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E-citation Preparation Standards

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Executive Summary:

The Department of Highway Safety and Motor Vehicles received approval from the Florida Department of Transportation on February 25, 2010, for a subgrant to support the development of Electronic Citation (E-citation) standards by identifying the barriers which hinder the widespread use of E-citations by law enforcement agencies and determining the needs with facilitating collection and transmission of data from law enforcement agencies (LEA) to the Clerks of Courts.

The use of E-citations in Florida began in 2002, and by 2005, 25% of Florida law enforcement agencies had implemented some type of E-citation program. One year later, 2006, the total number of LEAs using E-citations had increased to 35% and by 2007 it increased to 38%. Since that time the percent of LEA's using E-citations has risen significantly; particularly since the number of agencies using E-citations has grown while the overall number of LEAs has decreased with the consolidation of smaller agencies into larger more established agencies. Today, over 54% of LEA's have requested E-citations numbers from the Department indicating they are using or testing E-citation devices.

The Department is making progress in encouraging and increasing the number of law enforcement agencies that utilize E-citations; however, this increased use is only the first step in obtaining a fully integrated program where citation data can go directly to the Clerk of Courts for processing and on to the Department as the citation is resolved. In this endeavor to improve the accuracy of the driving record and timeliness of reporting

the Department of Highway Safety and Motor Vehicles is looking to understand the barriers to E-citation use and to formulate the basis for an integrated E-citation program.

The goal during this initial segment of the grant is to discover the overall interest in the E-citation process and to ascertain the obstacles which restrain their use. Surveys distributed via the internet to the three major stakeholders (law enforcement agencies, Clerks of Court and authorized E-citations vendors) provide the information needed to find solutions and to encourage change by way of increasing awareness of E-citation benefits and finding solutions to common issues. Also, the survey is gauged to measure the interest of stakeholders in the adoption of statewide E-citation data standards and the need for a statewide central repository clearinghouse. The results from this initial survey will establish the starting point for future educational campaigns and work groups involved in unifying the E-citation process.

Background and Purpose

In an ongoing effort to increase law enforcement agencies use of E-citations and the timely transmission of E-citation data to the local Clerks of Court offices and eventually to the Florida driver record, the Department of Highway Safety and Motor Vehicles was awarded a subgrant to poll major stakeholders and determine the interest and feasibility of statewide use of E-citations. The purpose of the grant was to identify the barriers which hinder the widespread use of E-citations by law enforcement and determine the needs with facilitating the collection and transmission of data from law enforcement to the Clerks of Court.

Surveys were designed to collect baseline statistics regarding law enforcement's over all interest, current use, services, capabilities of authorized vendor products and barriers to the use of E-citations. This mission remains critical as the further use of E-citations will greatly improve the accuracy of the Florida driver record and the timeliness of the reporting ensuring compliance with both federal and local laws requiring timely submission of citation records and dispositions. Florida law enforcement officers are mandated by law to submit compliant copies of the citations to the Clerk of the Courts within five days of issuance to the driver. The Clerk of Court is required to submit disposition data to the Department within 10 days of disposition. Federal laws require the Department to report serious offenses and suspensions to the National Driving Registry and Problem Driver Pointer System within 30 days of receipt of a conviction. The benefit of using a uniform electronic citation is that citation data can be transmitted

quickly from the officer directly to the Clerk of Court and then on to the Department with minimal interference and human involvement improving the likelihood that these recording and reporting requirements can be met.

Methodology

We began developing the survey by first determining and identifying the data elements needed to provide a complete picture of the present citations writing and reporting procedures for both the law enforcement agencies and the Clerk of Courts. Procedures for paper or E-citation were evaluated to determine what may be hindering these entities from fully utilizing the E-citation process. Three separate surveys were designed for each major stakeholder class; law enforcement agencies, Clerk of Courts, and vendors. The surveys were designed and distributed via Survey Monkey, a web-based product used to develop and distribute surveys as well as collect and analyze the data received.



Law Enforcement

All Florida law enforcement agencies which issue Uniform Traffic Citations were sent an invitation to complete the Electronic Uniform Traffic Citation (UTC) Survey via email.

The survey first gathered up-to-date contact and demographic information. Questioning was then geared to how the agency answered the query regarding E-citation participation; law enforcement was then broken down into the following groups.

- Participating - Use E-citations and electronically transmit data to Clerk of Court.
- Participating – Use E-citations but not able to electronically transmit data.
- Not Participating – Have software and E-citations but do not use.
- Not Participating - Do not have software or E-citations.

Law enforcement email information was provided to us by the Florida Department of Law Enforcement. The initial survey distribution yielded approximately 61 rejected emails which required phone calls to obtain correct email addresses. On June 25, the department mailed out 229 postcard notifications to law enforcement agencies who had not responded to our first request. We mailed another 19 postcards the following week. As a result of the postcard notifications, by the end of the third quarter we received 142 surveys (39%).



WE NEED YOUR INPUT

In an endeavor to promote a greater use of Florida's Electronic Uniform Traffic Citation (UTC) process, the Department of Highway Safety and Motor Vehicles emailed a survey request on Monday, June 7, 2010, to all Florida law enforcement agencies. We have not received your input into the survey at the following web site:
<http://www.surveymonkey.com/s/lawenforcementUTCsurvey>

This survey addresses your agencies' specific concerns and needs in facilitating the collection and transmission of UTC data. We are hoping to complete the collection of data by **June 30, 2010**.

If you did not receive the survey through the email process, please go ahead and fill in the survey at the above web site address and then send your **correct email address** to: EvaAdams@flhsmv.gov so we may update our records.

Thank you, Bonnie Scott-Walls, Program Manager
Department of Highway Safety and Motor Vehicles

A "second request" email was sent on August 10 to those agencies who had not responded to the first email or postcard which generated an additional 99 surveys received within one week. During the fourth quarter of the project, the Operations Analyst along with six DHSMV Senior Liaison Officers continued to monitor and contact the law enforcement agencies until the final count of surveys received by September 23 was 314 (87%). A total of 667 surveys notifications were emailed to the law

enforcement community with 377 surveys being received. These included 63 duplicates which had to be compared and the agency contacted to determine which survey to use and which one to discard as we could only use one response per jurisdiction/entity.

Questions in the law enforcement agencies' survey inquired about their ability or inability to electronically transmit data to the Clerk of Court and identify their current training, software, data edits, upload, error handling and product evaluation. Each agency was asked to identify issues (roadblocks) they were experiencing in the E-citation process, such as, budget issues, insufficient equipment, insufficient infrastructure, and connectivity.

Clerk of Courts

The Clerk of Courts' survey addressed the counties' activity level of participation in the E-citation process as well as identifying their software, infrastructure, product evaluation and perceived roadblocks.

The 67 Clerks of Court were emailed the Electronic Uniform Traffic Citation (UTC) Survey on June 29, 2010, which identified their current participation level in the E-citation program. The survey was broken down into following groups:

- Participating – We receive electronic citations (E-citations) from Florida Highway Patrol and some law enforcement agencies and electronically transmit data to FACC. All other law enforcement agencies provide paper UTCs and citation data that is added manually before transmitting to FACC.

- Non- Participating – We do not accept E-citations. Only paper copies of E-citations and regular UTCs are received. All data is added manually and transmitted to FACC.

After the initial survey mail out, we resent the survey to 16 additional email addresses and made numerous phone calls before we were able to successfully receive input from all of the Clerks of Court. By September 21, 2010 we had all 67 Clerks reporting (100%).

E- Citation Vendors

The authorized E-citation vendors' survey queried vendors about their product's features, services and capabilities including their ability to transmit data directly to the Clerk of Courts. It also surveyed for implementation and production issues, such as, approval of E-citation design, problems with printing E-citations, and authorizations from local and county entities allowing E-citation use.

On July 29, 2010, 17 E-citation vendors, approved to provide E-citation products and service to Florida law enforcement agencies, were sent their surveys. However, one of the police departments (Apopka PD) abandoned their "internal E-citation system" to use one of the regular state-authorized E-citation vendors. This brought the count down to 16 vendors.

After receiving only 9 surveys by August 26, 2010 a “second request” was sent to the remaining 7 vendors. By September 1, 2010 we had 100% vendor participation.

Analysis

Law Enforcement Survey

Of the 314 law enforcement agencies that responded to the survey, 120 (38.2%) agencies are now using E-citations, whereas, 187 (60%) agencies are not using E-citations. There were 7 agencies which did not indicate use. Of those agencies that issue E-citations, 23 (7.5%) fully participate in the program by electronically transmitting data to the Clerk of Courts, with 97 (31.6%) using E-citations, but unable to electronically transmit data.

Major roadblocks of both those agencies participating and not participating was budget issues, such as insufficient monies to purchase E-citation equipment and storage space (hand-held devices, laptops, printers, software, servers); insufficient quantity of E-citation devices; insufficient infrastructure to allow E-citation transmittal to the Clerk of Court; connectivity issues with current infrastructures and problems with printing E-citations.

Law enforcement agencies are faced with reduced budgets for the purchase of equipment and are concerned with officer safety as well as patrol vehicle space and power to the equipment, along with problems with heat affecting the thermal paper used in the E-citations devices. One agency stated they had purchased an E-citation system, but their grant money was not enough to add electronic transmittal features. Their budget is too small to pay for the additional features they want and need to be

fully functional. Another agency reported they have attempted to get their Clerk of Court to accept E-citations but have been unsuccessful.

The printer problems experienced by the law enforcement agencies as well as other suggestions were described as:

- Printer is too bulky and takes up too much space in vehicle.
- Printers in the patrol cars sometimes give officers issues... this just becomes a maintenance issue.
- When using wireless printing, it is extremely slow in transferring the data to the printer from the laptop. Would like a faster wireless connection.
- Would like to go to portable citation writing devices. Currently using laptops and standard laser printers.
- Would like hand-held printers in addition to mobile ticket writers.
- Would like the capability of electronically copying the E-citation information into agency database and transmitting to the Clerk of Court.
- Use laptops that work well, but would like hand-held devices.
- Would like a cost effective mechanism for fingerprint capture.
- Would like hand-held printers in addition to mobile ticket writers.

Some of the other issues LE agencies would like to see addressed in the E-citation process is auto upload of statute changes and new fine amount; on-line resources where officers can login and receive immediate updates for their agency since they currently have to contact their vendor, provide the changes, upload the vendors'

enhancements and then manually update all units which takes the units away from the officers; barcodes added to vehicle registration stickers (on the tag) for scanning with a PDA similar to the driver license; ability to reuse citation numbers that were retracted or removed from the server unintentionally.

Clerks of Court Surveys -

Of the 67 Clerk of Court offices, 42 counties electronically receive E-citations from the Florida Highway Patrol and some law enforcement agencies. Twenty-five (25) Court Clerk’s do not accept E-citations, only paper copies of E-citations and the regular UTC. Their data is manually input and transmitted to FACC.

What best describes your county's participation in the E-citation program?		
Answer Options	Response Percent	Response Count
Participating. We electronically receive electronic citations (E-citations) from FHP and some LE agencies and electronically transmit data to FACC. All other LE agencies provide paper UTCs and data is input by us before transmitting to FACC.	62.7%	42
Non-Participating. We do not accept electronic citations (E-citations). Only paper copies of E-citations and the regular UTCs are received. All data is input by us and transmitted to FACC.	37.3%	25

All 67 Clerks of Court have considered accepting E-citations. The main roadblocks and reasons for not accepting them are as follows:

- Limited law enforcement agencies using E-citations
- Budget issues (*interface too expensive, etc.*)
- Insufficient infrastructure to accept E-citation transmittals

The Clerks of Court were very expressive about the issues surrounding the E-citation process. The following comments obtained from the question, “What are the roadblocks and reasons for not participating?” give a better understanding of these roadblocks:

- We do participate. There are agencies that do not transmit electronic and we have no control over them.
- Funding and no technical staff to set up.
- Local law enforcement are not able to submit electronically.
- Current Vendor does not offer this option.
- Unable to accept with our current situation with Courtview. Will participate once we are live with Clericus.
- Various law enforcement agencies using different submission formats and using different vendors. Thus far the judges want a signed document for court appearances. Our vendor is still providing a workable solution for processing E-citations. E-citations that would not be filed with the arrest booking reports could result in duplicate cases. Agencies not using a singular offense code table standard, which creates rejected citations within the current programming solution.
- Of the agencies who do prepare E-citations, they appear to use different software and are unable to transmit data to Clerk.
- Budgetary constraints. Interface too expensive.
- Our current case management system and the budgetary restraints associated with the upgrades necessary to the system.

- Limitations of software.
- Currently, the police departments and the sheriff's office do not have the ability to transmit E-citations.
- We do receive electronic data files from SunPass for toll violations but these are not on UTC forms. We will begin receiving Red Light Camera violation electronic data files from municipalities in the near future. We do not receive the electronic images on these citations and ultimately hope to have legislation and municipality capability to import all citation electronically without the need to store UTC images. Storage of the citation image merely adds overhead and cost to the process as well as storage requirement costs. Perhaps the elimination of the signature requirement will assist in facilitating the reaching of this goal.
- This is something that we are wanting to do, and do plan on. We just have not had the time to start the programming due to other projects.
- We cannot afford Courtview's upgrade and we are currently looking at a new programs
- Our current court software is a roadblock. We are in the process of converting to new software by next year and would have the capability at that time.
- Vendor providing interface and cost associated with such interface.
- Presently, Tyler Technology (Odyssey) has developed software for Lee County for processing E-citations, but we are waiting to see if it can be applied in Monroe County. Also Clay County is working with the Odyssey software and we are waiting to see how this works out.

- We actually used to receive E-citation data from FHP. We replaced our case maintenance system in November 2009 and lost that capability. We would now need an enhancement in order to accept.

Vendor Survey

As with the law enforcement and Clerk of Courts survey up-to-date contact information was gathered. The survey also revealed that 11 of the 16 vendors with approved E-citation had the capabilities to transmit citation data to the Clerk. Four vendors do not have the capabilities and one is unsure. Although 11 (68.8%) of the vendors expressed they have the capabilities to transmit data it appears that only 3 (18.8%) expressed they actually transmit data.

The issue identified by the authorized vendors as their main concerns relates to transmitting data to county clerks. Gaining authorization allowing the use of E-citations from local or county entities, problems with printing E-citations, and software maintenance as well as program upgrades were also identified. Some voluntary comments from the vendors include the following:

- From what I am aware of (which may or may not be accurate), there is not a centralized database at the state level for us to transmit data to. Therefore, we are left with the option of working with 67 separate COC schemas. We have decided to start with Miami-Dade since they are the largest and willing to work with us on this.

- When we initiated E-citations, the County Clerk's Office did not have the resources or funds available to implement at that time.

All the three stakeholders identified the following reoccurring barriers which affect all three entities and the overall success of the E-citation program:

- Budget issues
 - Insufficient monies to purchase E-citation equipment and storage space (hand-held devices, laptops, printers, software, servers)
 - Interface too expensive
 - Insufficient quantity of E-citation devices;
 - Software maintenance and program upgrades
- Insufficient infrastructure to accept E-citation transmittals (courts)
 - Connectivity issues with current infrastructures (law enforcement)
 - Transmitting data to county clerks (vendor issue)
- Problems with printing E-citations
- Limited LE agencies using E-citations (courts)
- Authorization from local or county entities allowing use of E-citations (vendor issue)

All three stakeholders were also queried about the idea of creating statewide citation "data standard" that mimicked standards already established in TCATS. In general stakeholders expressed favorable support for a single data standard. The law enforcement community clearly supports this idea with 82% expressed agreement with

a single set of data standards; 80% are in agreement with use a data standard based on transmission of citation data to DHSMV.

Law Enforcement Use of E-citations

Answer Options	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	I do not know	Response Count
It is our opinion that there should be a single set of E-citation data standards for all agencies.	147	102	48	2	4		303
E-citation data standards should mimic the data standards established for the transmission of citations from the Clerk of Court to DHSMV.	128	97	52	2	2		281
<i>answered question</i>							307
<i>skipped question</i>							7

Clerks of Court Electronic Citations Survey

Answer Options	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	I do not know	Response Count
It is our opinion that there should be a single set of E-citation data standards for all agencies.	40	20	4	2	0	1	67
E-citation data standards should mimic the data standards established for the transmission of citations from the Clerk of Court to DHSMV.	37	24	4	1	0	0	66
There is a need for a statewide central repository clearinghouse.	10	15	18	5	2	14	64
We are willing to facilitate the process with regard to a statewide central repository clearinghouse.	5	14	17	5	2	20	63
<i>answered question</i>							67

More are strongly in favor of a single data standard, in particular a standard based on TCATS, are the Clerks of Court. A high 89.55% of the Clerks of Court agree or strongly agree with the concept of a single data standard and 92.42% support the standard if it is based on TCATS. The Clerks of Court are less in agreement about need for a statewide E-citation repository or clearing house; however, they are not necessarily opposed to the idea. Only 10% of the Clerks of Court disagree with the concept while 39% are in agreement. The remaining are either neutral in their position or don't have enough information to base a decision. Clearly this is an area where education, research and concept development will need to be addressed by the stakeholders in future workshops.

Conclusion

The survey process identified all stakeholders involved in developing a fully integrated E-citation program. A comprehensive list, including a point of contact was developed for active law enforcement agencies, Clerks of Court and E-citation vendors. The survey collected stakeholder's opinion regarding the main roadblocks which primarily involves budgetary and infrastructure issues. Responses to queries regarding a single data standard suggest there is a definite need for development of a standard based on TCATS. Survey results also indicate that further exploration is needed to gain a full understanding of stakeholder's interest in a central repository.

It appears the next step is to work with stakeholders to develop a single set of data standards, find solutions to the main barriers of use and to further explore the concept of a central repository. A central repository or clearing house has many benefits which would support the structure testing of a single data standard and may resolve some of the infrastructure and legal roadblocks identified in the study. Some of these benefits include:

- TCATS ready data going directly to the Clerks of Court and the Department facilitating the timeliness and accuracy to the data which will be added to the driving record.
- Standardized error checking and solutions available for law enforcement agencies.

- The ability to pull images for legal proceeding and arresting documents previously sent electronically to the Clerks of Court, from a secure central site, of e-citations.

While the concept of a central repository or clearing house has a number of benefits it still needs further evaluation to learn if it is a viable solution to certain barriers to E-citation use.