



# Louisiana Integrated Criminal Justice Information System (ICJIS)

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Integrated Criminal Justice Information System Policy Board Meeting  
September 21, 2023 at 10:30am  
Louisiana Clerks of Court Association  
10202 Jefferson Hwy, Baton Rouge, LA

## Minutes

UNOFFICIAL

### 1. Call to Order and Roll Call

The meeting of the Louisiana Integrated Criminal Justice Information System Board was called to order at 10:30 a.m. on Thursday, September 21, 2023, by Chief Justice John Weimer.

Ms. Autumn Blache conducted the roll call and a membership quorum was present.

#### **Board members and their representatives present:**

Representative Tony Bacala; Mr. Jim Craft; Mr. Zachery Daniels; Ms. Debbie Hudnall; Ms. Terrel Kent; Mr. David McClendon; Mr. Neal Noel, permanent designee for Mr. Fabian P. Blache, Jr.; Mr. Deron Patin, Judge Jorden William, and Chief Justice John Weimer.

#### **Guests in attendance:**

Mr. Douglas Bullof, Mr. Brian Denzer, Mr. Frank DiFulco, and Mr. James Murray, Louisiana Supreme Court; Mr. Deron Patin, Office of Juvenile Justice; Mr. Danny Jackson, Louisiana Sheriff's Association; Ms. Becki Goggins and Mr. Michael Jacobson, SEARCH; Mr. Adam Albright, Louisiana State Police; and Mr. Dale Polozola, Louisiana District Attorney's Association.

#### **Staff in attendance:**

Ms. Autumn Blache; Mr. Russell Cortazzo; Ms. Fredia Dunn; Ms. Linda Gautier; Ms. Brittany Onezine; and Ms. LaShunda Sullivan.

### 2. Introductions

Chief Weimer introduced a new board member, Honorable Judge Jorden William. Judge William is a criminal and civil judge in his 3<sup>rd</sup> year. He is also presiding over our recovery court.

### 3. Old Business

Consideration of the June 15, 2023, Integrated Criminal Justice Information System Policy Board meeting minutes.

Chief Weimer called for a motion to approve the June 15, 2023, Integrated Criminal Justice Information System Policy Board meeting minutes. A motion was made by Mr. Craft, seconded by Ms. Hudnall. There were no objections; the motion passed.

**Discussion:**

Mr. Jacobson and Ms. Goggins are both presenting speakers for SEARCH. Mr. Jacobson gave an introduction and outline of today's focus. He states that SEARCH was fortunate enough to respond to an RFP through the Louisiana Supreme Court to participate in helping ICJIS in creating a corrective action plan. The first thing that they were to work on for this corrective action plan was the disposition ratings over the last three years. This was done by using the state surveys for criminal history information systems that SEARCH conducts every other year. The rates were reported to be very low and so they were asked to come in and identify ways that the state can improve upon these disposition and reporting rates.

Chief Weimer inquired on what the overall rating was for the national average and Ms. Goggins responded that it was 70% and Louisiana came in third from the bottom.

Mr. Jacobson stated that the second part of the contract was to work with the board to develop a strategic plan for the information sharing process.

Ms. Goggins started with introducing NICS. NICS is the National Instant Criminal Background Check System. This is a system that is used anytime someone has to run a firearms background check. For the state of Louisiana, the FBI NICS section handles that.

NICS is very limited but is also used for those that handle and transport detonative explosives. Is it also used in law enforcement before you can acquire a compensated weapon.

In the NICS system, Louisiana ranks #1 for data entries on felony convictions, persons under indictments, and misdemeanor crimes of domestic violence.

Louisiana has more entries in the NICS system than any other state. This is not measured per capita but instead in absolute numbers.

Louisiana is ranked #2 in domestic violence protection. New York is ranked #1 and it is also noted that they are a pretty large state. This ranking is per capita. The only slight negative with this information is that ideally with felony convictions, misdemeanor charges, and domestic violence, they would like to see those dispositions in their criminal history file as well. The information should be available for all criminal justice and not just firearms.

Chief Weimer added a question for a rumored statistic and inquired if it was true. The statistic in question was that there was a 50/50 chance someone could walk into a store and buy a gun with a felony conviction. There was no one that could state whether this was true or not but Mr. Craft did have a response for this.

Mr. Craft stated that Louisiana Commission on Law Enforcement receives every line try from the people who are responsible for doing the background checks and they are required to send

a form in. Anybody who applies for a firearm and has a felony conviction is forward to the Louisiana Commission on Law Enforcement. These instances are then sent as a batch report to the Attorney General's office. The Attorney General's office then pursues those cases.

Mr. Cortazzo stated that there are still a lot of records that are being rejected by NICS. Most of those rejections were because of missing certain dates and SID and other information. The law that Rep. Bacala worked to get passed requires more data from the District Attorney's and should have an effect on that and we should see, in the future, a reduction in rejections from NICS.

Mr. Jacobson notes that one of the main problems that needs improvement, in reporting, is that when the Louisiana state police CCH computer system receives a disposition from the courts, if the charge has been changed, that disposition is not going on the arrest record. This is unless it is manually entered into that case file. So, if for example, you have a change in disposition from second degree attempted murder to aggravated battery with a weapon, the charges do not get automatically posted to that arrest cycle, booking charge.

An arrest cycle would be the arrest and then all other events that come after the arrest through the adjudication process.

In Louisiana you have an ATN, charge tracking number, arrest tracking number, and that is assigned from the personal books, and the charges are filed. Then, those charges are put into a criminal history system. Now, at that cycle or that arrest, arrest cycle, it goes through the whole adjudication process where the ATN follows that arrest. A person can have more than one ATN, arrest, or arrest cycles, and if the charge is changed, they are not recorded the same. There's also charges that are added or dropped at different stages in the adjudication process, we lose track of those as well. The current CCH has to match on ATN or SID and arrest date, as well as the charge itself. In order to get posted as a disposition the charge in the courts must match the arrest charge exactly.

An example would be that a charge was changed to aggravated battery from attempted murder, it would not get posted automatically to the criminal history record.

Also, if there are multiple charges on the arrest, but not all of them happens, then the associated disposition charge does not match it and it is considered open. For example, there is a murder charge, and the person received a disposition on 9/3/23 and they were sent to live out their life at department of corrections. That charge is considered closed or matched. He also had two charges in the arrest cycle that may or may not have dispositions from the court, we don't know because they didn't match up to that arrest.

Another hold up in this process is that the ATN can only accept one charge disposition. So even if there were additional dispositions on that charge they would not appear.

One thing SEARCH would like to look into with the state police is how many of these arrests actually have charges that are not disposed or have multiple charges and how many of those arrests have one disposition or dispositions that are pending.

Chief Weimer states that there are two types of analysis, charge matching and cycle matching. He believes what is being recommended is a shift from charge matching to cycle matching.

Chief Weimer called Superintendent Davis yesterday and they had extensive discussion about this potentially being a big way to up Louisiana's percentage rate in a way that will move us up the ladder to a more robust number of charges accepted. Right now, only charges that exactly match the arrest charge are accepted by the Department of Public Safety. Recused and amended charges are rejected outright. The acceptance rate by the Department of Public Safety is 28%.

In cycle matching the disposition is made so that all charges are applied in the case/arrest. This would change most of the rejected to then be accepted and it would also provide a complete report of history, improving the acceptance rate.

30 states are now using cycle matching and it prevents things from being lost in the system.

Judge Jorden noted that this change would also help to be able to answer questions like whether we have more individuals committing more crimes or is it that we are reporting it better. Overall, this change could help with accuracy and we could have a truer number of what the actual incident was.

Weimer recommends that we contact a state who recently made the swap to cycle matching to get useful information for the process of swapping over. One of the goals is to have the best data that we can get to back up the police to benefit prosecutors. Also, to benefit the courts that need this information to make decisions to carry out their duties and responsibilities.

Mr. Jacobson noted they had several other recommendations to suggest as well. One of those recommendations being that they suggest LSP work with their criminal history vendor to dig into the database to assess the level of missing dispositions. This is no small feat and will take time.

One of the things that could help in this process is to see better training of the users, the people that are actually using the systems, the people that are entering the arrests. That they make sure to enter the ATN, the date of arrest, as well as the date of birth. The same thing as the adjudication process continues. Recent legislation was passed that requires the District Attorney's to include the ATN or the SID and the date of birth on their findings. It is recommended that the board does some training to make sure everyone is aware of the legislation and understands what it means, as well as the importance of it.

Mr. Jacobson recommends that there should be 6 people to work this training -2 from law enforcement, 2 for prosecution, and 2 for the clerks.

Ms. Hudnall states she thinks they may see an improvement since Rep. Bacala's bill. She did a quick poll with the clerks, in the previous week, and was able to get 40 out of 64 clerks to respond. Since the bill passed, all except two or three of the forty, are getting information they were not getting before.

Weimer commended Ms. Hudnall and the clerks for getting this information out and stated that they can utilize the Supreme Court to help get the information out and the importance of this as well.

Rep. Bacala states that if the paper clerk has all the information, then it means the District Attorney has done their job correctly. He recommends that they maybe check that the information has been transmitted to the state police and has been entered correctly. He suggests maybe the Supreme Court can enforce getting ICJIS certified.

Mr. Jackson with the Louisiana Sheriff's Association speaks on LIBERS, Louisiana Incident-Based Reporting system. It is a statistical system that collects and reports detailed crime data. The agencies that are using this system and have been trained properly are shutting down a lot of these issues already.

Ms. Hudnall suggests in the next month or so, if they see deficiencies to let the clerks know. A lot of the error messages received before were because of missing information and now that they're receiving it there should be a big difference.

Mr. Cortazzo recommends that at the next meeting there will be a report back on whether Rep. Bacala's bill has had a practical effect on data.

Mr. Daniels speaks on how they've incorporated it into their training and that they did an annual conference this summer and it is incorporated into the training track for their fall conference. Also, it is an agenda item. It is likely that this taskforce will be an agenda item on every board meeting they have going forward until they can get their numbers up. It is also an agenda item on the regional meetings. This is going to get more local District Attorneys. It is not something they've been idle about and it is something they are incorporating into, on their end, making sure people know about it. He asked that if the courts association could share their knowledge as to who they're having small problems with, small problems can sometimes have small solutions that get to the same result. The information sharing would also be good from the Supreme Court. He mentioned if there are problems then they want to address them. He believes they did move a decent amount, in terms of the legislation that was passed, but he thinks that it is going to take some time for those statistics action to start benefiting.

Mr. Jacobson notes that one of the things they discovered while they were here last time was that charges wont necessarily match because each of the systems has a different charge table and the way they record their statutes on those charges. For example, it may be as simple as where the dashes are or using colon instead of dashes. For some they may even use "M" instead of "Misc" for miscellaneous. He suggests that they move towards developing and maintaining a single source for those charge codes.

Chief Weimer asks for any thoughts on implementing this. He asked if they can just use a system where you have to input everything in a consistent fashion or is this a software issue.

Mr. Jacobson stated that there are some states that actually have those legislative services put out those charts and tables. This way everyone uses those same charge code tables from legislation.

Mr. Denzer with the Supreme Court mentions that they came up with a charge code system and they have a prototype at the Supreme Court. They have a PowerPoint that they will be presenting at another meeting to show what they did. They developed this system with federal grant money. It uses, as a base, the NCIC offense code to come up with a charge code. This makes it so that as the law changes, the charge kind of stays the same. So, the law becomes an attribute of the charge code instead of how in the systems they use the RS statute as their primary key. With legislation, they will repeal stuff, they will amend and reenact, and they'll reuse those statutes that had been repealed. So, that's where the SKU for the charge code comes from and makes it very unique.

Chief Weimer concludes that the board needs to come up with something consistent and make a recommendation that everybody input this information in a similar fashion.

Mr. Jacobson states that they've listed several systematic issues and multiple things like accepting interim and arresting dispositions. Right now, what appears in the CCH, if there is an interim disposition, whether it is from an arrest agency or from a prosecutor, and then there is a subsequent disposition in the courts, it does not look like that. So, allowing multiple dispositions for a charge from the different entities involved in the adjudication process is where the problem is. There is also the disposition on the prosecutor's level like diversions and diversion programs that are successful and that charge is dismissed. There is not a final disposition being added. They are not going back and doing it after they complete the diversion programs. So, what they're seeing on that rap sheet is the arrest and then the charge and then nothing underneath it. With that said, diversions are going to be the smaller percentage, the larger one is going to be the rejections. The recording of rejections when the diversion occurs is a reasonable step that they can get membership on board with and it is definitely a focus. In speaking with the executive committee and leadership, one thing that they want to emphasize is when a decision like that is made, that discretionary prosecutorial decision, some form of uniform code as to why its being made, whether its insufficient evidence or its rejected-on victim evidence to be recorded.

Chief Weimer agrees this is a fair request.

Mr. Jacobson believes what a fear is, and it's a subtle shift from the District Attorney, is that a dismissal charge is going to come back up in campaign.

Rep. Bacala inquires if this could be done in a status, would that help solve the problem, where they have the original charge and then a status.

Mr. Jacobson responds that Minnesota does something like this. They have an investigative rap sheet and they have a public facing rap sheet. On their investigative rap sheet, they have a status on there. A judge reading it would be able to see, as well as an investigative officer, if there's a case in progress and the status.



Mr. Jacobson moves on to the overview of the full process of cycle tracking. The full cycle matching would be whatever disposition comes in with that ATN and/or SID and date of arrest on it. The other thing is to modify the CCH so that you don't rely on that charged RS code to match from the disposition to that arrest. As you get closer to doing a statewide integrated information sharing system the information sharing agreements will be very valuable in defining the roles and responsibilities, not only for the agencies but for the working groups within it. And then, of course, strategic planning.

Chief Weimer asks if it is the wishes of the board for Mr. Cortazzo to get with their media relations group to publicize the fact that ICJIS is doing so well. He would like to notate that Louisiana is achieving at a level that is unmatched in the country. Secondly, he commended everyone for their interest and getting the work done and contacting their people about following the statute and getting responses. He also commended the District Attorney's as well as the Sheriff's for keeping this in front of their membership. He recommended anything they need assistance on, from the Supreme Court standpoint, to let them know.

Rep. Bacala recommends the best place to look for funding for this would be the governor's executive budget, which is in the process now. So maybe say we are going to ask the Commission administration to include 3 million for this project. Some of the board can call permission administrations and mention we've made the request for money and asking they approve it.

Mr. Craft mentioned that the Commission gets numerous requests to the administration every year, for additional funding for different projects and many of them do not get approved. He stated if the ICJIS board can get him an idea of what they are looking at and need then they can certainly make that request.

Mr. Cortazzo stated that he has some specific numbers if they're going to go forward with cycle matching and charge codes. He can have requirement specifications ready for the Commission at the next meeting.

**4. New Business**

- a. SEARCH Group, Inc. contract deliverables

Contract Deliverables	Due Date
1. Corrective Action Plan for improving arrest to disposition match rates	Aug 2023
2. Recommendations for criminal justice commission and the 73-1102 Section	Sep 2023
3. Strategy for prioritizing and ordering page case information to submit to the courts and the state criminal justice system	Oct 2023
4. Draft information sharing data access agreement	Nov 2023
5. Technology assessment of current and future information sharing systems and solutions for the state	Jan 2024
6. Strategic vision for the state's information sharing system	Apr 2024
7. Project management plan	Jun 2024

- b. Charge Code – Explanation and implementation by LASC CMIS
- c. Call for other New Business

**5. Next Meeting**

- a. Winter 2023 date at LDAA

The Integrated Criminal Justice Information System winter board meeting will be held at the District Attorney's Association located at 2525 Quail Dr in Baton Rouge. The date is to be determined.

Chief Weimer called for a motion too adjourn. A motion was made by Mr. Craft, seconded by Judge Williams. There were no objections; the motion passed. The meeting of the Integrated Criminal Justice Information System Policy Board adjourned on September 21, 2023 at 12:00 p.m.

**Adjourn**