TEXAS INSIDER

2016 TCJIUG CONFERENCE—NEW HOTEL, NEW CITY

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The TCJIUG Annual Conference will be held April 18th-22nd, 2016 at the Tremont House—Wyndham Grand Hotel located at 2300 Ships Mechanic Row in Galveston, TX. This is a new hotel from recent years, in a new city. Contact the hotel at (409) 763-0300 and reference TCJIUG for discounted rates or use the following link:

http://www.wyndham.com/groupevents2016/GLSTH_TXCRIMINALJUSTICEINFORMATION/main.wnt

Watch our website for updated information as the date get closer.

The TCJIUG Executive Panel

Current Officers:

President - Pam Pierce

Vice President - Windy Kraus

Secretary/Treasurer - Kristen Moczygemba

Board Members:

Position 1 - Lindsey Hiracheta

Position 2 - Jose Salazar

Position 3 - Diamantina (Dede) Navarro

Know a good conference topic or vendor?

We are always looking for new presenters for conference topics that may be of interest to our membership.   New vendors participating brings in new products that our members may not have been aware of and helps sponsor the meals at the conferences.   Send conference suggestions to: information@tcjiug.com

Did you know?

Past editions of our newsletters as well as other useful information is on the TCJIUG website at:

http://www.tcjiug.com

Texas moves to all Incident-Based Reporting and Paperless UCR Reports

On June 9th, 2015, Texas Governor Greg Abbott signed into law House Bill 11 which was enacted September 1, 2015. This law brings significant changes to the state's law enforcement community.

One of those changes is a provision by state legislators to move Texas, as a whole, to the National Incident-Based Reporting System (NIBRS) as the standard reporting method to the national Uniform Crime Reporting program, and to have all Texas UCR reporting agencies employ NIBRS no later than **September 1, 2019**. This legislation mirrors the FBI's stated desire to transition the UCR to "NIBRS only" reporting within the next 5 years.

To assist with the transition, the Legislature allocated over $16 million dollars over the biennium ($8 million for 2016, $8 million for 2017) to assist agencies with this transition. Agencies will be required to apply through the Governor's Office to access these funds.

The state's UCR program is also in the process of going paperless. As of **January 1, 2017**, the Department will no longer be accepting paper UCR reports.

Office of Court Administration Concludes Project to Improve NICS Protective Order Reporting Rates

By Kimberly A.F. Piechowiak
Office of Court Administration Protective Order Resource Attorney

While the court system is usually involved in providing remedies in civil cases or punishment for crimes, it also possesses a critical role in increasing the safety of victims of family violence, sexual assault, hate crimes, stalking, and human trafficking. The primary tools utilized by the courts in this endeavor are protective orders and magistrate's orders of emergency protection.

When a judge issues a protective order, it is forwarded by the clerk to law enforcement, either municipal or county, for entry into the Texas Crime Information Center (TCIC). Because of the large number of actors in the protective order process, there is the potential for a myriad of problems in the complete and accurate reporting of protective orders. Another complication is Texas' decentralized court and law enforcement systems. The responsibility of staff funding and operating expenses of the courts, clerk offices, and law enforcement agencies rests with the counties or municipalities, not the State. As a result, the data transmitting processes, organization of records, and computer systems vary from office to office and county to county. These factors often lead to inconsistent and inaccurate reporting of protective orders that cannot be verified, and therefore, cannot be enforced. This situation compromises the safety of victims and communities; fails to hold offenders accountable; and creates conditions which may allow violent offenders to procure firearms.

In 2013, the Texas Office of Court Administration (OCA) sought funding from the U.S. Department of Justice, under the NICS Act Record Improvement Program, to conduct the NICS Protective Order Record Improvement Project. The first order of business was to form a task force made up of judges, clerks, law enforcement, attorneys, and criminal justice information users, including TCJUIG President Pam Pierce. OCA then talked with multiple state and local agencies through site visits and a statewide survey to identify obstacles and best practices in the reporting process.   This project resulted in the training of hundreds justice personnel in both live trainings and recorded webinars. These webinars can be accessed through the OCA website at http://www.txcourts.gov/dvrp.aspx .

In addition, the project identified potentially beneficial legislative changes to improve the protective order reporting process. The Texas Council on Family Violence (TCFV) adopted these suggestions as part of its legislative agenda for the 84th legislative session. After much work by the task force, OCA, and TCFV, Senate Bill 737 was passed. The bill mandates several requirements, including the following:

- Entry of Magistrate's Orders of Emergency Protection into the Texas Crime Information Center (TCIC)
- Requires clerks to send orders to law enforcement for entry by the end of the business day following the issuance of the order
- Requires law enforcement agencies to enter the order within three days of its receipt from the court
- Specifically allows electronic transmission of the order from the clerks to law enforcement
- Dictates that the petitioner's last known address be used to determine which jurisdiction will perform the entry of the order into TCIC

For more information, the full text of SB 737 can be found at http://www.capitol.state.tx.us/tlodocs/84R/billtext/pdf/SB00737F.pdf#navpanes=0

The Texas legislature also passed HB 2455 which established a task force to promote uniformity in the collection and reporting of information relating to family violence, dating violence, sexual assault, stalking, and human trafficking. This bill assigned OCA to lead the task force and requires the participation of representatives from many stakeholders. Pam Pierce has graciously agreed to again lend her expertise in this important undertaking. The task force will not only continue analysis of protective order data issues, but also expand its scope to include many other issues, such as how data collection on sexual assault and human trafficking can be improved, and the best way to capture and share the existence of bond conditions in criminal cases. The task force will make findings and recommendations in a report that must be submitted before it disbands on September 30, 2016. For more information on HB 2455, the full text can be found at http://www.capitol.state.tx.us/tlodocs/84R/billtext/pdf/HB02455F.pdf#navpanes=0 .

OCA anticipates this project will be profoundly useful for all of us committed to providing justice to the citizens of Texas and will be reaching out to many of you to assist with information and insight. Until then, please feel free to contact OCA's Protective Order Resource Attorney Kimberly Piechowiak at (512) 936-6390 or kim.piechowiak@txcourts.gov with any questions, comments, or suggestions.

A request from DPS Crime Records

By Pam Pierce

DPS Crime Records Service Mike Lesko has requested some information from the TCJIUG membership. The issue being discussed is essentially pertaining to the query of DL by a name and DOB and receiving "no record", then querying again by the number itself and getting the record, but noticing that the last name (surname) has a tilde in it. Example: Pe~na,Marisol is how the name appears in the DL record.   Mr. Lesko and I have been discussing this issue since shortly after the newest DL system was implemented at TxDPS. He would like to provide specific examples to the Director of TxDPS in order to demonstrate this insertion of the tilde within the DL name negatively impacts law enforcement.

As you know, via TLETS/Nlets we cannot insert the special character (tilde ~). This has a direct impact upon TCIC/NCIC record entry where we are not always provided the OLN for the defendant, missing person, or protection order parties, (etc.) and thus run a DL query by name and DOB in order to meet the FBI NCIC policy for packing the record(s). If an officer was interacting with someone who did not have their DL or ID upon their person at the time of the encounter, but stated one exists, the officer would not be able to verify because the TLETS/Nlets protocol prohibits the use of the tilde in the queries. I have not ever worked in a dispatch environment, but many of you have, and so may be able to give even more enlightened situations that cause concern.

Have you noticed any other anomalies with the current DL responses? For example, I've noticed at times that the DL system reflects "no record" when just the lastname,firstname with DOB are used, but if it is queried using a middlename in addition to the lastname,firstname the DL record displays.

Do you have other issues with the TxDPS DL system you would like investigated or explained? Example: One of my staff has asked why TxDPS DL system does not provide the record for women who have changed their name due to marriage but rather only display the record as her name is on-record currently. We have old warrants with former last names… during validation we frequently cannot find the DL unless we see the AKA in the criminal history record information. This slows down validation (and record re-entry for those really old records that were entered into TCIC Only previously) due to having to run the DL by multiple last names. Personal experience tells us that the person must present legal documentation (aka proof) of the name change to the DL Division, so isn't that tracked in the DL history? If it is, they why does the DL system not do that secondary look up and provide the record?

Please provide specific samples and a brief statement of the impact upon your agency or section directly to Mr. Lesko at mike.lesko@dps.texas.gov. I am envisioning sending him the name/DOB used that reflects "no record" followed by the DL response received using the number. At this point, I'm hesitant to send the DL or ID number via unencrypted email due to CJIS policies. (Please do not use the example below in order to see a "real" record. I invented it to demonstrate.)

   No record: Pena,Marisol 01/01/1962   Using DL# or ID#, person's name is: Pe~na,Marisol

What is TCJIUG?

TCJIUG is a statewide organization of law enforcement, communications and information systems personnel working to improve the criminal justice system throughout the state, to improve working relationships and to promote the education of its membership.

TCJIUG

PO Box 684096

Austin, TX 78768-4096

Note: Do NOT send conference registrations to the above address, use the address on the form.

Newsletter by:

Steve Ryckman

webmaster@tcjiug.com

Conference Registration Form
April 18-April 22, 2016
(Galveston, TX)

Early Registration (before April 1, 2016) $275.00
Late Registration (after April 1, 2016) $300.00
Spouse $150.00

Total   _____

Make Checks Payable to TCJIUG and mail to:
TCJIUG Kristen Moczygemba, Treasurer PO Box 1452 Lubbock, TX 79408

NAME: _____ Title: _____

Organization: _____

Address: _____

Email Address: _____ Phone #: _____

_____

TCOLE Seminar Reporting Form Session: TCJIUG

At registration, pick up your bar code stickers and take them to each training session.
The stickers will be used on the TCOLE Credit Attendance Rosters.

NAME: _____
     (Last)   (First)   (MI)

Title: _____ PID#: _____ DOB: _____

Agency: _____

Address: _____ City: _____
     (For certificate mailing)

State: _____ Zip: _____ Home: _____ Office: _____ Check One

TYPE (Circle One) 1-Regular   2-Telecomm   3-Elected   4-County Jailer   5-Civilian