license suspensions and is studying a new procedure to eliminate duplication.

With recent legislation placing stricter reporting requirements on courts and local agencies, the amount of reporting will increase. The current manual reporting process would cause even more backlogs in data entry. The seven largest counties in the state account for approximately 60% of the convictions and 57% of all dispositions in the state.² Manual reporting from the automated counties and subsequent manual data entry at DPS is not a cost effective use of scarce county and state resources. Adopting electronic reporting, starting with the largest counties, will help significantly in resolving several of the existing and projected backlog problems.

¹ See Reporting Requirements the State Has Placed on Local Governments - Analysis and Recommendations, by the Reporting Study Committee of the Criminal Justice Policy Council, November 1990.

² Texas Judicial System 1991 Annual Report, Texas Judicial Council.

IMPROVEMENT INITIATIVES

CRIMINAL JUSTICE INFORMATION SYSTEM

Findings in the CJPC Report served as a basis for developing legislative changes to improve the state's criminal justice information system. The 71st Legislature (1989) created the Texas Criminal Justice Information System (CJIS) and the 72nd Legislature (1991) clarified the operations and expectations for the CJIS. As codified in Chapter 60, CCP, the CJIS requires:

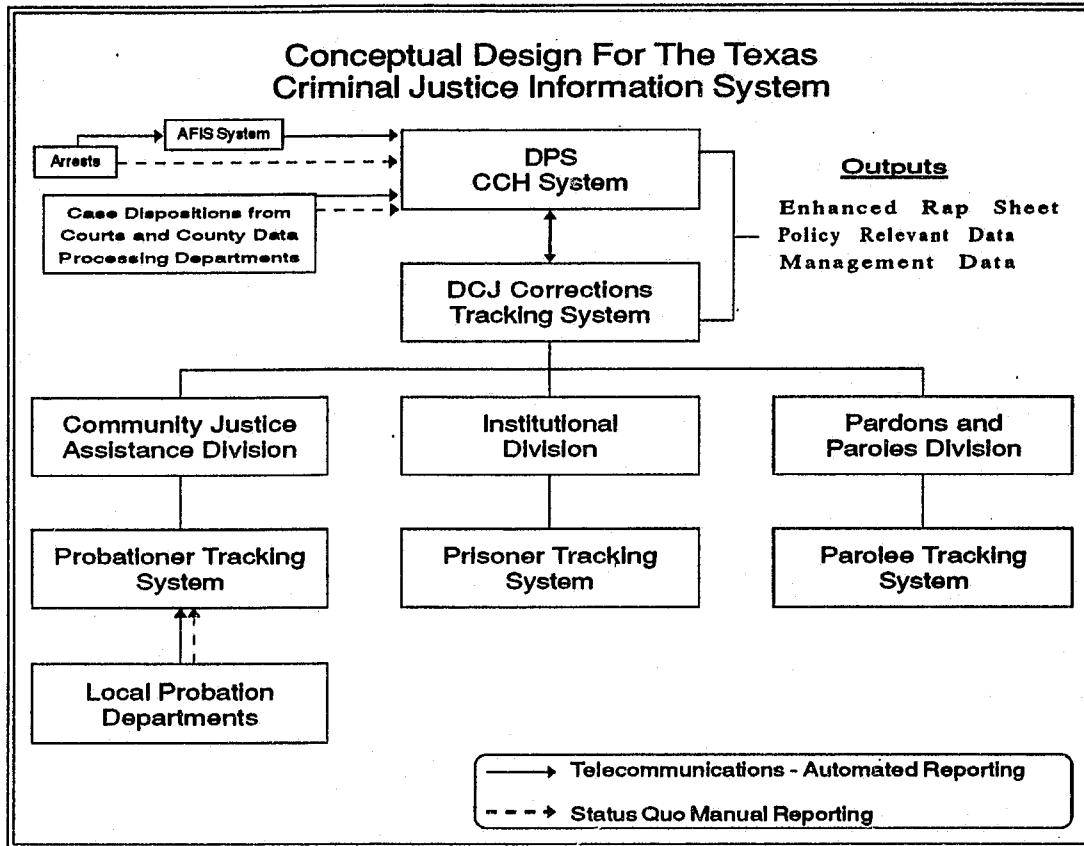
- Enhancements to the Computerized Criminal History system managed by the Department of Public Safety;
 - Creation of a Corrections Tracking System to be managed by the Department of Criminal Justice;
 - Establishment of an electronic link between the DPS's Enhanced CCH and the DCJ's CTS;
 - Coordination of all county criminal history record systems with the CJIS;
 - Assignment of a CJIS tracking incident number to each arrest incident for felonies and Class A and B misdemeanors. The CJIS tracking incident number will follow the offender through the system;
 - Encouragement of electronic reporting of data between local contributors and the state;
 - Reporting to the CJIS by the agency with the offender under its jurisdiction;
 - 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;
 - Mandatory reporting to the state of status changes as the offender moves through the system;
 - Collection by DCJ of start and end dates for each offender assigned to a corrections program, 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.

The CJPC Report identifies some of the current system problems and offers some solutions to those problems. In this manner, the CJPC Report has created goals for the new CJIS which will provide a state-of-the art system for users and reporting agencies. Implementation of the Texas CJIS will provide a criminal records system that:

- Provides law enforcement officers with a complete and accurate criminal history record depository;
- Provides criminal justice agencies with a complete and accurate criminal history record depository for operational decision making;
- Stores complete and accurate criminal histories from which system modeling can be conducted;
- Improves the quality of data used to conduct impact analyses of proposed legislative changes in the criminal justice system; and
- Improves the ability of interested parties to analyze the functioning of the criminal justice system.

It should be kept in mind that the CJIS will be made up of two primary components: the CCH and the CTS. As previously described, the CCH was originally developed in 1970 and is managed by DPS. 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 DCJ. 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. A graphic depicting the CJIS follows.



While the primary use of the CJIS will remain the provision of criminal history information through a "rap sheet", the creation of an electronic link between the CCH and CTS establishes the potential for compiling an enhanced "rap sheet" from data in both systems. Of interest primarily to prosecutors and corrections officers, an enhanced "rap sheet" will allow detailed information on an offender's prior treatment services and programs while on probation or parole, and will note whether the treatment or program was completed successfully by the offender. This information is important when an offender reenters the criminal justice system and a prosecutor must determine a sentence recommendation and when a corrections officer conducts a pre-sentence investigation or develops a treatment plan.

IMPACT OF AFIS ON THE CJIS

Persons familiar with the functioning of the criminal justice system recognize that a primary need is the ability to positively identify the accused. Many offenders use false identities,

commonly referred to as aliases, which makes positive identification of the accused critical.

Fingerprint matching, the current identification methodology used in Texas, is a labor intensive process involving a time lag between receipt of the fingerprints and confirmation of the accused's identity. Adoption by Texas of the statewide Automated Fingerprint Identification System (AFIS), scheduled for operation by the end of 1993, will reduce the turnaround time for positive identification, especially for those locations with a remote AFIS terminal. Due to the size of Texas, however, it is not practical to place an AFIS terminal in each of the 254 counties.

When the AFIS is operational the overall processing time of fingerprint cards will be dramatically reduced from the current manual processing time. In communities with either a remote AFIS terminal or their own state compatible AFIS system, a positive identification should be received within two to four hours after the local arrest booking agency scans the fingerprint card into the remote AFIS terminal.

Communities not served by an AFIS terminal will benefit from an improved response time once the fingerprint card is received at DPS since the host AFIS system will dramatically speed up the positive identification process at DPS. There will still exist, however, a delay caused by the mailing of the card to DPS and the mailing of the subsequent reply in the form of a "Rap Sheet" by DPS back to the arresting agency.

AFIS also has the potential to further streamline the overall arrest reporting. Paralleling the circumstances in the automated court systems, automated arrest booking agencies enter arrest data into their computer systems to begin an offender tracking record and then submit a paper fingerprint card to DPS. The sophistication of these local systems varies widely but the primary issue is that a computer record has been created. The potential, therefore, exists for electronic reporting of arrest information. Under the current plan the fingerprint card will still be sent to DPS, however, future plans allow for the possible elimination of some of the paper reporting of fingerprint cards.

NEW REPORTING STANDARDS

The CJIS will set reporting standards through the implementation of mandatory reporting. In order for the system to be of value to all users, however, information must be reported to the central repository in a timely manner. In the past, without mandatory reporting or adequate funds, local reporting has suffered. While creating the CJIS the state legislature established in

Chapter 60, CCP, the following time frames for reporting:

- Arrest data to be reported within seven days.
- Subsequent processing data to be reported within thirty days.

The United States Department of Justice, Bureau of Justice Assistance, has issued "Recommended Voluntary Standards for Improving the Quality of Criminal History Records Information" in their Guidance for the Improvement of Criminal History Records. These voluntary standards will be met in Texas through the implementation of the CJIS as defined by Chapter 60, CCP. The federal recommended time frames for reporting are as follows:

- In single-source states the repository shall forward fingerprint cards, when appropriate, to the FBI within two weeks of receipt.
- States shall ensure to the maximum extent possible that final dispositions are reported, when appropriate, to the FBI within a period not to exceed 90 days after the disposition is known.

Texas is a single source state and current initiatives mandated under Chapter 60, CCP, will ensure that the state meets or exceeds the federal arrest reporting recommendations. Final disposition reporting to the FBI should also meet or exceed the federal recommendations once the state CJIS is operational.

The use of federal Department of Justice, Bureau of Justice Statistics (BJS), Criminal History Records Improvement (CHRI) grant funds allocated to implement electronic reporting of disposition data from automated counties will have a significant impact on the timeliness of disposition reporting in Texas. One option under consideration, "on-line real-time" data transmissions between county systems and the CJIS, would allow virtually instantaneous reporting of disposition data. Batch mode data transmissions are another option which would allow overnight reporting of disposition data. County data systems representatives expressing an opinion generally preferred "on-line real-time" but either method allows for the rapid updating of the file in the CJIS.

The use of the Department of Justice, Bureau of Justice Assistance (BJA), five percent set-aside funds as suggested in this plan will assist counties in converting their data systems to track offenders in concert with Chapter 60, CCP, requirements. It will also require applicants to

implement electronic reporting between their local systems and the state CJIS. This will continue existing efforts to ensure the timely transfer of disposition data to the CJIS.

While Chapter 60, CCP, mandates numerous changes in the data collected in the new CJIS, some of these mandates are particularly germane to this CJRI plan. Local agencies will report data to the CJIS indicating the specific felony or misdemeanor level for each arrest and for each court conviction. If the state legislature should, in the future, require a criminal history background check for the purchase of firearms, this data will serve as the basis for fulfilling that mandate which is central to the United States Attorney General's Initiative.

STATEWIDE FORUMS FOR INPUT ON CJIS DEVELOPMENT

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 state and local data systems experts, district clerks, county clerks, prosecutors and law enforcement 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 in to the decision making forums which best suited their areas of expertise. Continuity was maintained by ensuring a "core participant" list. A membership list of the various committees is in Appendix B.

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 (DIR) 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 "Technical Subcommittee Report".

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 implement the statewide CJIS as mandated by Chapter 60, Code of Criminal Procedure. Intended to serve as the on-going Criminal Records Improvement Task Force.

(6) CJIS Statewide Workshop II.

Hosted by: Department of Public Safety. Held 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 Fort Worth area; May 11, 1992 in Houston area; and May 18, 1992 in El Paso area.

Purpose: 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. Compile suggestions and report to the legislature by September 30, 1992.

Hearings notices (approximately 2,000) were sent to:

- Local police departments submitting at least 200 fingerprint cards during 1991;
- All elected sheriffs;
- All elected district attorneys and county attorneys;
- All elected district clerks and county clerks;
- Members of the Texas Association of Governmental Data Processing Managers;
- Members of the Texas Criminal Justice Information Users Group;
- Local agency members of the Policy Council Telecommunications Advisory Committee;
- Field commanders of 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 direct mailouts for the public hearings, a notice of each public hearing was posted in the Texas Register. Everyone attending a hearing was sent a follow-up letter encouraging their further written input.

STATE AND LOCAL PROBLEM ANALYSIS

Through participation in the forums identified in the previous section, local and state representatives have analyzed data and offender flows and identified potential problems. For instance, one significant data flow problem may occur when an arrested person does not have a prior criminal history. An on-line name search results in a "no hit" and the fingerprint card is sent to DPS for verification and creation of a new record in the CCH system. As discussed in a previous section, the normal time between arrest and DPS's response with the person's new DPS

number can be one to two weeks. Upon assignment of a new DPS number the arresting agency is sent a "rap sheet" containing the newly assigned DPS number. In the meantime, the suspect may have been filed on in court and, conceivably, could have had the case disposed. This situation leaves only the arresting agency with the DPS number but no guarantee that the number is being forwarded to the prosecutor or the court for a positive match.

DPS will solve this problem by simultaneously providing the DPS number to the arresting agency, prosecutor, and data processing department in automated counties. This procedural change will allow data processing departments to match all relevant individual/case identifying numbers within the local data systems. By sending this data electronically, it will also reduce redundant manual data entry at the local level.

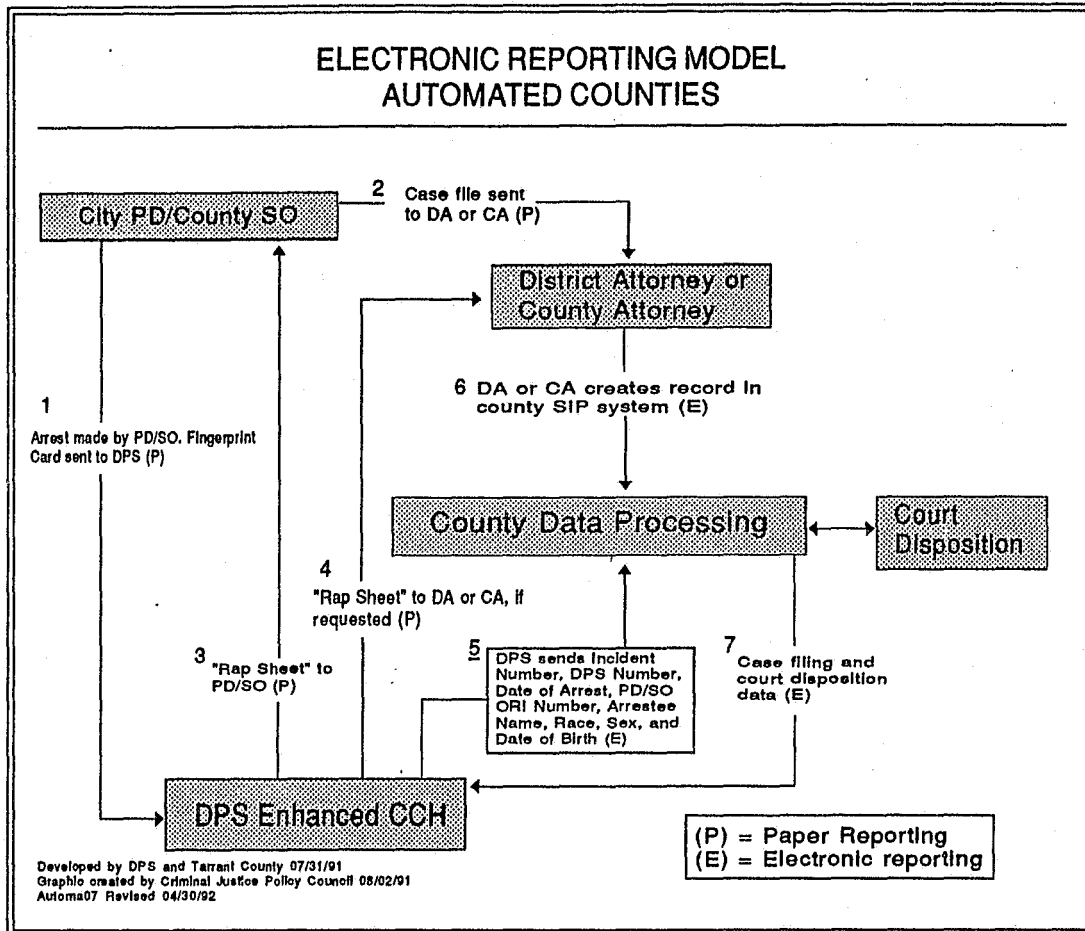
While the AFIS represents a major step forward in the positive identification of the accused, there still would exist the possibility of the offender being moved forward in the system for processing while the positive identification is sent to a former processing point. Analysis of the local/state data flows has been conducted to address this problem.

In analyzing existing data systems, two primary scenarios have been developed which depict the possible interactions between DPS and local agencies. Variations will occur, however these scenarios depict the most important aspects of local/state interaction.

The first scenario is for automated counties. Within the automated counties DPS will send a "rap sheet" to the arresting agency as well as to the prosecutor, if requested. When the electronic reporting capability of the CJIS is implemented these messages will be sent using telecommunications lines insuring a quick turnaround time and a reduction in manual intervention.

When referring to prosecutors receiving "rap sheets" upon request, the reader should be aware that the prosecutor's office will be able to enter a one-time standing request with DPS to receive these "rap sheets".

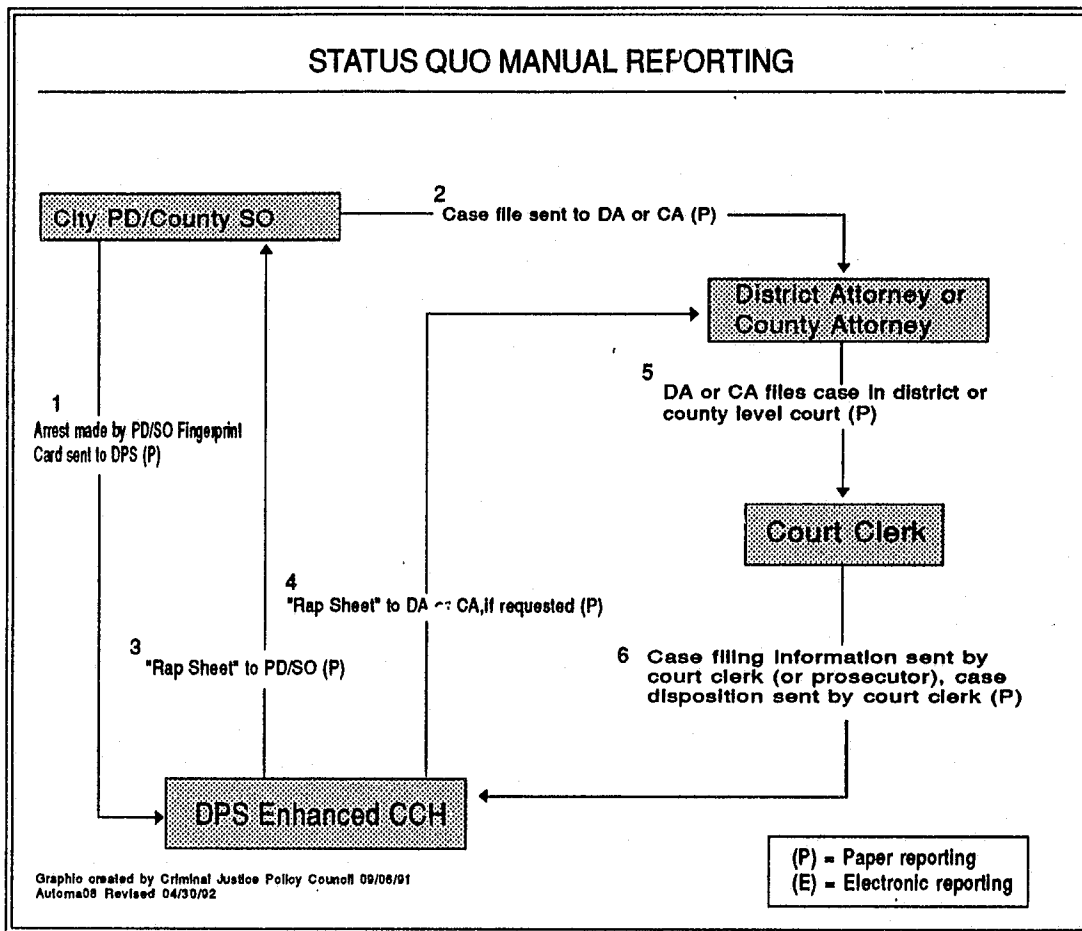
The first state/local data flow graphic identifies the process in an automated county. To provide the reader with a systemic perspective of how data will flow, the primary interaction points are represented. The major focus in the graphic, however, should be item "5" which depicts the new data transmission to the centralized data processing department computer.



This plan focuses on the automated counties since they represent the overwhelming majority of arrests and case dispositions in the state and will have the largest relative impact on system improvements. The state will not, however, ignore the needs of the manual counties which currently lack the means to automate their court systems. Assistance will be sought to help these counties automate their court processing systems if they want automation. It would be expected, however, that some counties may prefer to maintain a manual system due to relatively low caseloads, the reporting of which may be manageable. Until the provisions within this plan can address the needs of non-automated counties, DPS will, upon request from the district attorney or county attorney, submit "rap sheets" not only to the arresting agency, but to the appropriate prosecutor's office within the county.

The second graphic, representing the "status quo", identifies the state/local interaction process in

a non-automated county. As with the automated counties, local users in non-automated counties will be able to receive enhanced "rap sheets" containing data on a suspect's prior criminal and corrections history.



PROPOSED REPORTING PROCEDURE

Most law enforcement agencies, prosecutors and courts will need to change some of their reporting procedures to comply with the reporting mandates of Chapter 60, CCP. The DPS has written a detailed system overview to orient reporting agencies and will conduct on-site training for these agencies as well. The system overview explains procedures for routine and special circumstances and lists codes for reporting.

In processing a routine arrest and court disposition, because the central repository is not yet equipped to receive arrest information electronically, all arrest information will initially be reported manually. To reduce unnecessary duplicative data entry, those police departments which are automated may send arrest data to DPS in the form of print-outs. The print-outs must contain the same data elements required by Chapter 60, CCP.

The reporting agencies will use two new forms: the Uniform Incident Tracking Form (Tracking Form) which includes the Fingerprint Card, and the Supplemental Incident Tracking Form (Supplemental Form). The Tracking Form is a multi-part form with the top sheet designated for recording arrest data, the second sheet for recording the prosecutor data and the last sheet for court disposition information. Each Tracking Form has a pre-printed tracking incident number (TRN) for each arrest event. The Fingerprint Card is attached to the back of the Tracking Form and serves as the basic CJIS source document for each arrest.

Only one charge may be recorded per Tracking Form. Upon arrest, this charge is assigned the pre-printed TRN plus the suffix "A001". If a suspect is arrested for multiple charges a Supplemental Form must be completed for each additional charge. The Supplemental Form is also a multi-part form with each sheet having the same layout as the Tracking Form. The charges on the Supplemental Forms have the same TRN as the corresponding Tracking Form but will be given subsequent suffixes "A002", "A003" and so on. This numbering method separates the charges in the CJIS but allows the user to relate each charge to one arrest event.

Reporting begins with the arresting agency completing the identification and arrest portions of the Tracking Form. The data elements collected on the form, established by Chapter 60, CCP, meet the voluntary standards set by the Bureau of Justice Assistance's Guidance for the Improvement of Criminal Justice Records for reporting to the FBI. This standard includes designating the offense as a felony or a misdemeanor. The arresting agency completes the arrest segment and sends the Fingerprint Card and the top sheet of the Tracking Form, along with the top sheets of any Supplemental Forms, to the DPS.

The Immigration Act of 1990 changed Section 503 of the Omnibus Crime Control and Safe Streets Act to require that criminal justice records identify aliens so that deportation proceedings can be initiated on convicted aliens. Among the required data elements to be reported to the INS are "Place of Birth" and "Citizenship and Alien Identification Number". These data elements will be recorded in the arrest segment of the Tracking Form by the arresting agency.

After receiving the Fingerprint Card or AFIS fingerprint image, the Crime Records Division of the DPS will search the Enhanced CCH database to determine if the suspect has been arrested before and is "in the system". If the suspect has a record in the system, the DPS will update the offender's CCH record. If no match is made then the suspect is given a new System Identification Number (SID - also referred to as the DPS Number) which is unique to the individual and the system creates a CCH record. Initially the actual receipt by DPS of a fingerprint card will be required in order for an existing CCH record to be updated or a new record to be created. When the AFIS system is fully operational, however, plans call for the CCH record to be updated or created based on the AFIS print image transmission along with suspect identifiers transmitted electronically. The DPS will transmit a copy of the suspect's "rap sheet" to the arresting agency and, as previously discussed, also to the prosecutor's office, if requested. In automated counties, the data processing department will receive an electronic transmission containing system identifiers that they will merge into their local records for offender and case tracking purposes.

Prosecution data can be reported by the prosecutor or the clerk, according to local practice. The county and district clerks must report the court disposition data on the second sheet of the Tracking Form. The second sheet must also be completed on any Supplemental Form(s) that accompanies the Incident Form. If the prosecutor or court adds a charge, the TRN suffix would be "D001" for a district court charge and "C001" for an added county court charge. This allows the system to distinguish between original arrest charges and prosecutor or court added charges. Note that automated counties will be able to submit the data contained on the form electronically and avoid paper reporting.

If the individual is sentenced to probation, the court will send, with the probationer, the remaining portion of the form(s) to be retained in the file. The supervision information will be reported to DCJ using a variety of electronic media ranging from diskettes to mainframe to mainframe electronic links. Manual reporting capabilities will be retained for any probation departments choosing to remain with that reporting mode. A separate probation data form has been designed by DCJ and, as with CCH data, as long as local computer systems capture and report the needed data, submission of the actual form is unnecessary. As the DCJ receives information, the CJIS system links the arrest, prosecution and disposition data through the pre-printed TRN.

For those defendants convicted and sentenced to prison under the jurisdiction of the DCJ Institutional Division (DCJ-ID), existing reporting procedures are being modified to capture

inmate data from each county as soon after a defendant is sentenced to prison as is possible. Early transfer of data will allow the DCJ-ID to create a record in the CTS prior to an inmate arriving at the prison diagnostic unit. This data (referred to as "state ready" data) may be sent electronically or as part of the normal commitment packet. Whichever data transfer method a county chooses, the actual commitment packet must be sent to the DCJ-ID within a specified period of time after sentence, rather than waiting for the inmate to be physically transferred from the county jail to prison. This modification to the data flow will achieve the following:

- Decrease the amount of time required by the prison system to receive and process an inmate.
- Enhance the current DCJ-ID intake scheduling procedure.
- Reduce the amount of paperwork the county must retain until the inmate is transferred to DCJ-ID.
- Provide a more accurate information base on the volume of Parole in Absentia (PIA) or Prison Management Act (PMA) eligible inmates housed in county jails.
- Provide the basis for complying with INS mandates concerning reporting of convicted aliens in local jails awaiting transfer to prison.³

Many of the system reporting improvements scheduled for implementation have come at the initiative of the individual state agencies responsible for managing their respective components of the CJIS. Expediting the reporting of prison sentence data by DCJ is one example. Recognizing new opportunities to eliminate manual intervention in automated processes, DPS tested an on-line "rap sheet" response to a CCH name search with Harris County (central city of Houston) during 1991 to eliminate the previous delay in mailing a "rap sheet" to the arresting agency. This test was successful and DPS has expanded the on-line "rap sheet" transmission process to other jurisdictions when a name search inquiry is made. On-line "rap sheet" responses are a significant step forward in meeting the Chapter 60, CCP, provision encouraging electronic reporting.

Currently there are two primary ways a local jurisdiction can receive a "rap sheet". The first is

³ See Immigration and Naturalization Service Reporting Plan for the State of Texas - Phase II, Criminal Justice Policy Council, July 2, 1992.

through an on-line name search of the CCH database. As stated above an on-line "rap sheet" is immediately transmitted back to the inquiring agency. The second way is by submitting a fingerprint card on an arrested suspect. After the card is processed by DPS, a "rap sheet" is sent back, by mail, to the arresting agency.

When the statewide AFIS is operational, in those jurisdictions with a remote AFIS terminal or with a compatible AFIS system, local users will submit fingerprint images electronically through the AFIS network. The AFIS serves as the front end into the CCH system and will have the capability to trigger the compilation and transmission of an on-line "rap sheet" back to the arresting agency over telecommunications lines. This will eliminate the delay involved in mailing "rap sheets" to arresting agencies with AFIS capabilities.

DPS has also identified redundant manual reporting in convictions involving driver's license suspension and is studying a procedural change to consolidate reporting procedures. If feasible, instead of court clerks preparing two separate forms, one form would be sent to DPS Crime Records Division which would forward the necessary conviction data to the Driver and Vehicle Records Division of DPS. In automated counties electronic data transmission may, in the future, replace manual reporting of this data altogether.

QUALITY ASSURANCE

After implementation of the CJIS and subsequent evaluation of the data reported, the system will continue to be enhanced to fully meet local, state, and federal needs. Requirements have been established in Chapter 60, CCP, to ensure accuracy, completeness and compliance with reporting procedures. They are as follows:

- DPS, DCJ and the Criminal Justice Policy Council will develop biennial plans to improve the reporting and accuracy of the CJIS and to develop and maintain monitoring systems capable of identifying missing information.
 - At least once during each five year period, the Criminal Justice Policy Council will coordinate an examination of the records and operations of the CJIS to ensure the accuracy and completeness of information in the system and to ensure the promptness of information reporting.
 - The DPS and the DCJ will develop reporting procedures that ensure that the offender
-

processing data is reported from the time an offender is arrested until the time an offender is released from the system.

As local agencies work to implement changes in their systems, the DPS and DCJ will provide training to assist local data entry and system specialists in meeting reporting requirements. The DPS has developed an Enhanced CCH system overview and DCJ has developed a CTS overview which explains reporting procedures and lists reporting codes. An agency which fails to meet the requirements of Chapter 60, CCP, will be in violation of state law, however, the initial focus will be on assisting agencies to comply with the mandates rather than addressing sanctions.

FEDERAL INITIATIVES

Two federal initiatives to improve criminal justice records have occurred simultaneously with the State's crime records improvement initiative. One federal initiative has already provided financial assistance to Texas and the second can provide a significant amount of the needed local financial assistance.

The Anti-Drug Abuse Act of 1988 required 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. In 1989 the Attorney General reported to Congress the first new federal initiative to accomplish the congressional mandate:

- Creation of voluntary reporting standards for state and local law enforcement agencies.
- Implementation of a nationwide Criminal History Record Improvement (CHRI) program to:
 - Assist the states in improving the accuracy, completeness, and timeliness of criminal history information in the central repositories.
 - Provide information to the FBI in accordance with the voluntary reporting standards.
 - Identify ineligible felons who attempt to purchase firearms.

The national CHRI program, administered by the United States Department of Justice, Bureau of Justice Statistics, provides \$27 million to the states over a three year period. The Criminal

Justice Policy Council received \$470,000 in the first year and has developed a second year application for \$350,000 to ensure that all available resources are used to further the implementation of Chapter 60, CCP. During the first year, the acquired funds were passed through under contracts to DPS and Tarrant County to develop the prototype for electronic transmission of case disposition data from counties to the state CJIS. During the second year, another county will be selected to continue the evolution of electronic reporting to DPS. The first year grant funds were used for the following:

- Tarrant County served as the "test county" to work out the standards and protocols necessary to implement electronic reporting statewide.
- The Policy Council provided Tarrant County with \$100,000 and DPS with \$305,393 in federal grant funds for database conversion and electronic reporting implementation.
- Funds were used for database conversion and to begin implementation of electronic data reporting from automated counties to the state.
- DPS served as the lead agency in developing the necessary standards and protocols for electronic reporting.

The second federal initiative, the Criminal Justice Records Improvement (CJRI) initiative administered by the United States Department of Justice, Bureau of Justice Assistance, resulted from the Crime Control Act of 1990. It requires each state, among other provisions, to use no less than five percent of its Department of Justice block grant funds for criminal records improvement. In Texas this amounts to \$1.28 million in FY 1992. The requirement to set aside five percent of the block grant funds will continue in each future year until the state is in compliance with minimum standards established by the United States Department of Justice. (See Appendix A)

These funds used over the next several years can be directed to assist fully automated counties in converting their systems, semi-automated counties in acquiring needed hardware and software, and non-automated counties in automating their court processing data. It is this five percent set-aside funding that will allow local governments in Texas to implement the reporting changes mandated in Chapter 60, CCP. The proposed Texas plan for using the five percent set-aside funds constitutes the remainder of this document.

**THE FIVE PERCENT
SET-ASIDE PLAN**

PROBLEM STATEMENT

Following are key factors which help to define the major problem in crime records improvement facing the state:

- Current disposition reporting from the counties to the state is a manual process.
- Data on case dispositions is not reported to the state CCH system with any regularity.
- The state criminal history system is automated.
- The largest counties in Texas maintain automated court case tracking systems which include case dispositions.
- In automated counties court clerks enter case processing and case disposition data into their county case tracking systems.
- The State of Texas has recently enacted legislation to mandate reporting of arrests and dispositions for all felonies and Class A and B misdemeanors.
- Under a manual reporting system court clerks would enter case disposition data into their county automated systems and then manually report the same data to the state.
- Economic constraints may force many local jurisdictions to unwillingly ignore the state reporting mandates.
- There are 254 counties in Texas with court processing system capabilities ranging from full automation to manual systems.

These factors define the problem facing the State of Texas:

The state needs court disposition information which the counties have and the counties need financial assistance to provide the state with this information.

PROPOSED SOLUTIONS

Following in order of priority are the recommended solutions to the stated problem:

- 1) Use the federal five percent set-aside funds to assist automated counties in converting their case processing databases to capture and track new required data and implement electronic reporting between counties and the state.
- 2) Use the federal five percent set-aside funds to assist partially automated counties in developing case processing databases to capture and track all required data and implement electronic reporting between counties and the state.
- 3) Use the federal five percent set-aside funds to provide "turn-key" automated court processing systems which serve a useful local purpose to manual counties to allow them to capture required data fields and implement electronic reporting between counties and the state.

This three-tiered approach will meet federal mandates while assisting counties in complying with state mandates. In addition, since seven of the largest automated counties account for approximately 60% of court conviction data and 57% of all disposition data, this approach will have the most immediate impact in improving the availability of court disposition information in the CJIS.⁴

While the primary focus of this plan is on assisting counties in transmitting the needed data electronically to the state, the possibility exists that DPS may need available funds to acquire necessary equipment to fully implement the CJIS. The Office of the Governor, Criminal Justice Division may need to allocate unused prior fiscal year grant funds for this purpose. If this can be accomplished all or most of these 5% set-aside funds can be provided to counties. We must, however, allow for the possibility that some of these funds may be allocated to DPS.

DISTRIBUTION OF THE CJRI FUNDS

The federally mandated Criminal Justice Records Improvement (five percent set-aside) funds should be allocated as described in the following proposed state program description:

Program F02 provides funds to bring the state into compliance with recent federal and state legislation mandating the improvement of criminal history records systems. The Crime Control Act of 1990 amended Part E of the Omnibus Crime Control and Safe

⁴ Texas Judicial System Annual Report, Texas Judicial Council, December 1991.

Streets Act to require that each state allocate at least five percent of its Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant funds to the improvement of criminal justice records. Chapter 60, Code of Criminal Procedure (CCP), passed by the 71st Texas Legislature established the Texas Criminal Justice Information System (CJIS) and mandated local jurisdictions to report arrest and case disposition data to the state.

Projects under F02 will assist local jurisdictions implement state mandates for data collection and reporting contained in Chapter 60, CCP. The program will also implement electronic reporting of case disposition data from local jurisdictions to the state Criminal Justice Information System (CJIS) using telecommunications standards and protocols developed under the federally funded "Improvement of Criminal History Record Information and Identification of Convicted Felons in Texas". This project is managed by the Criminal Justice Policy Council, with the cooperation of the Department of Public Safety (DPS), the Department of Criminal Justice (DCJ), and seven of the largest automated counties. Electronic reporting is the primary element in the state's strategy to achieve compliance with state and federal mandates. If no other grant funds can be found to meet the FY 1992 CJIS needs of DPS, this program may also assist DPS during FY 1992.

Funds may be used for the following purposes:

- conversions of existing databases to include state mandated data elements;
 - acquisition of new database programs and conversion of existing records to a new format;
 - acquisition of hardware and software to implement automated case tracking systems;
 - acquisition of limited hardware and any necessary software to implement electronic reporting; and,
 - DPS may use funds during FY 1992 to acquire necessary capital equipment in accordance with H.B. 1 (72nd Legislature, First Called Session) if other grant funds can not be allocated to this purpose.
-

All projects funded under this category will include a certification that all Chapter 60, CCP, mandated data, including arrest dispositions and court dispositions, will be electronically reported to the state CJIS in accordance with state data format requirements and telecommunications standards and protocols.

Applications from counties with existing centralized data processing departments must identify the roles of the data processing departments in project implementation and system conversion. Applications from counties which do not have centralized data processing departments must address how local agency coordination will ensure that state mandated data is collected and electronically transmitted to the state CJIS. An application from a county must address the needs of the prosecutor, the courts, and the probation department (Community Supervision and Corrections Departments) within the county. Counties served by a multi-county probation department which has its administrative headquarters in a different county can exclude its probation department from the grant if the administrative headquarters will provide CJIS compliance services.

Grants may be awarded to counties in accordance with the following priorities:

- counties with an existing centralized data processing department;
- counties with decentralized computer capabilities currently maintaining court case tracking data;
- non-automated counties.

The proposed grant fund distribution schedule is based on county size which correlates with the number of dispositions and convictions that will be reported to the state CJIS. Counties sharing the same system platforms may file a joint application which will develop a system conversion for all participants. The populations, dispositions, and convictions of all participating counties will be combined to establish a new ranking order and determine in which phase the project will be addressed. A Commissioners Court resolution from each of the participating counties is required committing each participant to the cooperative effort. In addition the resolution must designate the single county which will act as grantee on behalf of the group.

No more than one grant per county or group of counties will be made for a maximum award of \$150,000 from FY 1992 funds. It is anticipated that the maximum award allowable will decrease in subsequent years for medium and smaller counties.

FUNDS AVAILABILITY

Federal mandates to set aside no less than five percent of the Edward Byrne funds took effect with the federal FY 1992 funds (October 1, 1991 through September 30, 1992) which have already been awarded to the states. This means that funds are available now for distribution in addition to future years. The current Texas block grant allocation is \$25,596,000 of which no less than \$1,279,800 must be used for criminal records improvement. If future congressional appropriations remain stable, the following amounts can be expected over the next five years for crime records improvement in Texas:

Estimated CJRI Funds Available 1992-1996

<u>FY</u>	<u>Amount</u>
92	\$1,279,800 (Actual)
93	\$1,250,000 (Estimated)
94	\$1,250,000 (Estimated)
95	\$1,250,000 (Estimated)
96	\$1,250,000 (Estimated)
Total	\$6,279,800 (Actual and estimated)

FUNDS DISTRIBUTION ISSUES

Following are some critical points which dictate the Texas strategy for the five percent set-aside:

- Funds available require a 25% cash match.
- Cash match must be "new money" appropriated specifically as match for the project.
- Funds available are subject to the state/local pass through requirement. In Texas the pass through ratio requires that no less than 65.60 % of the block grant funds be allocated to local projects.
- Six of the seven largest Texas counties' fiscal years run from October 1 through September 30 of each year. The largest county's fiscal year runs from March 1 through February 28.
- The Texas CJIS will not be operational until January 1993. Slight changes can continue

to be made in the system design until that time.

- Texas counties need to begin planning for system conversions necessary to implement Chapter 60, CCP, and adopt electronic reporting. However, until the CJIS system design is finalized, actual local conversion work may be premature.

IMPLEMENTATION STRATEGY AND SCHEDULE

To ensure that the Texas CJIS is successfully implemented, assistance to the counties is critical. The goal of the five percent set-aside funding allocation is to assist all applicable Texas counties to convert their existing data systems or automate their court processing systems and implement electronic reporting.

The Office of the Governor, Criminal Justice Division, has already notified the first tier of counties - fully automated with centralized data processing departments - to allow for the required match funds to be included in their county budget requests which are being developed now. The current goal is to award grants which would commence on September 1, 1992.

At this point it is premature to specify the actual allocation of the 5% set-aside funds among the potential grantees. As previously stated DPS may need some of these funds, however, attempts are currently underway to meet their needs from surplus prior fiscal year funds. If these attempts are successful all of the 5% set-aside funds will be made available to counties. A proposed funds distribution schedule has been developed for the first year. Dollar amounts are estimates only and are based on perceived need, size of data system to be converted, and recent participation in other grant projects which may have covered some of the system conversion costs which this plan addresses.

For each county proposed as a first year project recipient, data on the numbers of felony dispositions and convictions has been compiled. This measures the impact that each project will have on attaining the DOJ mandated reporting standards. It should be noted that while some correlation between the dispositions, convictions and system conversion costs is expected, some systems in medium size and smaller counties may require grant assistance that is not proportional to the number of dispositions reported to the CJIS.

During the first year of the CJRI Plan the following funds distribution by program category is proposed:

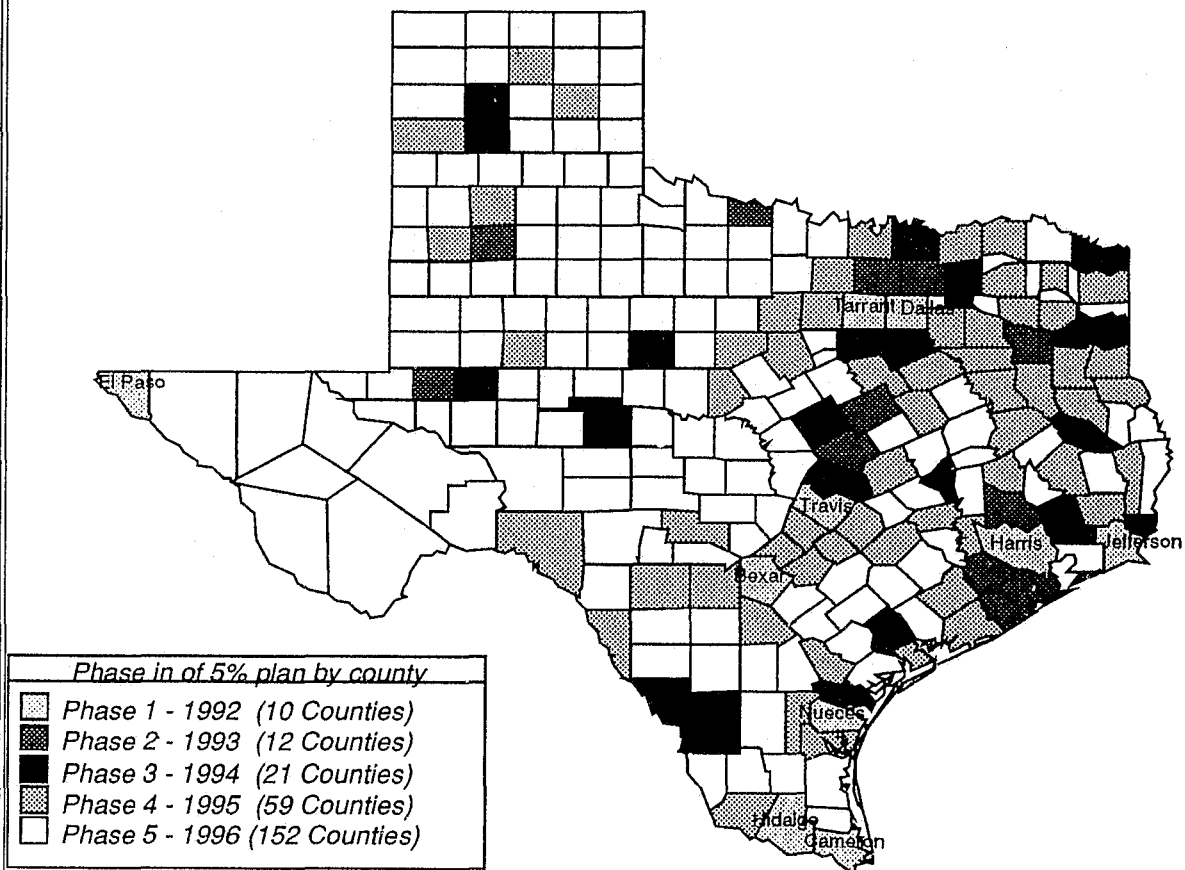
Allocation of FY 1992 CJRI Grant Funds by Program Category

<u>Category</u>	<u>Estimated Amount</u>
Personnel	\$300,000
Fringe Benefits	75,000
Travel	8,000
Equipment	210,000
Supplies	15,000
Contractual	664,800
Construction	0
Other Operating	7,000
Indirect	0

Total Funds = \$1,279,800

On the following page is a graphic depicting the proposed distribution schedule of the 5% set-aside funds.

PROPOSED IMPLEMENTATION SCHEDULE OF CJRI PLAN IN TEXAS 1992-1996



APPENDIX A

"CRITERIA TO DEFINE COMPLIANCE"

As identified in:

Guidance for the Improvement of Criminal Justice Records

Released By the United States Department of Justice
Bureau of Justice Assistance

December 10, 1991

The five percent set-aside will make available to each state no less than five percent of its federal Department of Justice block grant funds to be used for criminal records improvement. The requirement to set aside five percent of the block grant funds will continue in each future year until the state is in compliance with federally developed minimum standards. Those standards are as follows:

Arrests

- 95% of current felony arrest records and fingerprints are complete.
- A reasonable attempt should be made to improve the availability of past records with a goal of achieving complete records for 90% of felony arrests during the past five years. If that goal cannot be achieved, the State should outline the attempts made to improve past records and the reasons why this goal could not be achieved.

"Current" is defined as records initiated with an arrest on or after the effective date of this provision which is October, 1991.

"Complete" is defined as fully and accurately reflecting the underlying criminal justice transactions (arrest, charging, court disposition, etc).

Dispositions

- 95% of current felony arrest records contain disposition information, if a disposition has been reached.
- A reasonable attempt should be made to improve the availability of disposition information in past records with a goal of achieving disposition information for 90% of felony arrest records for the past five years. If that goal cannot be achieved, the State should outline the attempts made to improve past records and the reasons why this goal could not be achieved.

"Disposition" is defined as case termination by release without charging, prosecutor declination or court adjudication.

Correctional Status

- 95% of current sentences to and releases from prison are available
- A reasonable attempt should be made to improve the availability of incarceration information in past records with a goal of achieving incarceration information for 90% of felony arrest records for the past five years. If that goal cannot be achieved, the State should outline the attempts made to improve past records and the reasons why this goal could not be achieved.

Felony Identification

- 95% of current arrest records identify felonies.
- A reasonable attempt should be made to improve the flagging of felonies in existing records, with a goal of achieving felony identification for 90% of the offenses in the repository which occurred during the past five years. If that goal cannot be achieved, the

State should outline the attempts made to improve past records and the reasons why this goal could not be achieved.

Automation Criteria

- All criminal history records from the past five years have been automated.
- All master name index records from the past five years have been automated.
- New records for offenders with prior manual records are entered into the automated files (including the manual record).
- Procedures have been established to ensure that all records related to felony offenses are entered into the automated system within 30 days of receipt by the central repository and all other records are entered within 90 days.

Frequency and Quality of Reporting

- Fingerprints taken at arrest and/or confinement are submitted to the State repository and, when appropriate, to the FBI Identification Division (ID) within 24 hours. In single source states, the State repository shall forward fingerprints, when appropriate, to the FBI ID within two weeks of receipt.
- Final dispositions are reported to the State repository and, when appropriate, to the FBI ID within 90 days after the disposition is known.

APPENDIX B

LISTING OF CJIS COMMITTEES AND MEMBERS

**Reporting Study Committee
Technical Subcommittee
Telecommunications Advisory Committee
CJIS Planning Board**

Reporting Study Committee

Hon. Earl Bullock, Chair
County Clerk
Dallas County

Mr. Ernie Davis
Representing Harris County
District Clerk

Mr. Charles Siefert
Representing Travis County
District Clerk

Hon. R. Brad Burger
District Clerk
Smith County

Hon. Robert D. (Bob) Green
County Clerk
Bexar County

Technical Subcommittee

Mr. H. A. Albert/Mr. David Gavin, Chair
Crime Records Division
Department of Public Safety

Ms. Betty Colonetta/Mr. Glenn Looney
Board of Pardons & Paroles Div.
Department of Criminal Justice

Ms. T. Cayton Dugan
Systems Analyst
Department of Information Resources

Mr. John Flach
Chief, Data Processing Division
Department of Public Safety

Mr. Roy Harrison
Program Supervisor-Data Services
Tarrant County

Mr. Dick Schmid
Director of Data Services
Dallas County

Mr. Don Buckmaster
Community Justice Assistance Division
Department of Criminal Justice

Mr. Frank Curcio
Director of Data Processing
Travis County

Mr. Lonnie Eslick
Institutional Division
Department of Criminal Justice

Hon. David J. Garcia
District Clerk
Bexar County

Mr. Steven Jennings
Director, Data Services Center
Harris County

Mr. Jimmy Ray
Director, Justice Info. Management System
Harris County

Telecommunications Advisory Committee

Mr. Gene Draper, Chair
Deputy Director
Criminal Justice Policy Council

Mr. Quinton Brown
Project Manager, Data Services
Dallas County

Mr. Frank Curcio
Director, Data Processing
Travis County

Mr. John Flach
Chief, Data Processing Division
Department of Public Safety

Mr. Les Gay
Institutional Division
Texas Department of Criminal Justice

Mr. Steven Jennings
Director, Data Serv. and Communications
Harris County

Mr. Jimmy Ray
Director, Justice Info. Management Systems
Harris County

Mr. Brian Withrow
Fingerprint Records Bureau
Department of Public Safety

Mr. Art Armas
Consolidated Data Processing
El Paso County

Mr. Chai Chanyarlak
Director of Data Processing
Nueces County

Mr. Lonnie Eslick
Data Processing and Communications
Texas Department of Criminal Justice

Mr. David Gavin
Chief, Crime Records Division
Department of Public Safety

Mr. Roy Harrison
System Supervisor for Data Services
Tarrant County

Mr. Brad Powell
Manager of Technical Support Services
Travis County

Ms. Rosalina Rios
Assistant Director for Applications
Bexar County

CJIS Planning Board

Mr. David Gavin, Chair
Chief, Crime Records Division
Department of Public Safety

Mr. Chai Chanyarlak
Director of Data Processing
Nueces County

Mr. John Flach
Chief, Data Processing Division
Department of Public Safety

Hon. John B. Holmes, Jr.
District Attorney
Harris County

Chief Deputy Dan Richards
Arrest/Booking Representative
Travis County Sheriffs Office

Mr. Weyman Saul
Pardons and Parole Division
Department of Criminal Justice

Hon. Earl Bullock
County Clerk
Dallas County

Mr. Gene Draper
Deputy Director
Criminal Justice Policy Council

Mr. Les Gay
Institutional Division
Texas Department of Criminal Justice

Hon. Adeline Melcher
District Clerk
Lee County

Mr. Bobby Rusk
Community Justice Assistance Division
Department of Criminal Justice

Mr. Brian Withrow
Fingerprint Records Bureau
Department of Public Safety