

LAW ENFORCEMENT ASSISTANCE ALLOCATION PROGRAM		PROGRESS REPORT	
GRANTEE Washington SPA	LEAA GRANT NO. 76-DF-0012	DATE OF REPORT	REPORT NO. 0013
IMPLEMENTING AGENCY Kalispel Tribe of Indians P.O. Box 38 Wask, Washington 99180	TYPE OF REPORT <input checked="" type="checkbox"/> REGULAR <sup>Monthly</sup> <input type="checkbox"/> SPECIAL REQUEST <input checked="" type="checkbox"/> FINAL REPORT		
SHORT TITLE OF PROJECT Policemen & Secretary/Dispatcher	GRANT AMOUNT \$23,964.00		
REPORT IS SUBMITTED FOR THE PERIOD November 1, 1977		THROUGH December 31, 1977	
SIGNATURE OF PROJECT DIRECTOR <i>Francis Cullooyah</i>	TYPED NAME & TITLE OF PROJECT DIRECTOR Francis Cullooyah, Tribal Chairman		

COMMENCE REPORT HERE (Add continuation pages as required.)

- A. Progress report for period November 1, 1977 thru December 31, 1977.
- B. Incidents and disturbances remain at a reduced level.
- C. No unanticipated costs materialized.
- D. No changes in personnel or Tribal Council.
- E. No change in project organization.
- F. The secretary/Dispatcher maintains close contact with surrounding local police agencies.
- G. This is a final report under this program.

NCJRS

JUL 12 1978

ACQUISITION

RECEIVED BY GRANTEE STATE PLANNING AGENCY (Official) <i>J. J. [Signature]</i>	DATE 1-30-78.
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50283

REPORT TO

to

INDIAN JUSTICE COMMISSION

on

A COURT RECORD SYSTEM

Prepared by:

C. H. Newton

# REPORT ON THE COURT RECORDS SYSTEMS

## POLICE RECORDS

A police agency should have a well defined information system. Proper functions of such a system include:

1. Dispatch information; in this context this will mean the officer's daily activity report.
2. Event information; that's case and incident reports.
3. Case information including follow-up reports.
4. Reporting and access to other systems such as uniform crime reports. These generate operational and statistical data.
5. Patrol and investigation support data, such as want and warrant data, traffic and citation reporting.

A police agency should make use of the information in its system to provide a basis for crime analysis capability. Crime analysis may include the utilization of the following:

1. Method of operation of individual criminals,
2. Pattern recognition,
3. Field interrogation and arrest data,
4. Crime report data,
5. Incident report information,
6. Officer daily activity reports and
7. Traffic reports.

These elements should be carefully screened for information that should be routinely recorded for crime analysis. This agency should as a matter of policy participate in the uniform crime reporting system.

For use at the local level or state or regional planning and evaluation,

data collected as a crime should include as a minimum:

1. Incident definition, including criminal statute and UCR offense classification,
2. Time; including time of day, day of week, month and year,
3. Location; including coded geographical location and type of location,
4. Incident characteristics including type of weapon used, method of entry and degree of intimidation or force used,
5. Incident consequences; including type and value of property stolen, destroyed or recovered and personal injury suffered,
6. Offender characteristics including relationship to victim, age, race, sex, residency, prior criminal record, criminal justice status and educational status, apparent intent, and alcohol and narcotics usage history,
7. Type of arrest,
8. Witness and evidence.

This data should at least be collected for the seven major crimes and ideally for every crime or incident.

Where practical, police should establish a geographical coding system. In this instance, the name of the colony or reservation should suffice.

Every police agency should develop a manpower resource to:

1. Identify through empirical means the need for a manpower within the department,
2. Provide the planning for maximum utilization of available resources,

3. Provide information for allocation and instruction of the patrol and specialist officer,
4. Provide for the evaluation of the adopted plan.

The aforementioned information can be acquired at a central agency in several ways:

1. By each agency making a monthly report showing the number of arrests for adults and juveniles by sex, age, race, month and day, etc.,
2. By batch mode or by on line to a central computer,
3. By sending copy of all arrests forms, case forms, incident forms, etc. to the central agency.

This could be accomplished by using the McBee Keysort forms as shown in figures 1, 2, and 3. These forms were developed for the Caliente Police Department and were designed from UCR reporting forms.

" Keysort is a method by which a quantity of original unit records can be sorted - in minutes - by any desired factors or into numeric or alphabetic sequence."

### Need

There is a definite need to develop data collection and analysis capability that is usable and meaningful.

### Data Compilation Capability

At the present time the police and Indian Justice Commission in the State of Nevada have the capability to store records in a storage or history file. Retrievability is limited to a single record at a time.

In order to extract data for analysis, the effort becomes a manual time consuming process.

In order to facilitate data retrieval, it is proposed that a type of record system that allows for manual retrieval be implemented. This system allows for fast, accurate manual retrieval of data and is inexpensive.

The utility of this type of system is such that the system can be expanded to include Modus Operandi file, Citizens Aid file, Accident and Investigation file, etc. By properly designing the cards, any kind of information can be filed and retrieved for single case referrals or by groups for statistical purposes.

The reason for recommending Keysort is because this system is already in use in Caliente, Nevada. The forms have been designed and are in use at this time. Thus more than half the cost will be saved. Also with the Indian Justice Commission making a large purchase, there will be considerable bulk purchase savings.

Keysort for police at present time consist of arrest report, case report, and complaint cards. Two cards have a minimum of 174 holes punched around the perimeter in a single row. This allows for 174 items of information to be coded. It is also possible to double row the holes to accommodate more information.

The third card or complaint card has 134 holes around the perimeter. It is used to record a complaint or can be used to record actions or officer's responses so that a better picture can be formed about workload requirements, selective patrol, area assignments, etc.

By using a sorting needle the required information can be quickly and

easily retrieved. Normally, you search in sequence starting with the year, the month and date. From these we can go to either the personal description or the charge requirements. In practice, 4 to 5 sorts should procure the needed information. One further advantage is that no filing sequence is required since the card is always obtainable as it cannot be misfiled.

All three of these cards can be used in preparing UCR reports. They can also be used to prepare statistical reports for department heads and County or City Councils.

Let us start with the complaint card and show the information that is coded; complaint number, officer attacked information, reference to case or arrest number 4 digits, year and month, type of crime, disposition, location, how reported, badge number, alpha code for complaint, and crime classification.

The arrest card starts with the alpha code, booking number, location of occurrence, classification of offense, time of arrest, date of arrest, physical characteristics, booking officer number, race, sex, disposition, age, arresting officer's number, and more physical characteristics.

The case report starts with crime classification, type of property taken, time of occurrence, physical characteristics of victim and suspect. Alpha code, how reported, location, date of report, case number.

These are really only the highlights of the information contained on each card. All of the information and more is contained on the face of each card. There is also a space for the details of the arrest or crime.

No other system gives you all of these advantages:

1. Efficiency - greatly reduces clerical effort and eliminates the

need for cross-files.

2. Fast Answers - bridges the time gap between you and your files.
3. Simple To Use - your own personnel can learn to code and sort with less than an hour's instruction.
4. Expandable - easily upgraded to incorporate more sophisticated methods and equipment.
5. Flexible - adaptable to changing requirements.
6. Economical - no capital investments for equipment and no maintenance problems.

The Keysort system can be cross referenced to any type of file storage system, however, as set up, it works best with the terminal digit filing system. The terminal system can be used either in file cabinets or in open shelf files. The open shelf is the one that I recommend since more records can be filed in less space and records are more easily filed and retrieved.

The use of 10 color terminal digit coded open shelf filing and the Keysort make a very versatile and efficient system of record keeping.







## COURT RECORDS

I mentioned the law enforcement phase as a prelude to court records because until there is a police record or a grand jury indictment or a complaint, there can be no court record.

We now come to the court record system for the consolidated Indian Justice System. I have reviewed the records for the Indian courts at Nixon, Fallon, Winnemucca and Owyhee. Nixon and Fallon use the same docket forms and put these into a loose leaf binder in chronological order. They then file the rest of the records in folders by the docket number. A 3 x 5 alphabetical master index card is also kept indexed to the docket number. In these files each appearance is regarded as a new occurrence as it should be and receives a new docket number. This means that a new file is made for every appearance of an individual. In Winnemucca, a monthly list is kept for those who appear in court. A file folder is only made for those who go to trial. Owyhee is in the process of changing their record system to a docket and calendar system. However, in Owyhee, all appearances of one individual will be filed in one folder thus providing a history of all transgressions for that person. I am inclined to favor the Owyhee system. It is true that you cannot use a prior record at the trial but the information of prior offenses is needed when handing down a judgment. With the exception of Winnemucca, the record systems are adequate for the workload involved.

The problem now is how to get information from the Indian Tribal courts to Indian Justice Commission. One way is to have the court clerk fill out a questionnaire covering a specific time period. This form could be sent to the Indian Justice Commission weekly. Another method and apparently the one decided upon was to print up the docket form in duplicate and to require the

duplicate copy to be sent to the Indian Justice Commission on a weekly basis. The information on the docket form will then be transferred to a McBee Keysort card. This will allow the files to be manipulated so that statistics can be retrieved with the minimum of effort. This system is now being implemented and should be functioning within sixty (60) days.

At this time, there are other things to consider in a record system.

1. Personnel - 85% of records management is personnel,
2. They must be qualified personnel,
3. These personnel should be properly and adequately compensated to be sure of their retention.

This clerical staff should be highly skilled in order to maintain files and to administer their charge out. All employees should be familiar with the entire process in their department. However, for a smooth and efficient workflow each person should be responsible for a specific task.

Since it is anticipated that large numbers of internal and external personnel will want access to the files, guidelines and procedures must be established. To prevent the loss of files, due to charge out, misfiling, etc., only the file personnel should retrieve and later refile information in the record system.

A master index file must be maintained regardless of the method of filing used. Example, if files are alphabetically indexed then the master file should also include the defendant's name, the case number, the docket number, the date of the initial action and final disposition.

The only way to view a records system is as a continuously growing history systematically dealt with at each stage. If a central system files by court

docket number exclusively, then the record files begin and end with one transaction since the docket also deals with the final disposition of a particular case.

I would recommend the copies of the docket be filed using the Sperry Rand colorscan alphabetical system. This will allow for all of the information of all transgressions of one individual to end up in one file folder. I also recommend that open shelf files be used. The reasons are as follows:

1. They cost approximately 50% less than drawer type,
2. They occupy 20% to 40% less floor space,
3. They are easier to file in and to retrieve from the drawer type files and are, therefore, more productive and efficient.

I recommend that all forms be letter size for one reason - cost. Example, 1,000 letter sized colorscan folders cost \$126.00. One thousand legal size colorscan folders cost \$210.00. The difference is because the legal size is a special run. Cost difference between letter and legal size is to some extent existent throughout the entire range of supplies for any record system.

One of the greatest deficiencies in any court record system is the lack of standardization of forms and in a consolidated system such as this, all forms such as warrants, summons, complaint dockets, etc., should be the same size. Well designed and simplified forms for transmitting and recording communications are essential in an efficient court records system. In designing the form the use of "legalese", the traditional in-house language that takes a law dictionary to decipher, is archaic and unnecessary. The forms should be couched in simple easily understood language.

If and when the consolidated court system is functioning, thought should be given to buying time on the State Court's computer system or the Reno/Sparks

municipal system. Both of these systems are computerized and contained the following information:

1. Daily edit report - lists all rejected items with brief error message, list summary control balancing information.
2. Update transaction report - lists every input transaction and identifies source and nature of transaction, denotes any item which also appear on report #3.
3. Update attention report - lists every exception item which requires clerical attention or verification.
4. Update summary report - summarizes daily in year-to-date citation information and provides current file status information.
5. Purged record report - lists every record as it is removed from the master file; provides and audit trail for records dropped for any reason.
6. Courtesy notices - customer billing; also listing of each with name and amount.
7. Arrest warrants - automated warrants of arrest.
8. Report of citations to be pulled to warrant. This is a two-part report; part one lists all citations type, parking or moving, date and reference number; part two lists each warrant in name order.
9. Department of Motor Vehicle disposition summary report. This is a report which summarizes the number of citations and bail forfeited, it accompanies a magnetic tape and the yellow copy of the citation to the Carson City Department of Motor Vehicle - Automation Department.
10. Arraignment calendar - this is an alphabetic listing of all the people scheduled for arraignment. The data on moving violations and misdemeanor citations to be added later.

11. Trial calendar - this lists each trial scheduled for the day. Separate report for each court along with motion, bail and continuation information.

12. Prior history report - this is a listing from Department of Motor Vehicle of all previous offense data on the State file.

13. Cash journal - this is a listing of all daily receipts as captured on cassette. It should be balanced against registered tape and against the update summary report.

14. (Is a Sparks ticket accountability report that applies only to Sparks).

15. Citation summary of officer - this lists the number of citations issued by each officer during the month by type as well as number of dispositions.

16. Management report - lists statistical information regarding case-load, dispositions, and cash flow.

Also, other information included would be the citation number, offense date, court date, warrant penalty date, bill date, payment date, the violation code, fine and the amount of the fine, the case number, the day of the week and the hour, officer's identification, officer's division, reporting district, defendant's name, address, street and city, state and zip code, driver's license number, driver's license state, vehicle license number and vehicle license state, the process disposition code, the penalty flag, the status flag, the type code, agency code payment received, the companion flag, the plea code and the continuation flag, and for calendaring information received would also include the officer's identification, his name, whether the citation issued was a hazardous moving, an accident of radar, issued on equipment other parking. Whether disposition was dismissed, not guilty, bail forfeited, or failure to appear, or guilty, or disposed of by justice court or juvenile, it also lists the officer's status as vacation time, his days off,

his division, what shift he is working so they do not have to pay overtime for a man when he appears in court. He appears during working hours not during his off-time.

The advantages of participation of this system are obvious. However, incompatibility could keep Indian Justice Commission from enjoying the numerous advantages. Incompatibility in itself would not stop participation since converters or dictionaries for each trial court could be inserted between the CRT and the computer, to change one program to another really is not difficult.

The cost of hardware and software for such a conversion would probably be the stumbling block.

In the central court record system, we are looking at several ways that we can file or record and manipulate court records.

1. is to have the court clerks fill out a form listing the number of cases throughout the month or week, the type of cases, the disposition of these cases, and forward this form say on a weekly or monthly basis to the central agency.
2. as is being done, we can print the docket form in duplicate and require the duplicated to be sent to the central agency. The information on the duplicate is then transcribed to a Keysort card so that the information can be manipulated for statistical purposes. Further, you could utilize or have printed Keysort docket cards and have the hard copy sent to the central agency on a weekly or monthly basis.
3. the information received from docket form or from other information could be put on line or batch mode to the State court computer where the information would then be manipulated and all the statistics could be

sent back on demand.

4. and finally probably the offender based transactional system would work the best.

This system begins with the arrest of an individual and ends with the final disposition at the District Court level in the following sequence:

1. Arrest; the subject is booked, all identifying information is obtained and compared to assure identification. (See attached form). Subject is either incarcerated or bailed.
2. District or City or Tribal attorney files a complaint or rejects complaint for reason.
3. Justice or Tribal court; arraignment and plea either goes to trial on preliminary hearing or is bound over to District Court. There are some of several courses of action open to the Tribal court.

This document follows the individual from phase to phase, level to level, as he progresses through the system. If the court acts on the individual's case or if he leaves the system at any level, the reason for disposition is noted and the forms sent back to the initiating agency, usually the police department. From this form you get information as to what levels individuals drop out of the system and how many or percentage at each level. You also determine time frames or the average length of time it takes to complete each phase, etc. This last program is really the most comprehensive.

There is, however, one point that we have not covered and that is identification. Each and every individual when he goes to court must be identified positively, which means that at the police level he should be arrested, all identifying information should be obtained and he should be

fingerprinted. It is my recommendation that the copy of these prints be sent to the central agency where a central fingerprint file can be maintained. My reasoning is that the only positive type of identification at this time is fingerprint identification. Individuals moving from agency to agency within or out of the State and the possibility of having the same name or different name, the same birthdate, the same address, etc., the only positive means by which an individual can be identified is through the fingerprints of that individual as compared to the fingerprints already on file. So, I further recommend that a central fingerprint file be started and maintained. This will necessitate software and hardware and it will also necessitate qualified personnel to handle fingerprint files. Since they must be filed by classification not by name. I can't stress this too strongly.

DISPOSITION OF ARREST AND COURT ACTION

FIGURE 4

**1**

**COMPLAINT INFORMATION**

Agency: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_

Age: \_\_\_\_\_ DOB: \_\_\_\_\_ POB: \_\_\_\_\_

Time Arrested: \_\_\_\_\_ Time Booked: \_\_\_\_\_

Mode of Arrest: \_\_\_\_\_ Bail Total: \_\_\_\_\_

Res. Local Res.  Civil Res.  Other State Res.  Bailed  CR'd

Warrant Issuing Agency: \_\_\_\_\_ Date Failed: \_\_\_\_\_

(MRS.# or Definition) \_\_\_\_\_ Type: \_\_\_\_\_

Original Charges: \_\_\_\_\_

**2**

**COMPLAINT INFORMATION**

Release Date: \_\_\_\_\_

Reason for Release:  Insuff. Evid.  Compl. refuses to Pros.  Arrested Error  Further Invest.  Admiss. Evid. Insuff.  Ref. to other Agency  Other

Identification # \_\_\_\_\_ SID# \_\_\_\_\_ FBI# \_\_\_\_\_ SS# \_\_\_\_\_ Local Agency MTC Ident. \_\_\_\_\_ ST# \_\_\_\_\_

District Attorney Invest. \_\_\_\_\_ City Attorney \_\_\_\_\_

Date Agency: \_\_\_\_\_ Date Complaint #: \_\_\_\_\_

Charge changed to: \_\_\_\_\_ Charge changed to: \_\_\_\_\_

Ref/Rej.	Reason	Custody Yes// No//	Ref/Rej.	Reason	Custody Yes// No//
		Bail <input type="checkbox"/>			Bail <input type="checkbox"/>
		OR <input type="checkbox"/>			CR <input type="checkbox"/>
		Fugitive <input type="checkbox"/>			Fugitive <input type="checkbox"/>

True Name \_\_\_\_\_ File Number \_\_\_\_\_ Def. # \_\_\_\_\_

Remarks: \_\_\_\_\_

Justice Court	Municipal Court
Filed _____	Filed _____
Date Disposed _____	Date Disposed _____
Judge _____	Judge _____
County _____	County _____
Township _____	Township _____
Disposition	
Disposed of by	Disposition
G/P CRT Jury Wolo Cont.	Acq. Dism. Cert. Juv. Cont. Hca. Cert. DC Oth.
Fel. Misd.	Jail Fine Susp. Oth.
Prel. Hearing	Sustained <input type="checkbox"/> Denied <input type="checkbox"/>
Arraignment	Waived <input type="checkbox"/>
Pros. Attorney	Type of PD/ICA/Defense PR/FP/Attorney N/
Def. Attorney	

**3**

**DISTRICT COURT INFORMATION**

Department Judge \_\_\_\_\_ File Number \_\_\_\_\_ Defendant Number \_\_\_\_\_

A Amendments \_\_\_\_\_ Joinder File Number \_\_\_\_\_ Released on Bail or CR Date \_\_\_\_\_

Prosecution \_\_\_\_\_ Defense \_\_\_\_\_ Type of Defense Attorney \_\_\_\_\_ Remarks: \_\_\_\_\_

Prosecution \_\_\_\_\_ Defense \_\_\_\_\_ N/ PP/

**PROCEEDING DETAILS (Give Dates where applicable)**

Original Filing: Information  Indictment  Certification

Reason or Retrial After: 174.055  Appeal  Prob.  BW  Mistrial  Motion New Trial  Hung Jury  Sanity Hearing  Other  Continuance

Preliminary Proceedings: 174.105  Settlement Conf.  Pretrial Conf.  178.405 (Psychiatric Exam.)

First Plea	Guilty as Charged	Guilty of	Not Guilty	Wolo Cont.	N.G. Insane	Other
		Misd. <input type="checkbox"/> Fel. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		Misd. <input type="checkbox"/> Fel. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		Misd. <input type="checkbox"/> Fel. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Type of Trial: Jury  Court  Jury Sworn Yes  No

Insanity Dispo.: Insane at Comm.  Sane at Comm.  Insanity Plea w/drawn  Presently Insane

Prosecution Suspended: Sanity Hearing  Diagnostic Comm.  BW  Other  Continued

Dismissed: Insufficient Evidence  Int. of Just.  Search & Seizure  Remand to J.C.  Accus. set Aside  Curt. to Juv.  Other Pros.  Case  Due to Delay

Sentence: Death  Prison  Term Jail \_\_\_\_\_ Term Fine  \$ \_\_\_\_\_ Amount \_\_\_\_\_

Probation Information: Prison Susp.  Proceedings Susp.  Jail  Supervision  Term Mo. & Days Jail \_\_\_\_\_ Fine  \$ \_\_\_\_\_ Restitution  \$ \_\_\_\_\_

Subsequent Probation Action: Violated  Revoked  Modified Yes  No  B1  Prob. Term

Council Dismissal: Justice Court Count 1  Count 2  Count 3  Count 4  District Court Count 1  Count 2  Count 3  Count 4

Subsequent Action: Judgment or order supplemental to any disposition Dismissed  Record Sealed (179.249)  Record Sealed (179.255)  Probation Termination

**END**