

AG Advisory Committee

The AG's Advisory Committee on Criminal History Record Improvement will address the continued legislative and technological changes influencing criminal history record identification and information management. With the increased use of enabling technologies at the statewide and national levels to improve accuracy and timeliness of data sharing, the DOJ is looking for input from user agencies, via the members of the AG's Advisory Committee, to assist with realizing its mandate as the state criminal history repository.

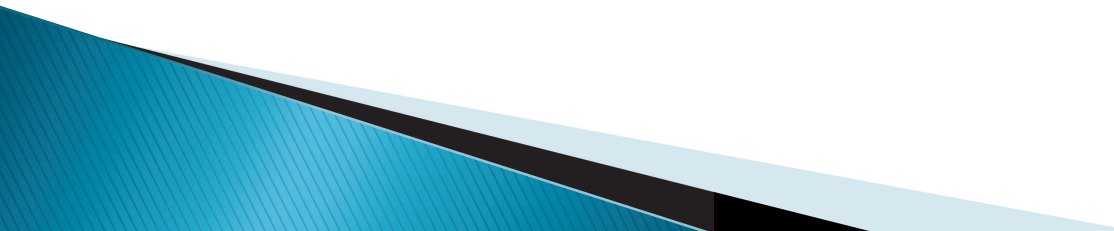


Presented by
Marc St.Pierre, Assistant Director
Record Management Branch

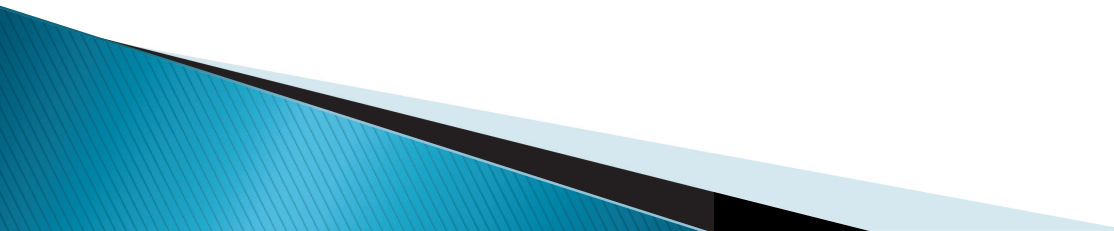
Role

The role of the AG's Advisory Committee on Criminal History Record Improvement is to assist the AG in developing policies and procedures relevant to state summary criminal information, otherwise known as criminal offender record information (CORI). CORI is maintained in databases hosted by the California Department of Justice's (DOJ) California Justice Information Services Division and this committee will ensure criminal justice stakeholders have the opportunity to provide input on strategies to attain the most accurate and complete criminal history summary information.

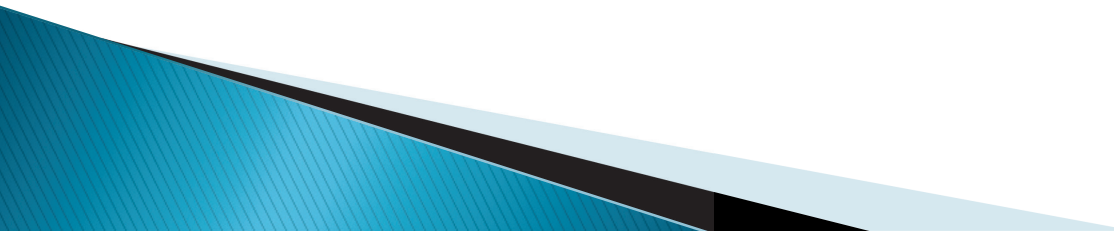
Association and State Agency representatives' expertise, assistance, and insight will be instrumental in determining the DOJ's approach to and decisions on automation efforts to meet stakeholder needs. Automation efforts include improving the accuracy and submission of all arrest events and increasing the number of subsequent dispositions. In addition, identifying and supporting legislation to further the goals of the committee, seeking funding opportunities for such improvements, and sharing critical information with represented associations and agencies are key responsibilities for each representative.



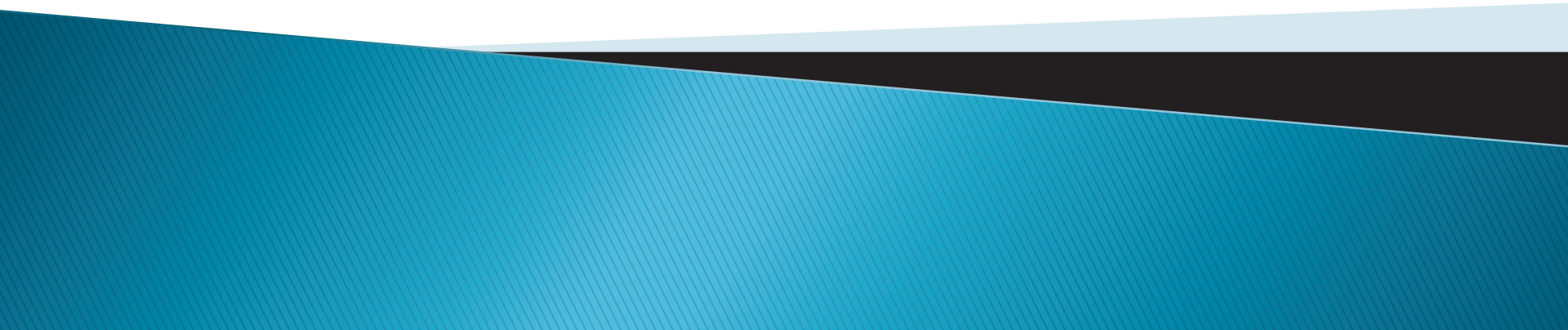
Objectives

- ▶ Improve communication, collaboration, and decision-making between criminal justice community stakeholders to address state and local record keeping practices, challenges, and opportunities.
 - ▶ Formulate policy and promote legislative changes to ensure complete and accurate criminal history information in an effort to reduce the instances where the DOJ has a record of an arrest without the subsequent disposition, improve law enforcement's investigative capacity, promote officer safety, and improve background checks.
 - ▶ Assess how we are delivering on our mission to support criminal justice and regulatory agencies by maintaining, analyzing, and providing access to California's CORI through continued technological innovation and collaborative partnerships.
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Agenda

- ▶ State of the Criminal History Repository
 - ▶ Update on Statewide Tables Standardization
 - ▶ Open Discussion
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State of the Criminal History Repository

- Current state of the DOJ's criminal history repository
 - 2017–2018 Legislative Session Highlights
 - Outreach and Promoting Changes
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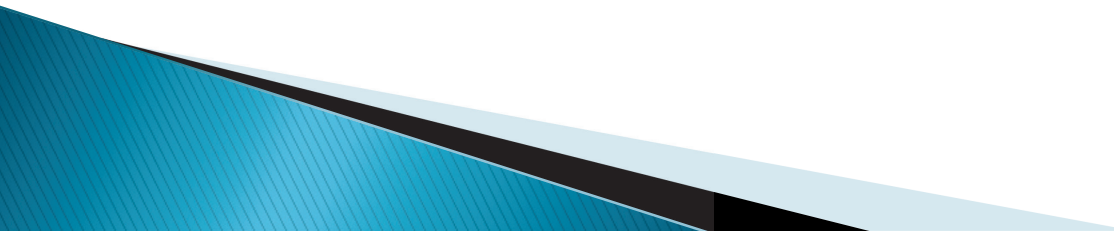
Current state of the DOJ's criminal history repository

- ▶ Arrests
 - 16/17 – 1,229,466
 - 17/18 – 1,228,729
- ▶ Dispositions
 - 16/17 – 1,521,428
 - 17/18 – 1,800,512
- ▶ Electronic Reporting Agencies
 - Production – 61
 - 8 added since March, 2018
 - Testing – 13
- ▶ JADE
 - 75 Agencies have accounts
 - 10 added since March, 2018
 - 35 are active
- ▶ DOJ Observations

Legislation Session Highlights

- ▶ 2017–2018 Highlighted Bills
- ▶ Tracking Crime Related Bills

Outreach and Promoting Changes

- ▶ SB 384 – Sex Offender Tiering
 - ▶ Information Bulletin 18–08–CJIS
 - Electronic Reporting by July 1, 2020
 - Decommission Manual Disposition Reporting
 - Methods of Electronic Reporting
 - Justice Automated Data Exchange (JADE)
 - ▶ Open Arrest Reports
 - ▶ Detention Only Dispositions
- 

California Law Enforcement Web

CLEW

State of California Department of Justice



California Law Enforcement Web

Hello



Use of Force Incident Reporting

[Information Bulletin and Instructions](#)

[DOJ & BSCC Use of Force Comparison](#)

[URSUS Enrollment](#)

[URSUS Enrollment Survey](#)

OpenJustice

[OpenJustice Update - Winter 2016](#)

Citizens' Complaints Against Peace Officers - Revision

[DLE-2015-06 - Information Bulletin](#)

[BCIA 724 - Revised](#)

CJIS Programs

ATTENTION: Federal Court Temporarily Enjoins Implementation of Large Capacity Magazine Ban

IMPORTANT MESSAGE for all Law Enforcement Agencies

On June 29, 2017, a federal court preliminarily enjoined the Attorney General and law enforcement agencies from implementing or enforcing California Penal Code sections 32310 (c) & (d), as enacted by Proposition 63, which, with some exceptions, established a state-wide ban on the possession of large capacity magazines able to hold more than 10 rounds of ammunition. Lawfully possessed large capacity magazines may therefore be retained while this injunction is in effect and until the lawsuit challenging these provisions of Proposition 63, the Safety for All Act of 2016, is decided (Virginia Duncan, et al. v. Xavier Becerra, et al., United States District Court, Southern District of California case No. 3:17-cv-1017-BEN).

Electronic Search Warrant Notification

IMPORTANT MESSAGE for all Law Enforcement Agencies

California law requires any government entity that executes a warrant, or obtains information in an emergency from an electronic communication service provider or from an electronic device shall notify the identified targets of the warrant or emergency request that information about them has been compelled or obtained.

The law requires that the government entity provide specific information about the investigation under which the information is sought and provide a copy of the warrant or a written statement setting forth facts giving rise to the emergency. (California Penal Code s. 1546.2)

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JUSTICEMOBILE

JusticeMobile is an exciting new technology solution for our Law Enforcement Agencies (LEAPs) from the California Department of Justice providing anywhere, anytime and access to Criminal Justice Information.

<https://clew.doj.ca.gov>

Need Account Assistance?
CLEW@doj.ca.gov

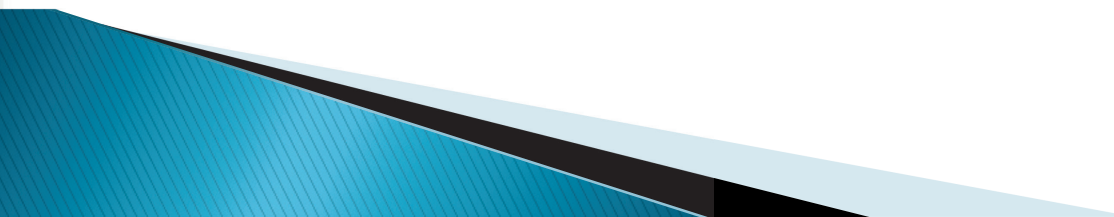


Sex Offender Tiering (SB 384)

Senate Bill (SB) 384 has chaptered into law and mandates that California transition from a lifetime-based sex offender registration system to a tier-based system. Tiers authorize adult registration for 10 years, 20 years, and lifetime, with opportunities for exclusion from the Megan's Law website and termination from registration, as specified. Separate registration criteria applies specifically to juvenile registrants who would register for five (tier one) or 10 years (tier two) and select juvenile registrants would register for life. Petitions for termination would be served on both the registering law enforcement agency (LEA) and the LEA in the county of conviction. The registering law enforcement agency shall report to the court on whether the registrant meets the mandatory minimum registration requirements for termination. Based on specified criteria, courts will either grant or deny petitions for termination and notify the California Department of Justice (CA DOJ).


The new tier-based sex offender registration system takes effect on January 1, 2021.

At that time, the CA DOJ will be determining the tier statuses of new and existing sex offender registrants based on statutory criteria. Tier statuses will be reflected in the California Sex and Arson Registry (CSAR) on January 1, 2021. On or before January 1, 2022, the CA DOJ shall make information available to the public via the Megan's Law Website in accordance with SB 384. The current lifetime sex offender registration laws will remain in effect until December 31, 2020.





Xavier Becerra, Attorney General

<div>California Department of Justice CALIFORNIA JUSTICE INFORMATION SERVICES DIVISION Joe Dominic, Chief</div> <div></div>		<div>INFORMATION BULLETIN</div>	
<div>Subject:</div> Disposition Reporting to the California Department of Justice (DOJ)	<div>No.</div> 18-08-CJIS	<div>Contact for information:</div> ElectronicDispositionReporting@doj.ca.gov	
	<div>Date:</div> 08-10-18		

TO: All CHIEFS OF POLICE, SHERIFFS, DISTRICT ATTORNEYS, CHIEF JUSTICES, AND RECORD SUPERVISORS

Data in the state criminal history repository helps law enforcement's investigative capacity and promotes officer safety. It is used by prosecuting agencies and courts, and allows for employment, licensing, and certification background checks. Criminal justice agencies report data to the state criminal history repository. To assist with data quality and ease of reporting, the DOJ is focusing on improvements to electronic reporting.

Effective July 1, 2020, all arrest corrections and dispositions must be submitted electronically to the DOJ. Any arrest corrections or dispositions submitted after that time by mail or fax will be returned to the submitting agency. Means of submitting arrest corrections and dispositions electronically to the DOJ already exist and will be enhanced to support agency transition away from paper.

Effective July 1, 2020, the DOJ will no longer accept dispositions via the legacy electronic submission format: Automated Transaction Disposition Reporting. This method of reporting to the DOJ is no longer able to support the growing needs and complex changes to support California's criminal justice system.

Reporting Method Comparison

	<u>IUS8715/8715A</u>	ATDR	NCDR Web Services
Packaging	Batch	Batch File	Single Disposition
Transmission Method	US Mail	<u>SFTP</u> file drop	Web Services
Update method	Manual, Data Entry	Electronic, overnight batch	Electronic, 'real time'
Time to Update Criminal History	<u>Average 45 days</u>	3 days *assuming no errors	3 days *assuming no errors
Error reporting	Errors returned US Mail	Errors returned monthly on CD or via <u>SFTP</u>	Errors returned within 5 minutes via Web Services

What Can Be Reported Electronically?

▶ Today

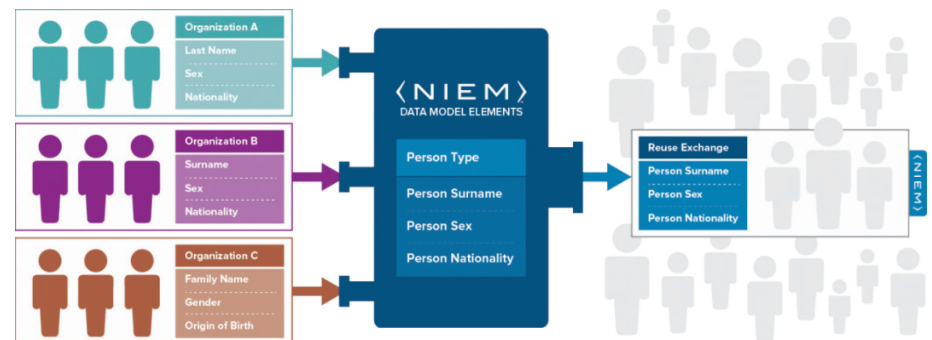
- Adult Court Dispositions
- Adult and Juvenile Record Sealing
- Adult and Juvenile LEA Detention Only
- Adult and Juvenile DA Reject
- Sex Offender requirement to register qualifiers

▶ Coming Soon

- Juvenile Dispositions
 - Court Ordered Tier for Registered Sex Offenders
 - Petitions, Indictments, Complaints
 - Custody admission and release
- 

National Information Exchange Model (NIEM)

- ▶ ... common vocabulary that enables efficient information exchange across diverse public and private organizations
- ▶ ... save time and money by providing consistent, reusable, and repeatable data terms, definitions, and processes
- ▶ ... defines terms, definitions, and relationships for data being exchanged
- ▶ ... foundation to build information exchanges
- ▶ Grant money may be available
- ▶ <https://www.niem.gov>



CA DOJ NIEM Implementation

- ▶ Disposition Reporting via NIEM directly to the CA DOJ is available NOW!

- Learn more

- California Law Enforcement Web (<https://clew.doj.ca.gov>) -> Disposition Reporting
- Email – ElectronicDispositionReporting@doj.ca.gov



- ▶ California Disposition Reporting Exchange (CDRE) via the Judicial Council of California is available NOW!

- Learn More

- The Judicial Council of California (JCC) has published information about the CDRE on the internal court site
- Email – Suzanne.Schleder@jud.ca.gov

Justice Automated Data Exchange

- ▶ LEA Detention Only Reporting Via JADE is available NOW!
 - Learn more
 - California Law Enforcement Web (<https://clew.doj.ca.gov>) -> Disposition Reporting
 - Email – ElectronicDispositionReporting@doj.ca.gov
- ▶ Generate Detention Certificate



Reason for Release Codes

Code	Reason
1	849(b)(1) PC - Complainant Refuses to Prosecute
2	849(b)(1) PC - Arrestee Exonerated
3	849(b)(1) PC - Further Investigation
4	849(b)(1) PC - Admissible Evidence Insufficient
5	849(b)(1) PC - Ascertainable Evidence Insufficient
6	849(b)(2) PC - Intoxication Only
7	849(b)(3) PC - Under the Influence of Controlled Substance and Delivered to Treatment Facility
8	Other Law Enforcement Disposition (Must include reason in the "Remarks" area of Section A on the JUS 8715)

Reason for Reject Codes

CODE	REASON
A	Lack of Corpus
B	Lack of Sufficient Evidence
C	Inadmissible Search and Seizure
D	Victim Unavailable/Decline to Testify
E	Witness Unavailable/Decline to Testify
F	Combined with Other Counts/Cases
G	Interest of Justice
H	Other - Indicate the Reason in the REMARKS Section
I	Referred to Non-California Jurisdiction
J	Deferred for Revocation of Parole
K	Further Investigation
L	Prosecutor Prefiling Deferral
M	Any Dismissal Other Than A through L



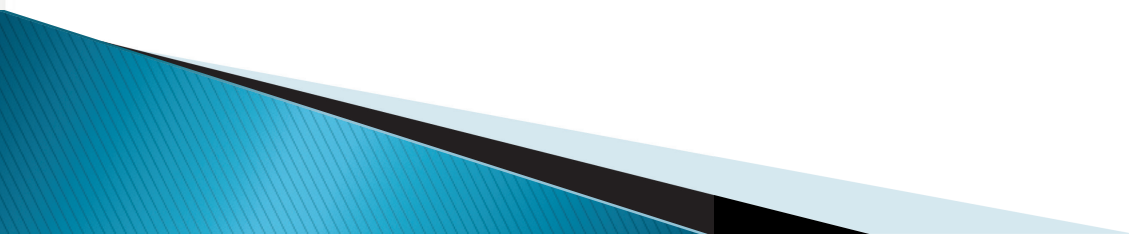
Open Arrest Reports by County

Criminal justice agencies may now access an open arrest report for their county. Arrests that are missing disposition information on the DOJ's state summary criminal history repository are referred to as open arrests. The goal is to assist agencies in identifying missing dispositions for arrests within their county, so that disposition information can be returned to the DOJ to close out open arrests and decrease the disposition gap within their county.

Criminal justice agencies are encouraged to submit any missing disposition information to the DOJ, utilizing existing agency reporting processes. For more information about alternatives for submitting disposition information to the DOJ, please refer to the [Disposition Reporting page](#).

Three Years: This report contains detailed arrest cycle information, with charges, for arrests that are missing disposition information for the last three calendar years plus the current year. This report will be updated quarterly by the DOJ.

All Years: This report contains arrest cycle information, without charges, for arrests that are missing disposition information for all years. This report will be updated annually by the DOJ.



Outreach and Promoting Changes

- ▶ California Criminal History Improvement Program
- ▶ Process Improvements
 - Internal Processing Procedures
 - Modernization of Systems and Processes
 - Error/Confirmation Notifications
 - Standardization and Reference Architectures

Complete Criminal History

▶ California Criminal History Improvement Program

- Improve data quality
- Improve timeliness
- Improve completeness
- Reusable data exchanges/interfaces
- Cost savings and Cost avoidance
- Open Arrest Reports
- Decommission older reporting methods
 - JUS 8715/8715A/8716/8717 Forms
 - Automated Tape Disposition Reports (ATDR)

Complete Criminal History Information

Arrest

99% Electronic

Disposition

80% Electronic

Custody

99% Electronic

Reporting Methods

Complete Criminal History Information

Arrest

99% Electronic

Disposition

80% Electronic

Custody

99% Electronic

Livescan

Hard Cards

Reporting Methods

Complete Criminal History Information

Arrest

99% Electronic

Disposition

80% Electronic

Custody

99% Electronic

JUS 8715 Forms

(8715A, 8716, 8717)

ATDR/CDRE/NIEM

JADE

Livescan

Reporting Methods

Complete Criminal History Information

Arrest

99% Electronic

Disposition

80% Electronic

Custody

99% Electronic

Hard Cards

Livescan

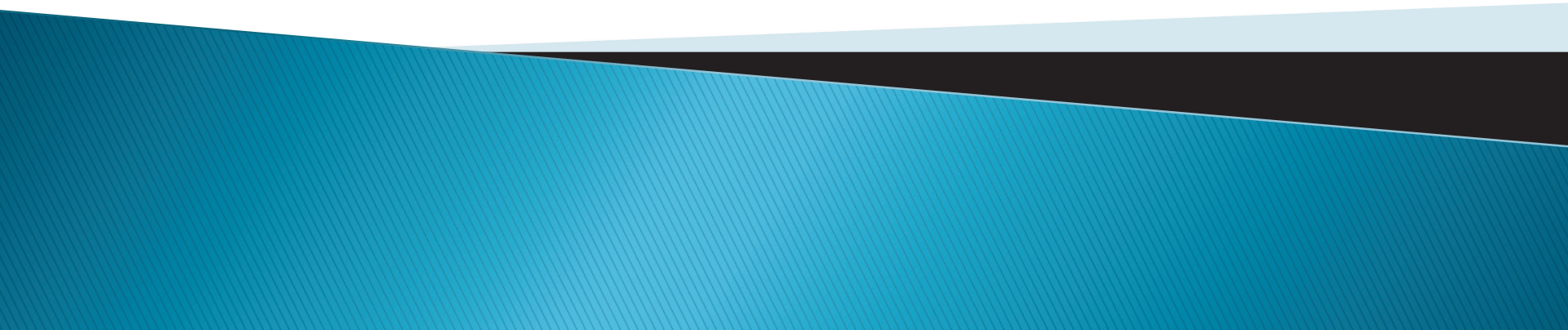
NIEM

JADE

Criminal Justice Agency Perspective

- ▶ More efficient information retrieval for the line-level users
- ▶ Reformat the Criminal History sheet to be more user friendly and easier to read

Update on Statewide Tables Standardization

- Tables and Structures
 - Subject Matter Experts
 - Coordinating Legislative Processes
- 

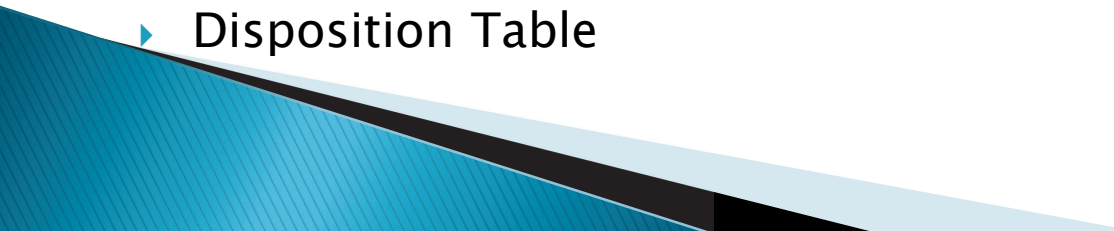
Have you heard people talking
about a

**Master Charge Code
Table?**

Offense/Crimes Table

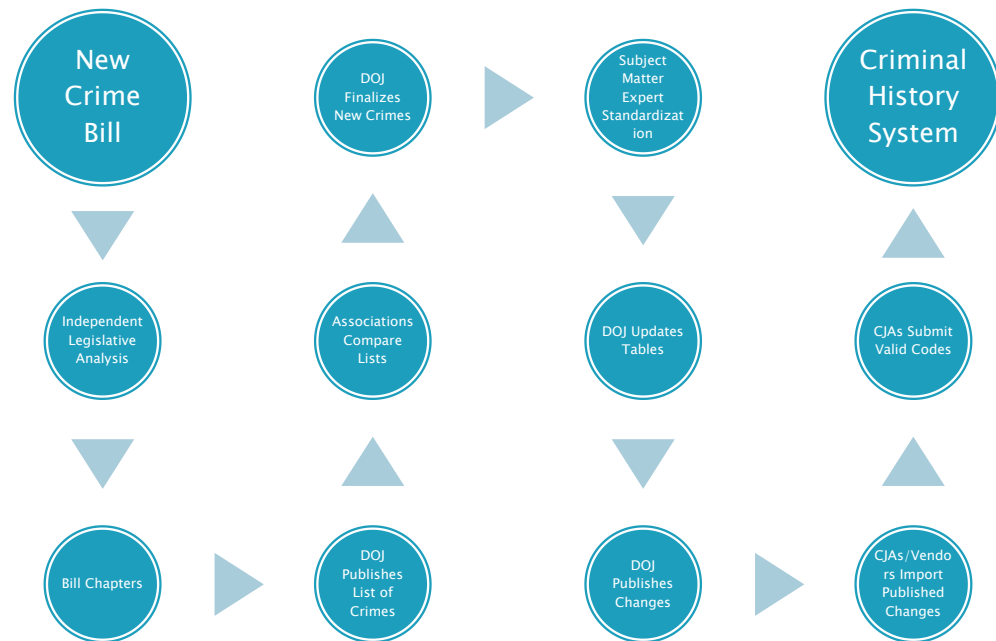
- ▶ CA DOJ published tables for submission of data to state and federal repositories
- ▶ Standardization across departmental services
- ▶ Reference Tables Architecture
- ▶ Data Elements
 - Unique Identifier *
 - Statute *
 - Description *
 - Level of Offense *
 - Repeal Date
 - Enactment Date
 - BCS/UCR Codes
 - JBSIS Code
- ▶ Infraction, Misdemeanor, Felony

Offense/Crimes Table – Related Data

- ▶ CIBRS Table
 - ▶ Indicators / Flags
 - Firearms Prohibition
 - Prop 64
 - AB 109
 - Sex Registration
 - Serious
 - Violent
 - ▶ Qualifier Table
 - Attempted
 - Warrant
 - ▶ Allegation Table
 - Great Bodily Injury
 - Use of Firearm
 - Near a School
 - Hate Crime
 - Street Gang
 - ▶ Disposition Table
- 

Coordinating Legislative Processes

- ▶ California Peace Officers Association, California Highway Patrol, And Department of Justice
 - Legislative Update Roadshow
- ▶ California District Attorneys Association
 - New Laws for Prosecutors Webinar
- ▶ California Court Association
 - New Law Workshop



Not Actual Process – Conceptualization of Potential Process

Open Discussion



Objectives

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