STATE OF NEW YORK

Traffic Law Enforcement and Adjudication Data Subsystem Feasibility Study

Prepared by the
Traffic Records Project
Department of Motor Vehicles

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State of New York

Department of Motor Vehicles

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Executive Summary

The Traffic Law Enforcement and Adjudication Data Subsystem (T.L.E. & A.) Feasibility Study has been conducted by Traffic Records staff in order to determine the need for and feasibility of developing a Uniform Traffic Ticket and traffic ticket monitoring system statewide in New York State.

The feasibility study included a review of literature related to areas of the system, such as traffic courts and selective enforcement. Correspondence was conducted with other states and territories to learn about ongoing traffic ticket monitoring programs elsewhere. Meetings were held with individuals from a number of state agencies and private organizations to discuss the proposed T.L.E. & A. Data Subsystem and get their feedback on it. The many different aspects of the present system were investigated and problem areas pinpointed.

After examination of the existing systems for processing traffic tickets in New York State, it was determined that because of the several less-than-optimal aspects of these systems, one complete uniform system would result in certain benefits to the state. These benefits touch on the areas of highway safety, law enforcement, finances, and standardization.

Generally, the three most important goals of the T.L.E. & A. Data Subsystem which would be proposed for New York State are to provide standard forms and procedures for processing all traffic tickets issued in the state, to provide a complete accountability system for these tickets, and to provide traffic law enforcement and adjudication data of a quality, scope, and completeness which would permit comprehensive traffic safety research and more efficient and effective program management and evaluation.

The system which was designed through a cooperative effort of Traffic Records staff and representatives from the Division of State Police, Division of Criminal Justice Services, Department of Audit and Control, and DMV's Division of Driver Safety and its Administrative Adjudication Task Force, includes components which will provide it with the ability to perform the functions needed to meet these goals. It is designed to complement and complete the Administrative Adjudication System by providing total accountability for and data for analysis on all traffic tickets written in New York State which are not returnable to the Administrative Adjudication

Bureau. The system is sufficiently flexible in its design to allow for expansion of the Administrative Adjudication System without this resulting in duplication of efforts, services, or costs.

The system which is herein recommended is a complete, statewide uniform traffic ticket accountability system which provides for all traffic ticket processing operations to be carried out through a joint effort by the Department of Motor Vehicles and the Division of State Police.

TRAFFIC LAW ENFORCEMENT AND ADJUDICATION

DATA SUBSYSTEM FEASIBILITY STUDY, 1977-78

INTRODUCTION

The Traffic Records Project has the responsibility for establishing a Traffic Law Enforcement and Adjudication Data Subsystem for the State of New York. It enlisted the aid of the Division of State Police in a joint cooperative effort to determine the feasibility of creating and maintaining a computerized statewide Arrest/Conviction System to serve the various disciplines in the Traffic Safety community. Unfortunately, due to circumstances beyond Traffic Records Project Staff control, the State Police liason was transferred to the field. This left the Feasibility Study without a Subproject Manager and without any direct source for police input. A Traffic Records Specialist (SG-18) had been hired to assist the State Police Sergeant in conducting the Feasibility Study, Over the past seven months, much time and effort has been put into finding a qualified person with experience in police work to take on the role of TLE&AFS Subproject Manager. The search has not been fruitful. In the end of June, the decision was made to recommence active work on the project with the existing staff (the Traffic Records Specialists, aided by the Assistant Director of the Traffic Records Project Group). Work has proceeded accordingly.

I PROBLEM IDENTIFICATION

During the past few years, New York State developed an Administrative Adjudication System which was implemented in New York City, Buffalo and Rochester. This pioneer effort, successfully operational today, cleared the case backlog in the courts through faster, standarized processing.

At present, there exist no statewide controls or statistical records capable of correlating arrests for vehicle and traffic violations and disposition of these arrests. A system to accomplish this is necessary for meaningful analysis of violation information and accident causation as well as for assessment of driver improvement programs and court realignment needs. The development of such a system will be generally in accordance with the Traffic Law Enforcement and Adjudication Data Subsystem described in the NHTSA Design Manual for State Traffic Records Systems.

In order to develop such a system, the need is seen for the development of a Uniform Traffic Ticket for use statewide, as opposed to the present UTT which is used as a statewide standard, with each local police agency using its own particular variation. The issuance of the present Uniform Traffic Tickets follows a set pattern which is identified as:

ISSUANCE: By state, county or local police agency

ADJUDICATION: By local criminal court or by administrative measure provided by the Department of Motor Vehicles.

RECORD KEEPING: This function is assigned to State Agencies:

A. The Department of Motor Vehicles - Record of convictions required to be submitted by local court to DMV for inclusion on Master Driver License File.

B. Audit & Control - records dollar value on fines levied and checks on court records and financial bookkeeping

The pattern outlined above has limited value to traffic safety planning. It does not include vehicle violations and, therefore, is incapable of determining the reasons for or handling of those violations. It is incapable of determining if all Uniform Traffic Tickets issued are disposed of in a legal manner. Further, the present system is unable to correlate conviction information with accident data now available on file with DMV.

In order to make knowledgeable executive, budgetary, and legislative decisions and policy recommendations in the arrest/conviction area, it is vitally important to know the relationship between original charges and final convictions, the length of time between arrest or ticket issuance and final disposition, and to be able to account for the final disposition of every arrest or of every ticket which has been issued. The impact of plea bargaining and reduction of charges should be analyzed, not only philosophically from a lawyer's or judge's point of view, but also operationally, how such practices have affected drivers who have be been involved in them, and how they have affected the flow of revenues resulting from traffic convictions.

Since there is no extensive data available on statewide arrest/conviction monitoring systems, it is very important to study arrest/conviction experiences to determine whether certain practices by certain justices, police agencies, or localities do have any real positive or negative affect upon the driving public.

II. OBJECTIVE

The objective of this study is to determine the feasibility, both operational and economic, of developing a "statewide" arrest/conviction information system, generally in concert with the guidelines set forth in the Design Manual and having proper and sufficient security to protect the information contained in the resulting data base.

III. SYSTEMS OUTLINE

Under the present system, copies of Vehicle and Traffic (V&T) Law violation tickets and knowledge of their disposition are available to the Department of Motor Vehicles through its Administrative Adjudication System for the cities of New York,Buffalo, and Rochester, and portions of Suffolk County. With the cooperation of the Division of State Police, its relevant activities involving the V&T Law are likewise available.

However, there remains large segments of the state not covered. Since the scope of the intended system is to be statewide, a basic component of this study, the subject of this grant application, is to determine the feasibility of incorporating proper arrest/conviction information from those areas presently not covered into a comprehensive statewide system.

IV. OPERATIONAL PLAN

A. Formulated initial concepts.

- objectives of a Traffic Law Enforcement and Adjudication Data Subsystem (Statewide Arrest/Conviction System)

- type of system
- scope of system

B. Formulated criteria and data requirements by which the feasibility of an arrest/conviction system can be judged, including such considerations as cost, legal aspects, and benefits.

C. Identify and study agencies in and outside the state which presently have arrest/conviction systems to determine:

- objectives of system(s)
- types of system(s)
- scope of system(s)

D. Document existing system, including work flow,processing time, and form(s) currently in use.

E. Determine applicability and compatability of other arrest/conviction systems to the proposed New York State system and of the proposed New York State system to the present situation in the state re: legislative requirements, operational requirements, computer requirements, etc.

F. Based on the study and evaluation of other arrest/conviction monitoring systems, refine the several initial system concepts originally formulated regarding objectives, type, and scope of the desired system.

G. Refine the evaluation criteria and measurement indices formulated in IV B above to reflect findings obtained in the study of existing arrest/conviction systems.

H. Determine the methodology for uniformly obtaining the answers (data, measurements, comments, etc.) to the questions formulated in IV G above.

I. Proceed with the collection of the required information, where feasible, in the prescribed manner. For example, provide answers to such questions as:

1. Will a Uniform Traffic Ticket be used? If so, who will develop it, produce it, and issue it to enforcement agencies?

2. What inventory controls will be exercised to insure that all UTT's are accounted for, and which agency will carry them out? (i.e. Will control rest with the District Offices of DMV and/or Division or troop headquarters of the State Police?)

3. What training and public relations steps are necessary to insure police and court cooperation with this system?

4. What changes in the Vehicle and Traffic Law or Commissioner's Rules and Regulations are necessary to legally enforce statewide compliance (i.e., Sec. 207 and 226 of the Vehicle and Traffic Law)?

5. What are the data processing needs of such a system?

6. What are the cost implications of each of the above, including both direct costs and indirect costs, to the Department of Motor Vehicles, Division of State Police, other State agencies, and local police and court systems.

J. Evaluate the information collected and measurements made.

K. Prepare a report of findings, methodology, and recommendations, including, if it is found that a statewide arrest/conviction system is feasible, recommendations regarding the nature of the Uniform Traffic Ticket to be used, general methodology for processing tickets, and general computer processing criteria.

V. BENEFITS

A. The resulting recommendations will provide a supportable basis for making a judgement whether or not to proceed with the development of a statewide arrest/conviction system by:

- identifying and quantifying costs associated with the development of a statewide arrest/conviction system,
- identifying and quantifying the costs associated with the maintenance of a statewide arrest/conviction system,
- identifying and quantifying, where feasibile, the benefits associated with a statewide arrest/conviction system,
- assigning the incidence of the development and maintenance costs, and
- assigning the incidence of each of the benefits anticipated.

B. If the feasibility study concludes that a statewide arrest/conviction system is feasible, recommendations will be provided as to the type and scope of system that should be developed.

VI. FIRST YEAR ACCOMPLISHMENTS

Due to the delays brought about by the relocation of the TLE&AFS Subproject Manager, progress on the study has not proceeded according to schedule. As a result, the milestones stated in the original grant have, for the most part, not yet been met. Traffic Records Project staff is presently working on original grant milestones (1) formulation of initial system concepts and evaluative criteria and data requirements and (2) study of other arrest/convictions systems. These will be completed by the end of the fiscal year (9/30/77).

VII. MILESTONES FOR FISCAL YEAR 1977-78

	Manmonths	Date of Completion
1. Determine the applicability and compatability of other arrest/conviction systems to the proposed New York State system and of the proposed New York State system to the present situation in the state.	2 months	11/30/77
2. Based on the study and evaluation of other arrest/conviction systems, refine the several initial system concepts originally formulated.	3½ months	1/15/78
3. Refine the evaluative criteria and measurement indices formulated in IV B above to reflect findings obtained in the study of present arrest/conviction systems.	3½ months	1/15/78
4. Determine the methodology for uniformly obtaining the answers to the questions formulated above.	2 weeks	1/31/78
5. Proceed with the collection of the required information, where feasibile, in the prescribed manner	1 month	2/28/78
6. Evaluate the information collected and measurements made, and prepare a report of findings and recommendations. If a statewide arrest/conviction system is found feasible, considered in this report will be general aspects of a Uniform Traffic Ticket, the general methodology for ticket processing, and general computer processing criteria.	1 month	3/30/78

TRAFFIC LAW ENFORCEMENT AND ADJUDICATION DATA SUBSYSTEM FEASIBILITY STUDY

I. Introduction

The Traffic Records Project has the responsibility for developing an integrated Traffic Records System in New York State. .One important segment of this integrated Traffic Records System, the Traffic Law Enforcement and Adjudication Data Subsystem, has been the subject of a feasibility study conducted over the past 18 months by Traffic Records Project staff.

The Traffic Law Enforcement and Adjudication Data Subsystem (T.L.E.&A.) concerns itself with traffic tickets and their flow through the criminal justice system. As envisioned by Traffic Records Project staff, this system will monitor each ticket from its distribution by the State to the police agency, through its issuance to the motorist, and to its disposition by the courts and subsequent return to the State. Complete ticket accountability will result. This monitoring by ticket number would be done through three computer entries on each ticket; the initial entry which is made when the ticket is distributed to the police agency, the arrest record entry which is made when the ticket is issued to a motorist, and the disposition entry which is made when disposition information is received by the State from the court. This would result in a complete picture of what has happened to every traffic ticket written in New York State exclusive of those tickets written in areas under the jurisdiction of the Administrative Adjudication System. (The T.L.E.&A. Data Subsystem has been designed to be complementary to but not inclusive of the Administrative Adjudication System.) Information would be sorted in a single file by ticket number and would be used to generate reports on ticket activity for police agencies and courts, reports concerning conviction information by motorist for the Department of Motor Vehicles, and financial reports for the Department of Audit and Control.

The inforamtion contained in this paper was developed during the investigation process conducted to obtain answers to questions which are relevant to determining the feasibility of establishing a T.L.E.&A. Data Subsystem in New YorkState. These included: What is the present situation in the State, and is there a need for change?; Upon what criteria should the proposed system be based?; What T.L.E.&A.-type systems are already operational and do they meet the needs of New York State Government as well as the needs of local government?; as well as others.

II. Need in New York State

There are several different problems which could be alleviated for New York State through the introduction of a good, complete traffic law enforcement and adjudication data subsystem, and a number of benefits which could be accrued.

It is felt by many that there is a positive relationship between law enforcement (that is, ticket issuance) and accident reduction, and that, therefore, there is a positive realtionship between increased ticket issuance and improved highway safety. However, there are counterarguments that this positive relationship is only temporary in nature. Studies may be cited supporting either side in the argument. (See Appendix A.) A survey conducted by Traffic Records staff of accidents and accident-related violations shows the same disparity. (See Appendix B.) A complete traffic law enforcement and adjudication data subsystem would provide access to data which would better permit researchers to determine whether or not there is actually a relationship between violations and accidents, and, if so, what the nature of that relationship is. Statistics generated by the system could also tie in arrest data with disposition data for tickets written as a result of accidents to provide a clearer picture of how these tickets are being processed. When these are compounded with the statistics developed on the life cycle of tickets issued for nonaccident related violations, a more complete analysis of the present situation in New York State would be possible.

Information resulting from a T.L.E.&A. Data Subsystem would have other highway safety benefits as well. It could be used to aid in the development of more effective selective enforcement programs, and to supplement other efforts to better pinpoint areas where improvement of hazardous road conditions or ineffective traffic controls is needed.

An ongoing problem in New York State which has recently increased in visibility and severity is the general lack of respect for the traffic law enforcement effort. This lack of respect is easily attributable to enforcement activities which are often seen as discriminatory on the part of the police, inappropriate reduction or dismissal of tickets by the courts, and inefficient record keeping by appropriate state agencies. Complete ticket accountability as provided by a T.L.E.&A. Data Subsystem would be of benefit to New York State in that it would act to mitigate many of the circumstances which result in this lack of respect. For example, by monitoring those tickets which were dismissed because they were improperly prepared to determine what kinds of mistakes are most common, and by educating police officers so that these mistakes would no longer be made, one could reduce the disrespect for law enforcement which this kind of problem generates. This would also ensure that the motorists to whom the tickets were issued are captured by the system. One could also examine tickets which were reduced or dismissed to see if there are types of arrests to which the courts give no credence, and, therefore, routinely minimize, since this type of practice may also generate disrespect for the laws in general. (See Appendix C for further expansion of this topic.)

The present traffic ticket processing "system" seems to result in a loss of revenue to the State in a variety of ways.

When traffic violations are reduced from the original charge to the lesser charge, the State and/or the localities may receive substantially less revenue than they would have had the charges not been reduced since the amount of the fine is generally directly proportionate to the seriousness of the offense.

In addition, the State as a whole is now spending more on ticket processing than it might with a complete, efficient traffic law enforcement and adjudication system. For example, the amount of money now being spent by police agencies statewide to purchase traffic tickets is considerably larger than the amount which would be spent if all tickets were bought in bulk as they would be with the T.L.E.&A. Data Subsystem, since ticket cost is directly related to quantity purchased.

The benefits accrued to the State as a result of the money spent are considerably less for the present system than for the proposed system. With the present system tickets are monitored only if the issuing police agency chooses to do so and only to the extent that they choose to do it. In addition, police agencies have no recourse in regard to any action or lack of action taken on a ticket by the court. As a result, tickets are open to improper handling during several stages of processing. Presently only disposition data on convictions for moving violations are being received and processed by the Department of Motor Vehicles. As a result data on convictions for nonmoving violations and on non-convictions are not available for analysis, leaving gaps in information in such areas as reductions in charges and revenues accrued.

In addition to the highway safety, law enforcement, and financial considerations discussed above, federal guidelines for the T.L.E.&A. Data Subsystem should be considered. The National Highway Traffic Safety Administration has provided guidelines for a complete, integrated traffic records system in its Design Manual for State Traffic Records Systems. Included in this integrated traffic records system description is a description of the Traffic Law Enforcement and Adjudication Data Subsystem. An objective of this system is to provide data identifying, describing, and indicating the results of traffic law enforcement activities to be used for program management and evaluation by State and local government authorities associated with traffic law enforcement and highway safety. This system also provides the means to monitor and evaluate the process of adjudication of traffic tickets in order to increase the positive impact of these tickets on highway safety and to improve the efficiency of the processing system. Fullfillment of both of these objectives would fill an information gap, and thus be beneficial to improved highway safety and traffic law enforcement in New York State. (For information on Federal guidelines, see Appendix D.)

III. General Goals of the System

The general goals of a Traffic Law Enforcement and

Adjudication Data Subsystem which would be proposed for New York State are:

- To make available methods to ensure equal treatment in the implementation of the State's traffic laws by:

  . Identifying potential discriminatory and arbitrary practices involving such factors as age, sex, and residency in the issuance of citations and the disposition thereof, and

  . Encouraging uniform policies and procedures in the criminal justice system as it relates to traffic law enforcement within and among the States.

- To provide total control over the flow of all uniform traffic tickets issued within the State of New York exclusive of those tickets which are returnable to the Administrative Adjudication Bureau (AAB).

- To be able to monitor the disposition of traffic citations, convictions, dispositions and fees so that problem areas may be identified.

- To have the capability of acquiring, retaining and making available traffic law enforcement data of a quality, scope, and completeness which would permit comprehensive traffic safety research.

- To improve the ability of grant administrators and other concerned parties to evaluate the effectiveness of traffic law enforcement programs, by providing more complete and timely information (including cost/benefit factors) upon which the evaluations could be based.

- To accumulate and provide standardized data such as information on types of violations and convictions, accident causation, and court processing for use by interested agencies (possibly including the Department of Motor Vehicles, Department of Audit and Control, Division of State Police, Division of Criminal Justice Services, Office of Court Administration, local police and the courts) for necessary and meaningful analysis.

IV. Existing Arrest/Conviction Systems Within New York State

In New York State issuance and processing of traffic

citations is carried out in accordance with the State laws and the various Commissioner's Regulations. All aspects of the present systems are provided for therein. Any new system would have to be in accordance with the laws as well. (See Appendix E.)

There are at this time two general types of ticket processing systems operating in New York State. A substantial portion of the populace of the State lives in areas where traffic infractions are under the jurisdiction of the Administrative Adjudication Bureau, as provided for in Article 2A of the Vehicle and Traffic Law. The Bureau handles all tickets written for non-criminal traffic offenses; criminal offenses (misdemeanors and felonies) remain under the jurisdiction of the criminal court, and parking offenses are heard by parking violations boards. Motorists who receive Administrative Adjudication tickets have three plea alternatives which are listed and described below.

1. Guilty - if the motorist chooses to plead guilty, he simply indicates his plea, pays his fine by mail or in person, and has his license updated.

2. Guilty With an Explanation - if he chooses this plea, he pleads guilty and is permitted to appear before a referee to explain the circumstances of the case. The referee will then consider this explanation in deciding upon an appropriate sanction.

3. Not Guilty - if the motorist pleads not guilty, he will appear for a hearing before a referee at which he, the police officer, and any witnesses the motorist chooses to bring may be required to testify. The referee will then determine guilt or innocence and decide upon an appropriate sanction.

All Administrative Adjudication Offices are tied into the Department of Motor Vehicles' computer through their Cathode Ray Tube (CRT) terminals. The computer generates docket schedules and police appearance notices. All dispositions are entered on line as soon as they are determined by using the CRT's located in each hearing room. After the disposition is determined and entered, the referee will use the CRT to check on the motorist's driving record to aid him in determining an appropriate sanction.

The specific geographical areas presently under the jurisdiction of the Administrative Adjudication Bureau are New York

City, Buffalo, Rochester, and approximately half of Suffolk County. Some future expansion of the territory under the AAB's jurisdiction is now being planned. The Administrative Adjudication System has been found to be very efficient and cost effective in areas having high population density. It is first instance funded and has so far resulted in a profit for the host community. All staff members of the Bureau are employees of the New York State Department of Motor Vehicles. (For further information on the Administrative Adjudication System, see Appendix F.)

Tickets written in all areas of the State not included in the Administrative Adjudication System are handled by the criminal justice system. Design and printing of traffic tickets in these areas is the responsibility of each local police agency. Tickets written by police officers in a locality for violations of the Vehicle and Traffic Law or of traffic related local ordinances are adjudicated by the court having jurisdiction over traffic tickets in that locality. This court may be a village or town justice court, a district court, a city or traffic court, or in the case of tickets written for traffic related felony charges, a county court. After adjudication, one copy of the traffic ticket is kept by the court for its records. In the case of convictions, another copy of the ticket is forwarded to the Department of Motor Vehicles where information contained on the ticket is used to update the driver license file. In addition, the court files monthly reports with the Department of Audit and Control which contain information on all cases heard by the court and all revenues received. The Department of Audit and Control uses the information contained in these reports as the basis for their audits of the courts. (For detail on the present system, see Appendix G.)

The Division of State Police operates a traffic ticket monitoring system providing complete ticket accountability for the more than 500,000 tickets distributed to and issued by its members out of the 2,500,000 tickets issued statewide. (Of these, approximately 1,250,000 tickets are adjudicated by the AAB.) Division members issue the majority of their tickets in the area of the State which is not under the jurisdiction of the Administrative Adjudication System. As is the case with other police agencies in the State, the Division designs and has printed its own tickets. The tickets are distributed through Troop Headquarters to the troopers. They acknowledge delivery of the tickets by filling out the receipt enclosed in the ticket package and returning it to the Electronic Data Processing (EDP) Unit at Division Headquarters. The ticket numbers and the trooper who received them are then entered into the computer file, and the ticket accountability system begins. The trooper issues traffic tickets to motorists for violations of the Vehicle and Traffic Law or traffic related local ordinances. He gives one copy of the ticket to the motorist, forwards three copies to the court, retains one copy

for his own records, and sends one copy to EDP at Division Headquarters. Arrest information taken from this copy is entered into the computer, and matched with the ticket numbers in the trooper's name previously entered.

After adjudication by the court holding jurisdiction over the ticket, the court notes the disposition and sanction, if there is one, on all copies of the ticket. One copy of the ticket is kept for the court's records, one copy is returned to the trooper, and, if the ticket resulted in a conviction, a copy is forwarded to the Department of Motor Vehicles where information is taken from the ticket and used to update the driver license file. When the trooper receives his copy, he transfers the conviction information onto the ticket copy in his records, and forwards the copy received from the court through Troop Headquarters to the Department of Audit and Control. He forwards his own copy to EDP at Division Headquarters where the disposition information is entered into the computer and matched with the information previously entered on the ticket. The ticket is then removed from the list of those for which the trooper is responsible.

All tickets are batch processed off-line. All data is entered at Division Headquarters and is verified in a two-step process with two sets of built-in edits. All exceptions, (voids, lost tickets, incorrect or illegible entries) are handled by a Technical Sergeant housed in the Traffic Section at Division Headquarters. A variety of reports are generated from this system for administrative, program management and evaluation, and research purposes. (For a more detailed description of the State Police System, see Appendix H.)

There are a number of problems with the present "system" of processing traffic tickets. Some of these have been discussed previously and in Appendices A through D. Generally, deficiencies in the system are most frequently found in areas where one agency is dependent upon input from other agencies in order for it to do its part and for the system to function effectively. Lack of good internal controls on system functioning within an agency also results in a less effective system. In addition, certain variations provided for in the law create cases which must be treated as exceptions to the general rule and therefore processed in a distinct manner, each according to its needs.

Each of the two systems which make up a large part of the total ticket processing "system" in New York State, that is, the Administrative Adjudication System and the State Police Traffic Ticket Monitoring System, has its own unique set of problems. Many of these problems seem to be generally a product of that system's interaction with the total present "system." In all cases, the problems with the present traffic ticket processing "system" result in a system characterized by traffic law enforce-

ment which is less than fully effective, costs to State and local government which are greater than necessary, and highway safety at a lower than optimal level. (For some more specific illustrations of these problems, see Appendix I.)

V. Towards a New System

In order to meet the goals for the system as stated in Section III, the T.L.E. & A. Subsystem to be recommended must include components which will provide it with the ability to perform the functions necessary for fulfillment of these goals. The uniform policies and procedures in the criminal justice system as it relates to traffic law enforcement within and among the states will be encouraged by the T.L.E. & A. Subsystem through the development of uniform procedures for New York State which are generally in concert with federal guidelines.

Total control over the flow of traffic tickets in New York State will be provided for in the Traffic Law Enforcement and Adjudication Data Subsystem with the development of a traffic ticket monitoring system which monitors tickets from distribution to police agency through disposition by the court. This traffic ticket monitoring system will also permit identification of problem areas more easily and efficiently.

Collection of complete, high quality, standardized data on many aspects of traffic law enforcement and adjudication will be accomplished through the development and use of good standarized data collection instruments (i.e., a uniform traffic ticket) upon which the Traffic Law Enforcement and Adjudication Data Subsystem will be based. After this data is collected, it will be provided to interested parties for analysis. The information will also be made available to grant administrators and other concerned parties who may use it in their evaluation of the effectiveness of traffic law enforcement and highway safety programs.

In order to determine the feasibility of accomplishing a task one must first determine exactly what it is that he is considering doing. To do this, it was first necessary to define what the Traffic Law Enforcement and Adjudication System should be. Its parts were then defined and related to aspects of that segment of the criminal justice system which is involved in traffic ticket processing. The first step in defining and investigating the system, its parts, and its relationship to the criminal justice system and other systems concerned with traffic law enforcement and adjudication was to conduct a literature search.

The literature search covered such areas related to the proposed T.L.E & A. Subsystem as traffic courts, traffic violations, different types of selective enforcement programs, and traffic accidents. Most of the articles and books examined were found in the Department of Motor Vehicles' Research Library, though other library collections were consulted as well. Some of the articles found in the literature search were compiled and analyzed, and are presented in Appendix A. The remainder provided a basis of knowledge upon

which the entire paper was developed. A bibliography of these is included as Attachment 1.

In order to determine the feasibility of developing a Traffic Law Enforcement and Adjudication Data Subsystem in New York State, it was necessary to know about ongoing and completed projects of this type in other states across the nation. Letters requesting this information were sent on June 3, 1977, to the Traffic Safety Coordinator or Traffic Records Project Director in each of the other 49 states and five territories. (See Attachment 2.) Responses so far have been received from 30 states and two territories. (For states responding, see Attachment 3). Of these, only one state, Florida, has a complete T.L.E. & A. Data Subsystem in operation. Of the remainder, six states have some part of the system operational, five are in the process of developing a traffic law enforcement and adjudication-type system, and 14 states have no system and are making no plans to develop one in the near future. Six states did not indicate whether or not they have a T.L.E. & A. Data Subsystem in operation. It is interesting to note that of the 32 states and territories responding, only 12 can be said to have a Uniform Traffic Ticket in use statewide. . .

A breakdown of the states which made positive responses to the letter, and a synopsis of the materials received from those states, may be found in Attachment 4.

After examining responses received from the various states and territories, it was determined that travel to several states to look at their experiences could be beneficial to the determination of the feasibility of such a system in New York State. Due to fiscal consideration, our travel was limited to eastern states; specifically we chose to visit New Jersey and Florida. (For an overview of New Jersey's and Florida's systems, see Attachment 5.)

Overall, the trip was found to be very beneficial to the feasibility study, since it gave us an example of a traffic law enforcement and adjudication system which is effective and efficient in aiding the cause of highway safety in the state.

In order to realistically determine the feasibility of establishing a Traffic Law Enforcement and Adjudication Data Subsystem in New York State, it was deemed necessary that meetings be held with those individuals and agencies who would have to work with the system and upon whom the success of the system would be based. (For a list of these individuals, see Attachment 6.) Meetings began in October 1977 after the literature search was completed and a more definite idea of the exact nature of the system was ascertained.

A meeting was held with representatives from the New York State Association of Towns to discuss the role of the town government

specifically the justice court system, in the feasibility study and the actual data subsystem.

Meetings were held with representatives of several different areas of the Department of Audit and Control to discuss their various concerns. The Department of Audit and Control has expressed the opinion several times over the past few years in its audit reports that the Department of Motor Vehicles is responsible for traffic ticket accountability in New York State and should therefore act on its responsibility. DMV has not been in total agreement with this opinion, but the Department of Audit and Control continues to express its opinion nonetheless.

The Department of Audit and Control has indicated that the statewide implementation of the proposed Traffic Law Enforcement and Adjudication Data Subsystem would result in substantial savings to them in audit manpower. The letter in which this statement was made (Attachment 7) was the result of considerable interaction between the Department and Traffic Records Project staff, interaction aimed at insuring that the system would be implemented in such a way that it would meet the needs of the Department of Audit and Control.

Traffic Records Project staff attended a meeting with representatives of the Commission on Judicial Conduct. At this meeting, the impact of the Commission's work on the traffic law enforcement and adjudication effort in the state and the proposed T.L.E. & A. Data Subsystem were discussed.

Separate meetings were held with representatives from the Office of Court Administration, the Division of Criminal Justice Services, and the New York State Association of Chiefs of Police. At these meetings, the proposed T.L.E. & A. Data Subsystem was presented to the individuals present, the system was discussed, and their feedback was noted. This feedback was incorporated into the final proposal.

Meetings were also held on several occasions with representatives of the Division of State Police to bring them up to date on the progress of the feasibility study and to encourage their increased participation in the project. In this regard, the meetings were not very successful until late in November when it was agreed that a technical sergeant from the Traffic Section would participate in the project on a limited part-time basis. This participation has since increased considerably. Though its participation is still part-time, the input and impetus contributed by the Division have substantially improved the proposal's chances for successful implementation.

A number of meetings have been held with individuals within the Department of Motor Vehicles to discuss T.L.E. & A. and its potential effect on Departmental operations. Traffic Records

staff has been in constant touch with the Administrative Adjudication Task Force over the past year, keeping them fully informed of all plans and actions and providing them with information gathered from the study. Meetings were held with representatives from the Division of Driver Safety to discuss their concern and interest regarding the system. Legal considerations and implications of the system were discussed with DMV's Legal Division, and costs with the Budgeting Unit. The Division of Research and Development has been kept fully informed of our progress and their participation has been invited throughout. Finally, a meeting was held with representatives of the Administrative Adjudication Bureau to discuss how the T.L.E. & A. Data Subsystem and the Administrative Adjudication System interact to ensure that the systems are coordinated and will act to complement one another.

One very important outcome of all these meetings was the development of the T.L.E. & A. Work Committee which served as a resource group during the last few months of the study. The Committee was developed as a result of the strong interest, expressed by many of the people with whom meetings were held, in having some means of providing meaningful input into the design of the system, and as a result of our desire that the system reflect the needs of its users. The Committee was comprised of representatives from the Division of Criminal Justice Services, the Division of State Police, the Department of Audit and Control, and the Department of Motor Vehicles. (For a list of Committee members, see Attachment 8.) The first meeting of the Committee was held on December 29, 1977. The purpose of the Work Committee is to review and discuss alternatives for the system and select the ones which best fulfill the goals of the system and the needs of the member agencies. The Committee also reviews and discusses the materials prepared by Traffic Records' staff for inclusion in the paper, providing a multi-disciplinary view of the system and of the situation into which it will be placed.

Committee members discussed the present system and developed a flowchart illustrating it. In the discussion, problem areas in the systems which must be given special attention by the T.L.E. & A. Subsystem were pinpointed. (See Appendices G & I.)

Criteria were developed to be used to rate the T.L.E. & A. Subsystem. These criteria were divided into three general categories, political, operational, and fiscal. The criteria were then weighted. Each Committee member assigned a weight to each criterion, with a total of 100 points for the whole package. These individually assigned weights were discussed and averaged, with a representative weight then being assigned to each criterion, again totaling 100 points. The criteria are included as Attachment 9.

Traffic Records Project staff developed seven prototypes for the Traffic Law Enforcement and Adjudication Data Subsystem (See Attachment 10) These were presented to the Work Committee

which reviewed them and selected three for further consideration. The Committee selected the three more complete systems, since these came closer to fulfilling the system goals of complete ticket accountability and provision for complete, standardized, high quality data than did the other systems. Attachment 11 includes a flowchart and verbal description of each of these three system proposals.

Feedback was then gathered from all interested agencies as to the types of reports they would need generated from the Traffic Law Enforcement and Adjudication Data Subsystem. Most of this information was gathered by Committee members. A list of types of reports needed was then developed, including reports made possible by tying this file in with other compatible files, e.g., the accident report file. Some of the reports requested include reports on tickets by issuing police agency and by adjudicating court, comparisons between arrest data and conviction data for a change in charge, reports updating tickets issued as a result of accidents with the conviction information on those tickets to check on conviction rates, and reports on the amount of fines levied by a court for audit purposes. A more complete list of reports which may be generated from this system is available in Attachment 12.

The Committee then developed a list of those data elements which must be included in the T.L.E. & A. file and on the Uniform Traffic Ticket. The list includes all data elements which would be needed in order for the above-mentioned reports to be generated. This list is included as Attachment 13.

Using the previously established criteria and weights, Committee members rated the present system, giving it a total weighted rate of 337 points. This served as a "normalized" measure with which the proposed systems could be compared. They then proceeded to review and rate the three proposed systems (Attachment 11--Proposals A, B, & C), using the same weighted criteria. The ratings for all four systems may be studied in Attachment 14. Ratings for the three proposed systems ranged from 361.2 points to 406.8 points out of a possible total of 500. Based on these ratings, the Committee suggested that the adoption of the system outlined in Proposal C be recommended in the feasibility study.

Traffic Records Project staff, with the help of staff of DMV's Budgeting Unit and the Division of State Police, developed two alternatives for system processing and a cost package for each. We are pleased to note that both alternatives were cost beneficial to New York State. The alternatives were then presented to the T.L.E. & A. Work Committee who reviewed the two processing systems and cost packages, discussing the advantages and disadvantages of each. The Committee decided unanimously to recommend that one

of the processing systems, the Field Entry Processing System, be included as part of the total T.L.E. & A. Subsystem. This system provides for initial ticket processing to be done by the Division of State Police, under the auspices of the Department of Motor Vehicles, with the Department handling the final processing and report generation. This system processes tickets in a more timely fashion and at a lower cost than does its alternative, the Central Entry Processing System. (The systems are described in greater detail in Attachments 15 and 16.)

VI. RECOMMENDATIONS

Since a T.L.E. & A. Data Subsystem would be more cost beneficial to New York State than is the present system; because it would provide data to police agencies for more effective manpower allocation and program evaluation; because it would provide complete ticket accountability so that traffic tickets would no longer be subject to improper handling; because it would permit more timely and complete updating of the driver license file and therefore provide a more complete population for driver safety programs; and because it would provide comprehensive , complete, high quality traffic law enforcement and adjudication data including both moving and nonmoving violations for highway safety research and program evaluation, the T.L.E. & A. Work Committee has recommended that the system described below and referred to in attachments as the Field Entry Processing System be adopted and implemented in the State of New York.

TICKET MAINTENANCE:

The Traffic Law Enforcement and Adjudication Data Subsystem being recommended provides for a cooperative effort by the Department of Motor Vehicles (DMV) and the Division of State Police (DSP). The Department of Motor Vehicles will design a Uniform Traffic Ticket for use statewide and will contract for its printing. Traffic tickets will be distributed by the printer to the Division of State Police Troop and Zone Headquarters as directed in the purchase order. Additional stock will be stored in the DMV warehouse. The Division of State Police will then be responsible for distributing tickets to local police agencies. The Zone Lieutenant at each Zone Headquarters will be responsible for accountability, storage, and distribution of tickets to police agencies within his assigned area. Upon assignment of tickets from the Zone inventory to a police agency (including State Police Stations), the Zone Lieutenant will receive from each police agency a receipt for the tickets it has received. Using the CRT located in each Troop or Zone Headquarters, DSP will then make the initial entry into the computer, entering ticket numbers and the police agencies who receive them. This information will be transferred over the interface to the DMV computer where it will be stored pending the completion of each ticket's progress through the system.

The Troop Traffic Sergeant will be responsible for maintaining a sufficient supply of tickets at Troop Headquarters for restocking the Zone inventories. The Troop inventories will be drawn from the stock of tickets stored at the DMV warehouse.

Tickets will be distributed by police agencies to officers. Police agencies will be responsible for ticket accountability by officer; the T.L.E. & A. Data Subsystem provides accountability down only so far as the police agency. Police officers issue tickets to motorists for violations of the Vehicle and

Traffic Law and traffic related local ordinances.

DATA ENTRY

After a ticket is issued, the police agency forwards the Arrest Record copy of the ticket to the nearest DSP Troop or Zone Headquarters. Here arrest data from each ticket is entered on-line into the DSP computer via CRT.. After initial editing, the information is transferred over the interface to the DMV computer where it is matched with the initial entry for that ticket and stored to await the completion of that ticket's progress through the system.

Other copies of the traffic ticket are sent to the court holding jurisdiction over traffic violations in that area. Here the motorist's guilt or innocence is determined. If he is found guilty, the appropriate sanction is determined and both the finding and the sanction are noted on the Disposition Record. If he is not found guilty, that is so noted. The court then sends the Disposition Record to the nearest DSP Troop or Zone Headquarters whether or not the case resulted in a conviction. There DSP makes a disposition entry for all tickets, entering disposition, sanction, and other data. The information entered in this final entry is then trasferred via interface to the DMV computer. Here it is matched with the data previously entered on that ticket, and the data gathering and accountability processes for that ticket are completed.

Tickets which are are issued for Vehicle & Traffic Law violations which result in mandatory suspensions or revocations are entered immediately upon receipt at Troop or Zone Headquarters. They are then immediately forwarded to the Department of Motor Vehicles where they must be available for use by the Division of Driver Safety in responding to public needs. All other convictions will be batched after entry and forwarded at regularly scheduled intervals to DMV for storage. All tickets resulting in dismissals and all Arrest Records will be stored at the Troop or Zone Headquarters where they were entered.

DATA OUTPUT

Ticket data stored in the DMV computer is used to generate a number of different reports for use by a variety of groups and agencies. Monthly reports on cases heard and revenues collected by each court will be generated for the Department of Audit & Control. Police agencies and the courts will receive regularly scheduled exceptions reports on outstanding tickets, and activity reports on tickets processed. Reports to be used for highway safety research may be generated on an "as requested" basis. Data in the file will also be used to update the driver license file.

In regard to the processing of data in this system, all data

entry is done on line in the Division's Troop and Zone Headquarters. In addition to doing data entry, data entry machine operators (DEMO's) will be responsible for batching documents by type for input, visually checking documents for completeness, correcting errors, forwarding Disposition Records for convictions to DMV, and batching and filing Arrest Records and Disposition Records for dismissals at the Troop or Zone Headquarters where they were entered.

When incorrect or illegible tickets come up for entry, the DEMO will contact the police agencies and officers who issued them to arrange for correction to be made. It is estimated that the correction procedures will take from one to seven days.

Data for specific fields will be edited on line. The data will then be stripped to a storage area and the master file updated and edited daily. The driver license file may also be updated daily. Regular exceptions and error reports will be developed to be used for system monitoring.

COST

The T.L.E. & A. Subsystem described above will cost approximately $900,000 to implement and approximately $800,000 annually to maintain. In both cases the bulk of the costs is for the personnel required for the system to operate. It should be noted that there are a number of expenditures in the present system which would no longer be required when the T.L.E. & A. Data Subsystem is fully implemented. These expenditures, totaling approximately $867,000, could be considered to offset that amount of expenditures for the fully operational T.L.E. & A. Data Subsystem, although they could not be considered as offsets until implementation of the system is complete. In this case, on the basis of the annual cost, the T.L.E. & A. Data Subsystem could be considered cost beneficial to New York State.

Cost figures for the proposed systems and the corresponding offsetting costs in the present system are illustrated in Attachment 17. For a comparison of the costs of the Central Entry Processing System and the Field Entry Processing System, see Attachment 18. A breakdown for each processing system of costs and offsets for each involved agency is available in Attachment 19. Greater detail on costs to the Department of Motor Vehicles and the Division of the State Police of the present system, and the impact of the proposed system on these is available in Attachment 20.

T.L.E & A. AND ADMINISTRATIVE ADJUDICATION

As has been previously mentioned, the development of the T.L.E. & A. Data Subsystem took into account the environment into which it would be placed. Since the Administrative Adjudication System has a strong role in structuring the traffic law enforcement and adjudication environment in New York State at the present time and since the two systems would have to function cooperatively in some areas of the State, the

T.L.E. & A. Data Subsystem has been designed to be complementary to the Administrative Adjudication System.

There are a number of options open as to how the two systems could be integrated. The systems could have two distinct traffic tickets with parallel processing systems, one group of tickets processed through the Administrative Adjudication System, and the other through the criminal justice system. Output produced by each system would be dependent upon the system's capacity and users' needs. An alternative is to design two tickets which are as similar as possible for use by the two systems, and develop complementary processing systems for these tickets so that information exchange between the two systems is facile and expeditious. A third alternative is to design one ticket which could be used by both groups. Ticket monitoring could then be handled cooperatively by each group or all ticket monitoring for both groups could be done by the T.L.E. & A. Data Subsystem. In this case use of a uniform data collection instrument (the UTT) would facilitate output of standardized, usable data.

An arrangement most beneficial to all concerned parties would be worked out during the implementation stage but prior to full implementation of the T.L.E. & A. Data Subsystem.

IMPLEMENTATION

Tenative plans for implementation of the T.L.E. & A Data Subsystem have been developed. There are certain preparations for implementation which must be made before a move into the field can be made. These include designing a Uniform Traffic Ticket (after receiving input from local police agencies), designing other necessary forms, systems design, computer programming, and training a staff and users.

The plan is to start with partial implementation, introducing the system into an area of the state with Administrative Adjudication, and into an area where all traffic tickets are handled by the criminal justice system. This period of partial implementation would provide the opportunity to see how efficiently and effectively the system operates, and would allow changes to be made to improve the system functioning prior to statewide expansion. It is further planned to move towards the statewide expansion immediately after this test period, phasing in several areas at a time, and achieve statewide implementation within a year after initial implementation has begun. Detailed plans for implementation will be contained in the T.L.E. & A. implementation grant request.

Appendix A

Literature Search on Relationship Between Convictions and Accidents

A 1960 California study[1] indicates that a motorist with the greatest number of convictions has the greatest number of accidents. Another California study[2] indicates that while there were few predictors of accident involvement, among them were traffic conviction frequency. The study findings support taking remedial and restrictive action against drivers on a basis of moving violation points. Traffic convictions proved to be an important discriminator of accidents.

In a 1970 study[3], Klein and Waller write:

> "...police, insurance companies...attribute the vast majority of crashes to carelessness, negligence and other avoidable human behavior... Police efforts...are concentrated on the determination of guilt; the court system is devoted to the identification of fault or negligence...There is little evidence to indicate that the punitive approach has had any success in substantially reducing the incidents of crashes. ..."

The study goes on to point out that the reporting of violations is unreliable because of under reporting, variations by locality in definitions of what is legal, and the availability and the motivation of police.

In designing countermeasures, information about types of violations is more important than is information on frequency. This, of course, could be an argument for eliminating or minimizing plea bargaining. The study continues by stating that the point systems tends to be arbitrary and that it is impossible to determine whether the high-point driver actually has a high accident potential.

Waller writes that police tend to emphasize the numan error as the main cause of crashes, and refines this to emphasize the immediate rather than the remote. She states that although the relationship that violations occur with greater frequency among drivers who have crashes has been demonstrated for some kinds of violations and some types of drivers, the overall relationship is <u>not</u> sufficiently strong to implicate violations in general.

There are many inadequacies in studies that claim to be able to distinguish high-risk from low-risk drivers, and most research has only been capable of predicting group behavior, and not individual behavior.

The stated premises upon which citations are based are, first, that individuals who violate traffic law are more likely to have crashes, and second, that the issuance of citations serves as an effective deterrent to further violations (and consequently to crashes). These premises are doubtful. It is not possible to assume categorically that high-citation rates predict high-crash rates.

Carlson in a 1968 study[4] indicates that the most significant identifier of a problem driver is the total number of motor vehicle convictions.

A 1966 California study[5] reaffirms that belief that conviction and accident frequencies rise together; however, that the conviction/accident relationships are also more influenced by variables associated with localities.

Footnotes

[1]The 1964 California Driver Records Study, Part 4. "The Relationship Between Concurrent Accidents and Citations," May 1960, RTT. 20.

[2]State of California, Department of Motor Vehicles, "The Prediction of Accident Liability Through Biographical Data and Psychometric Tests," March 1973, HPR-PR-1(8) BD132.

[3]"Causation, Culpability, and Deterrents in Highway Crashes," Automobile Insurance and Compensations Study, July 1970, Klein and Waller.

[4]HSRI, University of Michigan, W. L. Carlson, "Identifying the Problem Driver from State Driver Records", May 1968.

[5]Coppins and Peck, The 1964 California Driver Records Study, Part 7, "The Relationship Between Types of Convictions and Accidents," March 1966, RPT. 20.

Appendix B

The Relationship Between Accidents and Traffic Citation Convictions

Statistical correlations have been examined with the intent of demonstrating the relationship between the incidence and prevention of traffic accidents and the issuance of traffic citations and their adjudication.

Using group data (i.e., summary figures by county or by town) basic relationships were examined by use of dispersion graphs. The examination began using those summary data items most readily available. Specifically, these were number of accidents versus number of convictions for accident related violations (citations). Initially, no efforts were made to classify these violations or the accidents by severity. The towns were classified as urban, suburban, or rural in the belief that this factor might affect the violation/accident relationship.

While the correlation was positive in all instances, in no instance was it strong. The large population counties used in the sample (i.e., Erie, Monroe, Suffolk) differed markedly in the way they aligned themselves on the dispersion graph as compared to the alignment of the smaller counties. The graphs of the towns, categorized as urban, suburban and rural, evidenced an unacceptable variance in spite of the positive trend displayed by the points.

A positive trend had to be expected since a prime factor which influences the number of citations also significantly influences the number of accidents. That factor is "exposure" or the number of vehicles traversing the community's roads. A common index for this exposure factor is "vehicle miles". There was reason to believe that if the exposure effect could be neutralized, the relationship between accidents and citations might be negative. This would support the thesis that strong enforcement of traffic laws would effect a low accident rate.

A major problem was to develop an exposure term. Reliable vehicle miles figures are not available on a county or township basis except for state touring routes. Therefore, it was necessary to come up with a surrogate term for total vehicle miles, by political unit. Various terms were tried. They included: population, number of gasoline pumps, motor vehicle registration, miles of highway. Statewide vehicle miles figures exist for state touring routes and for "all" roads. Since vehicle miles figures exist for state touring routes on a county basis, estimates of the non-state route vehicle miles were obtained by calculating a "vehicles per mile" for non-state routes from the statewide figures available and applying it to the number of state touring route vehicle miles available for each county.

For each county, the total number of accidents and accident-related violations were divided by the "estimated" vehicle miles thus neutralizing the exposure effect. The resulting values were plotted against each other on an arithmetic grid. With the exception of the three large population counties, the remaining points form a strong positive alignment. This indicated that as citations increased, accidents increased.

This relationship should not be interpreted as a cause and effect relationship since if that were true, it could be argued that the way to eliminate accidents would be to eliminate (not issue) citations. All that can be said is that the factor(s) generating accidents also generates violations. This almost has to be since the violation figures used were for only those citations issued when an accident is investigated. They are, in reality, a function of the number of accidents.

Ideally, the total number of citations should be subjected to this form of analysis; however, total violation information is not retained by the Department of Motor Vehicles. Conviction information, however, is. There was concern that, at the county level, the grossness of the data would mark relationships existent at the townships level. Therefore, a sample of conviction and accident information summarized at the town or city level was extracted from the DMV's files. The conviction information was further categorized by severity, premised on the number of points normally assigned to that conviction type. Four categories were established with category class D being the most severe.

Both the conviction and accident information for the selected towns, for each severity category, and for the density category (i.e., city, suburban, rural) were adjusted for exposure by dividing each number by "estimated" vehicle miles. These estimates of vehicle miles were obtained by factoring the known state highway and other jurisdiction highway miles by "vehicles-per-mile" factors derived at the county level.

Dispersion graphs (sometimes called scattergrams) were prepared for all of the sample communities. They were subclassified by density type for each conviction severity category, except for the lowest severity class since there were generally so few.

In general the relationships leaned towards the positive (i.e., as accidents increase, convictions increase). However, the relationships were weak, almost to the extent of there being no distinctive tendency. The scatters tended to be erratic. Only in the rural town scatter of class B severity convictions against accidents of all types can the positive correlation even be considered fair. The suburban town plots were particularly broadly scattered.

If there were a strong positive correlation, it could be reasoned that the same factors causing accidents trigger the issuance of citations, and concomitantly, the awarding of convictions.

Inversely, if there had been a strong distinctive negative correlation, it might be reasoned that strong enforcement reduces accidents. As stated, neither trend direction presented itself, and it might be conjectured that both conditions are valid, because their innate antagonisms are causing the vagueness of direction of the plots. Another complication is the undetermined effect of plea bargaining and unreported tickets. In summary, this effort to derive either positive or negative correlations can be considered inconclusive. Correlation coefficients were not calculated because of the lack of firmness in direction; however, had they been calculated, it is believed that they would have generally been positive, albeit fairly unreliable.

Appendix C

Report on the Work of the Commission on Judicial Conduct

Demonstration of the need for a ticket inventory system of some type in New York State must be broken down into several different facets. One series of events related to this need which must be considered is the controversy which has developed over the past year as a result of investigations conducted by the Commission on Judicial Conduct. This ticket-fixing controversy concerning the justice courts in New York State has had some considerable effect on respect for law enforcement and the courts, particularly as they relate to traffic tickets.

On June 20, 1977 the Commission on Judicial Conduct issued a report entitled "Ticket-fixing: The Assertion of Influence in Traffic Cases." This report was the result of nearly a year of investigation by the nine-member panel and its staff which was created September 1, 1976 after it was overwhelmingly approved by voters in a November 1975 referendum. (It was preceded by a temporary commission which operated from January 1975 through August 1976). This interim report outlines the Commission's inquiry into judicial ticket-fixing practices.

The Commission's investigation has included some but not all courts in 38 counties in New York State, and has implicated approximately 250 judges hearing cases in these counties. These judges hold office in town, village or city courts.

The Commission is primarily concerned in the report and in subsequent investigations with reductions and other dispositions of traffic tickets which are granted "as favors", [1] rather than those reduced for other reasons since they recognize that "(n)ot every reduction is the result of ticket-fixing." [2] Reductions in charges may also be a result of plea bargaining, professional courtesy offered by the court to the attorney representing the motorist, or mitigating circumstances presented to the court. [3]

The use of special influence in the disposition of traffic tickets is not limited to reductions in charges. Alternative forms of special treatment may include requests for and grants of outright dismissals, favors in levying fines (reduced amount of fine), [4] reduction in the amount of excess speed shown on the face of the summons, and negligence in recording convictions (even reduced convictions) on the Record of Convictions portion of the driver license. Another form of "ticket-fixing" considered by the Commission is bail forfeiture. In this case the justice agrees to accept an

amount of money, generally an amount equal to a moderate fine, as "bail," and when the defendant does not appear his "bail" is forfeited, forwarded to the State, and the case is closed. In a case like this the defendant is not convicted and generally no marks are placed on his license.

When a ticket is "fixed" by reducing the charge or the amount of excess speed shown on the ticket face, the summons itself is frequently altered to reflect the change. This is done even though the officer issuing this summons has sworn to the violation (or misdemeanor) in affidavit form pursuant to the law. But the fact that generally the consent of the issuing officer is obtained prior to altering the summons doesn't alter the illegality of the act.

The Commission raised in its report questions about the possible illegalities of ticket-fixing. The Vehicle & Traffic Law, Section 207, subdivision 5, is unequivocal in its statement that "(a)ny person who disposes of any uniform traffic summons and complaint in any manner other than that prescribed by law shall be guilty of a misdemeanor." There is, in addition, the problem that, since a lesser offense often does not exist, the charges to which tickets are often reduced are almost never the "lesser included crimes" prescribed by the Criminal Procedure Law. The Commission does believe though that in the overwhelming majority of traffic cases where decisions were rendered on the basis of favors or special influence, no direct monetary benefits accrued to the judges who presided.

Requests for special treatment in the disposition of traffic tickets seem most frequently to be made to justices by other justices, generally on behalf of friends, family, legal clients, or political associates. These requests seem to be reciprocal in nature; to quote one justice, "...please be assured of my full cooperation in all matters of mutual concern." [5] The Commission maintains that the practice of ticket-fixing is widespread, and that most judges practice it. They base their assumption on the testimony of justices who appeared before the panel. "The judges questioned by the Commission maintain that the practice is widespread. Some claim that every town and village justice engages in it." [6] It should be noted, though, that the justices who testified before the Commission did so because they had been accused of ticket-fixing themselves. It should also be noted that the Commission has examined only some of the courts in some of the counties; it seems that they may be projecting the same degree of guilt on the rest of the justice court population. To do so would seem to be in direct conflict with the assumption of innocence which is the basis for the criminal justice system in the United States.

The Commission does recognize that not all justices participate in ticket-fixing practices; "some judges have flatly refused to engage in it." [7] They note that, in fact, some

judges have even gone to the extent of preparing a form letter of refusal. These letters offer a number of reasons for the included refusal to fix tickets, not all saying that their refusal is based solely on their moral integrity. One such letter calls attention to criticism of the town and village justice court system and warns that unless changes are made, this system will be replaced:

> "I have made it a policy not to change or reduce any charges unless the arresting officer comes in and changes the information or the District Attorney moves for such reduction. I will not be a party to eliminating our lower courts." [8]

According to the Commission's report, most of the judges interviewed recognized the impropriety of the practice of ticket-fixing, but note that it is "a prevailing custom that they inherited upon taking office." They mentioned that even though they may not like doing it, ticket-fixing was "something expected of them" and in fact was "a necessary price for reelection." [9] It should be remembered that "fixing" has been an accepted practice in all levels of the court system for many years, and that the justices were not the first, nor will they be the last, members of the criminal justice system to participate in questionable practices.

The practice of ticket-fixing has several adverse consequences. The first is that it, in essence, results in two systems of justice: one for average citizens and another for those with "influence." This dichotomy is even more visible when one considers that in the part of New York State included in the Administrative Adjudication system there is no plea bargaining whatsoever, and certainly no ticket "fixing" once the adjudication system has started processing a ticket. Therefore, whether or not a motorist faces the full impact of the law depends often on where he lives and whom he knows.

In addition this practice generates disrespect for the courts both by the people who get their tickets fixed and by those who participate in the ticket-fixing process (police, prosecutors, lawyers, politicians, and judges). It may also keep on the road drivers who would perhaps be suspended or revoked if their real driving records were available. This adversely affects the effectiveness of the driver safety programs since the population from which participants are taken may include no representation from this group.

Ticket-fixing may also result in loss of revenue to the State. When violations of the Vehicle & Traffic Law are reduced and adjudicated as violations of local ordinances, the State loses the revenue it would have gained had the violations been adjudicated under the Vehicle & Traffic Law. When the initial Vehicle & Traffic Law violation charge is reduced to a lesser Vehicle & Traffic Law violation, the State may

receive substantially less revenue since the amount of the fine is generally in direct proportion to the seriousness of the conviction offense. Revenue accrued by the State is also reduced when the "ticket-fixing" is a simple reduction in the amount of fine or is a bail forfeiture involving a "bail" set at less than the fine would be for the offense charge. Improper processing of tickets results in loss of revenue to the State in several other ways as well; for example because of the untimely or incomplete deposit of revenues.

In its report the Commission discusses certain prospects for reform in the way the traffic law enforcement area of the criminal justice system functions. In interviews with Commission staff, many judges volunteered that they intended to desist from requesting or considering special favors regardless of the Commission's actions. The Commission recommends that court administrators, police officials, and district attorney's offices should exercise greater supervisory control over their respective subordinates. Also raising prospects for reform is the formal action of the Commission. The Commission has found some grounds for charges against 250 judges to date. They have requested that a Court on the Judiciary be convened to hear charges against 38 justices, [10] and will hold in-house hearings regarding the charges against 20 other justices. [11] The Chief Judge of the Court of Appeals has appointed seven judges to the Court on the Judiciary who will hear the 38 cases. [12] The 58 justices involved face possible penalties of private reprimand, public censure, suspension for up to six months, [13] removal from their post, or criminal prosecution.

In response to the Commission's actions, 41 town and village justices who said they are being charged by the Commission, have filed a class action suit including in it several contentions. They maintained that the Commission had violated the constitutional guarantees of due process in investigating them by depriving them of a hearing and by failing to notify them of the charges against them. They argued that under the State Constitution, the Commission lacks the power to supervise the justice courts.[14] They stated that the report failed to show a single case of a judge's having "accepted or received gratuities or committed any criminal act," and that their actions involved discretionary powers in permitting reduction in certain charges on valid grounds rather than improper ticket-fixing. [15] Finally they contended that it is unconstitutional to require a judge's suspension during the time when the Court on the Judiciary is proceeding against him.

In a counter-motion to dismiss the judges' suit, Gerald Stern, the Commission's administrator, said that the Commission's investigation was directed at "improper requests for favorable disposition" or "improper granting of favors" rather than plea bargaining and added that the judges had made "numerous misstatements of law and fact" in their

petition in describing the Commission's procedure. [16]

The State Supreme Court Judge hearing the petitions ruled that the provision which automatically relieves a judge from his duties (with pay) while the Court on the Judiciary is examining misconduct charges against him should be temporarily set aside because it raises a constitutional question. Otherwise the justices were generally unsuccessful in their suit.

There is some speculation that the Commission's investigation has resulted in the resignation of several town justices. Whether or not this is true, the investigation has had an impact in another area. There seems to be some considerable interest in finding out who the people are who are asserting influence on the justices to get tickets fixed. This would seem to be quite important since these individuals are as guilty of violating Section 207, subdivision 5 of the Vehicle and Traffic Law as are the justices. Only one individual other than a fellow justice has thus far been revealed by name as having actively participated in ticket-fixing. The Commission has not yet made its position clear on what action it will be taking concerning this individual.

It is the opinion of some that the Commission has more in mind than just disciplining some wayward jurists. Justices as a group are frequently subject to attack, they are often criticized for lacking professionalism. Moves are frequently seen to "correct" this by requiring legal training for eligibility for office, thus requiring that justices be lawyers. The desirablity of this move is open to question. [17] Some individuals are of the opinion that the Commission's intent in this instance is to see expansion of the district courts at the expense of the justice court. They feel that this attack on the justice courts will lay the foundation for eliminating the town courts altogether. Whether there is any basis in truth for this opinion is not yet known, but the matter should be considered. [18]

Although the conduct of the Commission's study may not have been totally objective nor the scope as inclusive as it should be nor the reporting unbiased, there is merit in the work they have done. While all the blame (or at least the greater portion of it) may not lie with the justices, (as the Commission's report would seem to indicate), the report does amply illustrate the need for a traffic ticket monitoring system which cannot be tampered with.

FOOTNOTES

1. "Ticket-fixing: The Assertion of Influence in Traffic Cases", Interim Report by the New York State Commission on Judicial Conduct, June 20, 1977, page 6. (hereafter cited as Commission Report).

2. Ibid., page 5.

3. The use of plea bargaining to a "lesser included offense" has been sanctioned by appellate courts and is provided for in the Criminal Procedure Law. Pleas (of guilty) to a lesser charge are a very necessary part of the criminal justice system in New York State; without them our courts would be hopelessly backlogged since funding for expansion of prosecuting and court facilities has not kept up with law enforcement efforts in the state. The section of the Criminal Procedure Law which provides for reductions is 220.10. It states that if a person is charged with some offense, he may be permitted to plead guilty to some lesser offense, and that if a person is charged with more than one offense, he may be permitted to plead guilty to one of the several offenses.

   A problem arises, though, in the Criminal Procedure Law's definition of lesser included offense as an offense of a lesser degree committed at the same time that a more serious offense is committed (Section 1.20). It is very difficult to find "a lesser included offense" in most traffic violations; there is frequently no relationship at all between the original charge and the conviction charge.

   Section 220.50 of the Criminal Procedure Law further provides that where the permission of the Court and the consent of the People are prerequisite to the entry of a plea of guilty (that is, to a lesser charge), the court and the prosecutor must either orally on the record or in writing state their reasons for granting the permission or consent.

   It is interesting to note that the permission of the judge and the consent of the prosecuting attorney or the District Attorney is required for the acceptance of any plea of guilty to a reduced charge.

4. But one should note that determination of the appropriate amount of fine for a particular case is left to the discretion of the judge. Maximum penalties (amount of fine and maximum period of imprisonment) are controlled by the provisions of the Vehicle & Traffic Law (Sections 385, 401, 511, 512, 601, 1800, 1801, and 1192) but no

minimum penalty is suggested. Motor Vehicle Manual for Magistrates, State of New York, Department of Motor Vehicles, October 1974.

5. F.U. Dicker, "'Ticket-fixing' proof revealed," Albany Times Union, December 1, 1977, page 1, 14.

6. Commission Report, page 13.

7. Ibid.

8. Ibid., page 14.

9. Ibid., page 13.

10. When requested to provide for the hearing of charges against a justice, Chief Judge Charles Breitel of the Court of Appeals convenes a Court on the Judiciary which is made up of five Appellate Division justices. Initially there is a private hearing to examine the charges; the court may approve the charges, modify them, or throw them out depending upon the quality of the evidence. If charges acceptable to the court result from the private hearing, the court's activities are opened to the public. A full trial, with both sides calling witnesses, is held by a referee who is a judge appointed by the Court on the Judiciary. This referee is one of the five judges that Chief Justice Breitel has appointed to the Court on the Judiciary. The referee hears the case and makes a recommendation to the Court. The Court then takes action; its alternatives include doing nothing, censuring the judge, or suspending or removing him.

11. Phone conversation with Michael D. Celock, Investigator, Commission on Judicial Conduct, State of New York, January 5, 1978.

12. As of February 1, 1978, eight of these 38 justices have resigned from their positions. The Commission announced that charges against these eight would be held in abeyance, depending on their seeking to hold judicial office in the future.

13. These sanctions may be imposed by the Commission.

14. It is interesting to note that although the justice courts are officially a part of the "Unified State Court System," they are the only courts which are elected, administered, and funded on a local level. They can only be abolished with a constitutional amendment or as a result of town-by-town referenda.

15. Peter Kihss, "41 Upstate Judges Fight Tickets Case," The New York Times, November 16, 1977.

16. Ibid.

17. David Seigel, a professor at Albany Law School, maintains that there is no proof that lawyers make better town justices then do laymen since the primary duty of the town justice is to determine "substantial justice" for the parties involved. Seigel defines this as a combination of "doing the fair-minded thing" and following the rules of law. "Law Professor Defends Town Courts, Lay Judges," Justice Court Topics, Volume 37, Number 9, September 1977; page 1, 4. Further, the Court of Appeals has held that the New York State system of town and village courts with lay justices does not violate constitutional rights to due process. People v. Skrynski (42 NY 2d 218).

18. There are questions about whether or not district courts would be beneficial to smaller, less wealthy communities since the community must pay a share of the district court's costs. The services derived from the district courts may well be far more costly to the towns than are justice courts. In addition there are some advantages to lay justices in justice courts over judges in district courts. The justice courts are close by rather than removed from the community, and the justices "dispense a more neighborly and less formal kind of justice" than do the highly trained legalists. Martin Wald, "'ticket-fixing' judges blame the system," Albany Times Union, December 5, 1977, page 3.

Federal Guidelines

Chapter III of Standard 10 of the U. S. Department of Transportation's Highway Safety Program Manual entitled "Traffic Records", dated March 1975, states in its general policy that:

"The general policy of the Department of Transportation is to support the development within each State of a modern, efficient traffic records system that meets State and local needs."

Guidelines for the development of such a system, including within it a Traffic Law Enforcement and Adjudication Data Subsystem, have been developed by the National Highway Traffic Safety Administration and are found in its Design Manual for State Traffic Records Systems. This manual provides guidance in the design and implementation of a comprehensive statewide traffic records system. The concepts for the totally integrated and coordinated system included therein provide a nationally uniform design approach and include recommended content and operational concepts for a system comprised of a data base which addresses the needs of the many different traffic safety program areas. It provides for the state's administrative and operational activities in these subject areas as well.

The integrated system concept is important for several reasons. The inherent value of an integrated traffic records system lies in the establishment of a common data base which serves the diverse requirements of all users. Providing this common user data base with provision for access by all users consistent with their requirements eliminates redundant acquisition and storage of information by various users, and reduces the related costs. In addition, it allows for the employment of common user software for such functions as statistical analysis and report generation, eliminating duplication of costs for software development and maintenance. The system facilitates the coordination of the efforts of all concerned state agencies toward improved traffic safety and provides the basic structure necessary for the exchange of information among states and between a state and the federal government facilitating the compilation and analysis of data on a national level.

The integrated traffic records system as defined and laid out in the Design Manual for State Traffic Records Systems provides for the development of eight data subsystems: the Driver, Vehicle, Roadway Environment, Accident, Emergency Services, Traffic Law Enforcement

and Adjudication, Educational Services, and Safety Program Management Data Subsystems. Each subsystem provides for rapid and effective acquisition, processing, and dissemination of data in that subject area which pertains to the traffic safety environment and to state administrative operation. Use of this data increases the effectiveness and efficiency of management review and decision-making regarding traffic safety programs.

The Traffic Law Enforcement and Adjudication Data Subsystem, as described in Volume II, Section 6 of the Design Manual, has two functional objectives. The TLE&A Data Subsystem provides state and local government authorities associated with the management of police traffic services with identification of and a description of traffic law enforcement activities conducted by various police agencies and with an indication of the results of these activities. The subsystem also provides a means for monitoring and evaluating the processes for adjudication of traffic violation citations in order to increase their efficiency and their positive impact on the traffic safety situation.

There are generally six different groups of potential subsystem users in any state. These include police agencies, the judiciary, the state Department of Motor Vehicles, the state's Department of Audit and Control, the state's Governor's Traffic Safety Representative (the Governor's Traffic Safety Committee), and the state's Department of Transportation or Highways.

Police agencies would use the subsystem to determine the impact of various traffic countermeasure programs on manpower and equipment requirements and to monitor the progress and the effectiveness of these programs. They might also use the subsystem in their evaluation of police traffic law enforcement procedures to minimize the number of erroneously issued citations and the number of non-convictions resulting from improper procedures.

The TLE&A Data Subsystem might be used by the judiciary in any state to determine the impact of the traffic citation adjudication processes on court calendars in terms of delays in hearing cases, and to evaluate the effectiveness of new procedures (such as administrative adjudication) in reducing those delays. They might also use data included in the system to evaluate the impact of court policy in dealing with problem drivers and to identify any legal weaknesses in current traffic laws.

The Department of Motor Vehicles might utilize data from the subsystem to adjust or update driver licensing records and to determine whether there is a need for additional action in problem driver cases. The Department of Audit and Control might use information provided by the data subsystem in fee collection and audit planning.

The TLE&A Data Subsystem could be used by the Governor's Traffic Safety Representative for evaluating countermeasure programs to determine their effectiveness and their potential applicability to other locations or situations.

The state's Department of Transportation and local highway agencies might use the subsystem to evaluate sections of highway which are in need of improvement and to suggest improvements which need to be made, e.g., to eliminate highway sign ambiguities which might lead to driver citations, or to facilitate the removal of unneccesary speed limitations in particular locations.

The Traffic Law Enforcement and Adjudication Data Subsystem as outlined in the Design Manual for State Traffic Records Systems is comprised of four files:

1. The Enforcement and Adjudication Directory File,

2. The Selective Countermeasures Actions File,

3. The Convictions Data File, and

4. The Non-Convictions Data File.

Primary search keys for access to subsystem files would include police agency identifier, court jurisdiction identifier, and citation number. An alternative key for direct or indirect access to the files in selected areas is the roadway location identifier. In addition, search key linkage data provided for in the Driver, Roadway Environment, and Accident Data Subsystem files provides indirect access to the TLE&A Subsystem files.

The Enforcement and Adjudication Directory File provides information on the adjudication of citations issued which would be used primarily to identify data contained in the subsystem which would be valuable for conducting research.

Maintained in the Selective Countermeasures Actions File is an inventory of selective traffic safety countermeasure activities and programs conducted throughout the state.

Information taken from the uniform traffic ticket (an approach used to insure standardized data) provides the data used to build the two remaining files, the Convictions Data File and the Non-Convictions Data File. The Convictions Data File contains data on the adjudication of those citations which resulted in convictions including the citation number, the time and location of citation issuance, the driver, the vehicle, and any adjudication actions including any bond posted, the original charge, the charge for which the individual was tried (if different from the original charge), the charge of which the

individual was convicted (again, if different from the original charge or the trial charge), the dates of trial and conviction, and the sanction(s) imposed. The Non-Convictions Data File provides data on the adjudication of those citations which did not result in convictions. The data included here is similar to that contained in the Convictions Data File except that it does include the reason for dropping the charges if the citation was not prosecuted and the reason for non-conviction if the case went to trial.

These Federal guidelines provide a framework upon which a TLE&A Data Subsystem developed in New York State would be based. The proposed system included in the feasibility study does not include the Enforcement and Adjudication Directory File or the Selective Countermeasures Actions File. Rather, the study has been limited to an examination of the feasibility of developing a file or files similar in content and potential use to the Convictions Data File and the Non-Convictions Data File.

Appendix E

Legal Considerations

In determining the feasibility of developing a T. L. E. and A. Data Subsystem questions were considered concerning the legality of the proposals. Of particular interest was determining whether a system could be developed and introduced using the present laws and regulations as the legal basis, or whether substantial changes in the law and in the regulations would be required to allow for the development of the system. To find the answers to these questions a meeting was held with representatives of the Department of Motor Vehicles' Legal Division, and examined the Vehicle and Traffic Law (V & T) (1976-77 edition) and the Regulations of the Commissioner of the Department of Motor Vehicles.

The Legal Division determined that there would be no question about the legality of this system. The present law is sufficiently flexible to allow for either a mandatory statewide traffic ticket or for a ticket inventory system. The appropriate section of the law, V & T, Section 207, states that:

1. The commissioner shall be authorized to prescribe the form of summons and complaint in all cases involving a violation of any provision of this Chapter... or of any ordinance, rule or regulation relating to traffic, except parking violations, and to establish procedures for proper administrative controls over the disposition thereof.

2. The chief executive officer of each local police force including county, town, city and village police departments, sheriffs, and the superintendent of state police shall prepare or cause to be prepared such records and reports as may be prescribed hereunder.

3. The commissioner shall have the power from time to time to adopt such rules and regulations as may be necessary to accomplish the purposes and enforce the provisions of this section including requirements for reporting by trial courts having jurisdiction over traffic violations.

Vehicle and Traffic Law, Section 514, further clarifies requirements concerning reporting of convictions to the Commissioner by the courts. Subdivision 1 states that:

> Upon the judgment of conviction of any person (of a traffic violation, misdemeanor, or felony)... the court or clerk thereof shall within fifteen days certify the facts of the case to the commissioner in such form and

such manner as may be prescribed by the commissioner, who may record the same in his office. Such certificate shall be presumptive evidence of the facts recited therein.

It also provides a vehicle for sanctioning a court for failure to report. Section 514, subdivision 7 states that:

> Any person chargeable with the duty of reporting to the commissioner a conviction, bail forfeiture or the fact that a person failed to appear or answer pursuant to a summons, who willfully fails or neglects to do so, shall be punishable by a fine of not more than twenty-five dollars for each separate offense.

Given the flexibility in interpretation previously mentioned, these sections of the V & T would seem to authorize a total ticket inventory system if that were found desirable.

In subchapter G, the Commissioner's Regulations expand on the statutory authority granted in the Vehicle and Traffic Law, Section 207. These regulations are concerned specifically with Uniform Traffic Ticket (Part 91); the Form of Waiver (plea of guilty) under Section 1805, Vehicle and Traffic Law (Part 92); and Certifying and Recording Convictions (Part 93).

Part 91 specifies the form the Uniform Traffic Ticket should take and who must use it. It gives an illustration of exactly what information each part (separate copy) of the ticket should contain and specifies enforcement agency and court procedures and reports for the ticket. Although police agencies are not required to use a ticket identical to the one illustrated in the Commissioner's Regulations, they are required to have the ticket they do use approved by the Department. Section 91.9 specifies that:

> (d)Each agency shall submit to the commissioner a printer's proof of all parts of the proposed packet to be used by such agency. No such uniform traffic ticket shall be used unless notification of approval of the packet is received from the commissioner. Whenever an enforcement agency has received approval of a uniform traffic ticket, approval of future supplies of such uniform traffic tickets shall not be required unless there is a change from the format previously approved.
>
> (e)Each agency shall submit to the commissioner, after securing each separate supply of uniform traffic tickets, one complete sample packet, marked "VOID".
>
> (f)The requirement for submission of a printer's proof contained in subdivision (d) of this section may be waived providing that (1) the preprinted format has been submitted by the printer and approved for use by

the commissioner, and (2) the agency submits to the commissioner a copy of the additional information which is to be added to such format.

According to the Department's Legal Division, this required approval is essentially a formality because of the lack of staff to perform this function in the Division. Tickets are submitted by police agencies to the Legal Division but they are seldom rejected. The informal policy seems to be that tickets will be disapproved only if there are radical errors or if the warning on the top copy is printed incorrectly. Use of tickets with less glaring errors is generally permitted, though a note may be sent to the police agency requesting that corrections be made on the next batch of tickets ordered. These corrections are not always accomplished. It should be noted though that generally the traffic tickets in use in New York State do not differ widely from the Commissioner's standard.

The Commissioner's Regulations require in addition that police agencies forward to the Department of Motor Vehicles semi-annually a report on the status of all traffic tickets issued by them during that period. Section 91.10 (b) states that:

> Within 45 days following June 30, and December 31, the agency shall forward to the commissioner, on a form prescribed and provided by him, a summary report as to the status of all uniform traffic tickets issued by the police officers under the jurisdiction of such agency during the six month period prior to the above date.

These reports are not now being submitted by all police agencies in the state. There is presently a minimal amount of follow-up on agencies not submitting since the information contained in the reports is inadequate and therefore not in great demand.

Introduction of a T. L. E. and A. Data Subsystem and a ticket inventory system would seem to require no changes in the law but some substantive changes in the regulations. The exact nature of these changes would be dependent upon the design of the system to be adopted. They may include some changes in the design of the Uniform Traffic Ticket and in the procedures concerning obtaining it and reporting on its use.

The Legal Division expressed the opinion that there is a need in New York State for a Uniform Traffic Ticket which is actually used statewide. In addition it was suggested that the State be supplier of the tickets either free or at cost. If this were done, the confusion and inefficiency generated by the present system of attaining approval for the use of tickets might be eliminated. There appears to be no problem in the State's printing and distributing tickets under Section 207 of the Vehicle and Traffic Law. In addition, the opinion was expressed that the State's supplying tickets to local police agencies at

cost rather than gratis would not be a problem since this would still result in substantial savings to the agencies; the cost of each ticket is to be directly related to the quantity purchased.

The only area of the Data Subsystem which may potentially pose a legal problem is the Nonconvictions File. The Legal Division advised that the Department of Motor Vehicles is only permitted to keep conviction information and may keep no information on nonconvictions which could be used to identify a motorist and thus serve as an "arrest record." This potential problem might be avoided quite easily by simply including no accessible motorist identification information in the Nonconvictions File.

Administrative Adjudication System

The Department of Motor Vehicles' Administrative Adjudication Bureau was developed in response to the need illustrated by the tremendous backlog of cases in New York City's criminal courts, since much of this backlog was comprised of traffic and parking violations. Legislation effective July 1, 1970 transferred jurisdiction for New York City's moving traffic infractions from the criminal court to the Department of Motor Vehicles. This legislation declared the proposed Administrative Adjudication Bureau's proceedings to be civil in nature and said that, for cases heard by the Bureau, imprisonment would not be an available sanction. At the same time, jurisdiction for parking violations was transferred to the Parking Violations Bureau in New York City. All traffic related misdemeanors and felonies remain under the jurisdiction of the criminal court. In 1973, the jurisdiction of the Administrative Adjudication Bureau was expanded to include Buffalo and Rochester. Approximately half of Suffolk County has been included in the system as of May 1978.

Administrative Adjudication Offices are generally centrally located for easy access by the motorist. The New York City Administrative Adjudication Office is subdivided into five offices, one in each of the five boroughs. All offices are interfaced with the Albany-based Department of Motor Vehicles' computer, which allows them to receive up-to-date information about each traffic summons issued in the area under their jurisdiction, and about each motorist who is convicted of a traffic infraction.

Cases are heard by a hearing officer (also called a referee) who is a lawyer with experience in trial or administrative law. Intensive instruction in driver safety principles and the Vehicle and Traffic Law is provided to supplement the hearing officer's legal background.

Simply stated, the administrative adjudication process is as follows. The first step is, of course, the issuance of a ticket to a motorist for a traffic violation. Each participating city presently prints its own tickets; in New York City, the ticket in use is returnable to the Parking Violations Bureau, the Criminal Court, or the Administrative Adjudication Bureau, depending upon the nature of the offense. After issuance, the issuing officer retains three copies of the ticket, one of these being the complaint document. One of these copies is sent by the police agency to Administrative Adjudication's Central Office in Albany for processing. Here the ticket is checked for acceptability and is entered onto the computer file, dockets are set up, and notices requesting

the appearances of police officers are generated. Tickets are sent to the Central Office by police agencies daily, and processing is current so timeliness of entry is seldom a problem.

When a motorist receives a ticket within the jurisdiction of the Administrative Adjudication System, he has three plea alternatives: guilty, guilty with an explanation, and not guilty. If the motorist chooses to plead guilty in person, he may appear at any Administrative Adjudication Office to pay his fine and have his license updated. If he desires, he may plead guilty by mail. In this case, the motorist mails in the fine (the amounts for different offenses are stated on the ticket) and the Record of Convictions portion of his driver's license to either a local Administrative Adjudication Office or to the Central Office in Albany. There the fine will be credited, and his driver's license stub will be marked appropriately and returned to him. Acceptance of a plea of guilty by mail is dependent upon the nature of the violation and the driver's record; appearances are mandatory in some cases.

If the motorist chooses to plead guilty with an explanation, he appears in person at any Administrative Adjudication Office on or before the appearance date on the ticket. He will have the opportunity to explain the circumstances surrounding the incident to the referee, but the presence of the police officer who issued the ticket is not required. After the referee hears the motorists's explanation, he will impose an appropriate sanction and have the driver's record updated.

Motorists entering not guilty pleas by mail or in person are scheduled for hearings at which the presence of the arresting officer is required. When the hearing begins, all parties are "sworn in" and testimony is received. The police officer presents the case for the prosecution. He may then be questioned by the referee and by the motorist or his counsel if he chooses to bring one. (Only approximately 5% of motorists are represented by counsel.) The motorist may then testify, but if he chooses to do so, he may then be subject to cross-examination by the referee and by the police officer. The standard of proof required in administrative adjudication proceedings has been established to be by "clear and convincing" evidence rather than evidence "beyond a reasonable doubt," the standard used in criminal cases. Based on the testimony received and the evidence presented, the hearing officer will find the motorist guilty or not guilty. If he is found guilty, the referee will direct the clerk to "bring up" the motorist's driver's record on the visual display unit (CRT). The motorist is given the opportunity to explain any circumstances concerning his record to the referee. The referee will then determine a sanction appropriate to the violation and the motorist's driving record.

The motorist is given eight days after the date of appearance on the ticket to answer the complaint. If he fails to answer the complaint, a computer-issued notice of suspension will be generated taking effect 15 days later.

The Adminstrative Adjudication System provides for appeals. The motorist may, within 30 days of the hearing, appeal the decision or sanction to the Administrative Adjudication Appeals Board. This board is made up of three lawyers, two of whom may be Bureau hearing officers. If the motorist is not satisfied, he may, within four months, apply to the State Supreme Court for judicial review of his case.

The Department of Motor Vehicles has authorized a study to be conducted by an outside group to evaluate the effectiveness of the Administrative Adjudication System, pinpointing weak and strong areas, and making recommendations regarding the future of this system. The report resulting from this study is expected on June 30, 1978.

A task force has been appointed within the Department to investigate the feasibility of statewide expansion of the Administrative Adjudication System. The task force has looked at a number of alternative ways of handling the expansion, from same-time expansion statewide to step-by-step expansion into urban areas first and then moving into surburban and rural areas. Different alternatives for dealing with the problem of where to locate hearing offices, especially in rural areas, have been explored, and alternatives to the "standard" hearing offices, and hearing officer, have been looked into, i.e., the circuit referee with a portable CRT who travels around the district in the manner of the circuit judge of years past. Recommendations are expected from the task force by September 30, 1978.

The Present System

In the present system of processing traffic tickets, each police agency designs its own ticket based on the standard contained in the Regulations of the Commissioner of the Department of Motor Vehicles. The ticket is printed by a private contractor, and a copy of the printed ticket is forwarded to the Department's Legal Division for approval. After approval is obtained, the tickets are issued to the officers.

The police officer issues a Uniform Traffic Ticket to a motorist for a violation of the Vehicle and Traffic Law or a motor vehicle related local ordinance. The motorist gets one copy; the officer forwards several copies to the appropriate court, and keeps one copy for his records. (If the copy is issued by a State Police officer, the Arrest Record copy is forwarded to Division Headquarters for entry into their computerized ticket file.)

After receiving the ticket, the motorist may plead guilty or not guilty, and may do so either by mail or in person.

If he chooses not to appear and to plead guilty, he is required to sign the back of the summons (acknowledging his guilty plea to the charge) and mail the summons and the Record of Conviction stub from his driver's license to the court having jurisdiction over the case. The court then records the conviction on the stub and advises the violator of its disposition, generally a fine payable by mail. The motorist then pays the required amount of fine to the court and receives his license stub back. Pleas of guilty by mail are not accepted for misdemeanors or for a third or subsequent speeding violation in any 18-month period.

If the motorist chooses to plead not guilty by mail, he is advised by the court of the date he must appear for arraignment and trial.

If the motorist chooses to appear and to plead guilty, he will be arraigned, make his plea, and be sentenced at that time.

If he chooses to appear and to plead not guilty, he will be arraigned at that time, and a date will be set for him to appear for trial.

In pleading not guilty and requesting a trial, the motorist again has more than one option, depending upon the nature of his offense. In the case of a violation, the motorist makes his plea either by mail or in person, and a date is

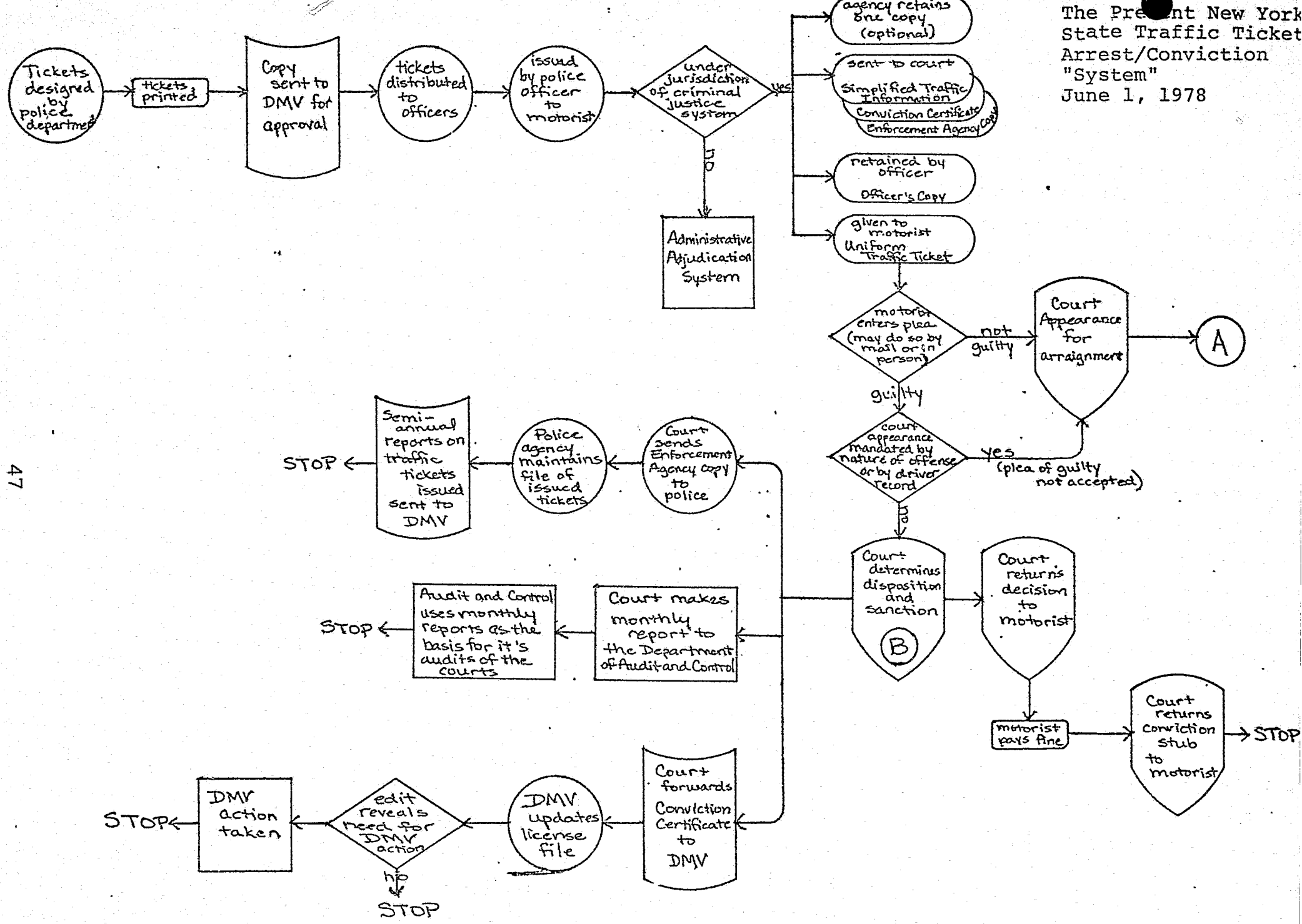
set for his trial. The trial is held in a city, town, or village court before a judge who determines whether or not the motorist is guilty of a violation of the law. The motorist may be represented by counsel if he chooses, but an attorney is not provided to an indigent motorist for a case involving a traffic infraction. The motorist is also not entitled to a trial by jury in this case.

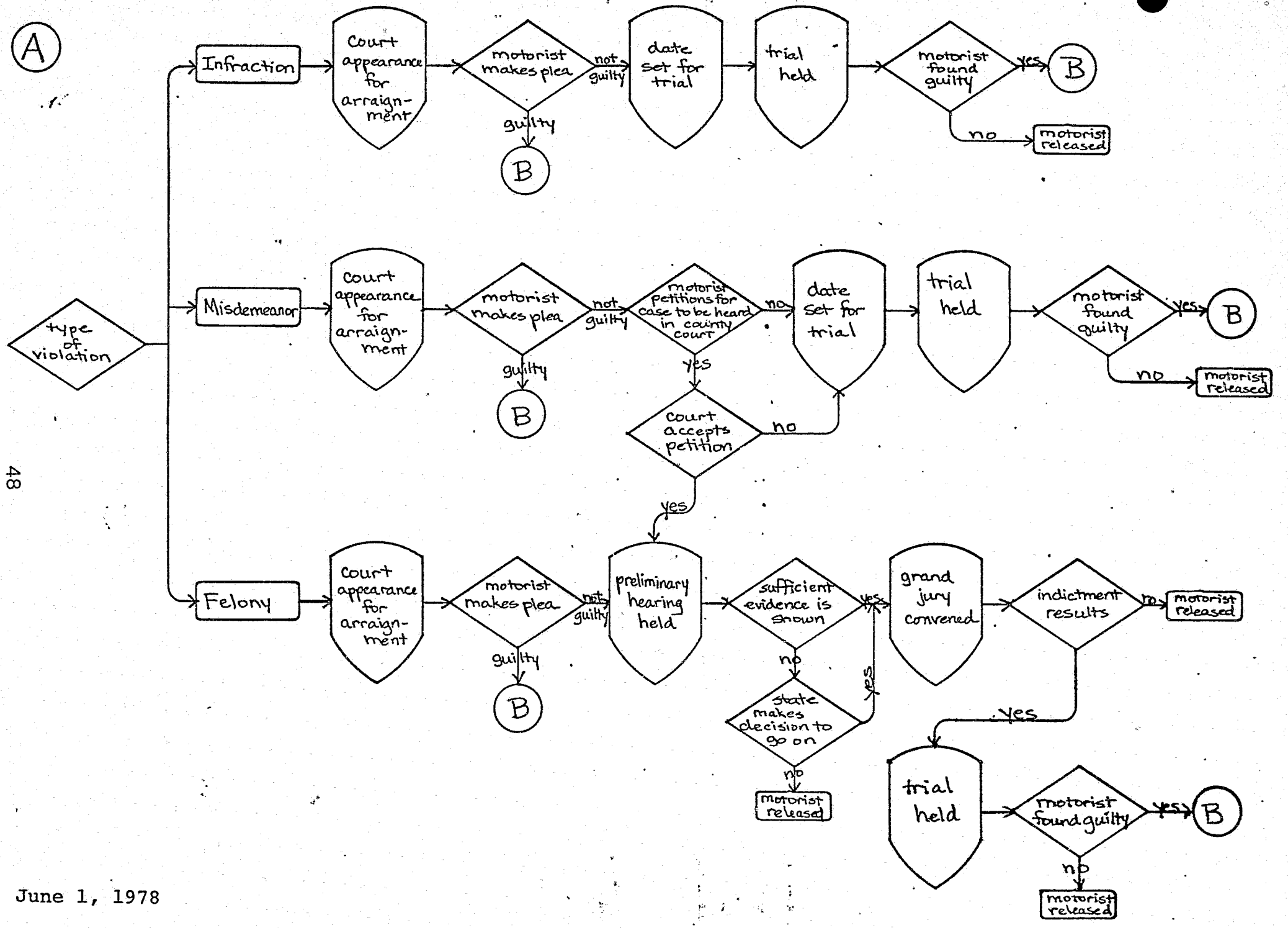
A motorist charged with a misdemeanor may move through the system the same way, or he may opt to petition that his case be heard by the county court. If he chooses the first, his case will receive the same treatment that a traffic infraction receives, except that he may request a trial by jury and he may be provided a lawyer by the court if he cannot afford to hire one. If he chooses to petition for a county court hearing and his petition is accepted, his case is handled the same way felony traffic cases are handled. A preliminary hearing is held to determine whether or not there is sufficient evidence to bring the case before a grand jury. If sufficient evidence is not found, the motorist may be released from the charge or the state may decide to proceed anyway. If sufficient evidence if found, a grand jury will be convened. If the grand jury investigation results in an indictment, a trial will be held.

If a motorist is charged with having committed a traffic-related felony offense, his case will be heard by the county court. As described above, the case is first heard at a preliminary hearing and is then brought before a grand jury. If there is a sufficiently strong case, a trial is held at which guilt or innocence is determined. If, at trial, the motorist is found not guilty, the case will, of course, be dismissed.

If as a result of a plea of guilty or a trial it is determined that the motorist is guilty of a violation of the Vehicle and Traffic Law or an appropriate local ordinance, the court will determine the appropriate sentence. The judge's alternatives are to assess a fine, a conditional discharge, an unconditional discharge, or imprisonment (not generally used in traffic cases). The most common penalty assessed upon conviction of a traffic offense is a monetary penalty or fine. The judge returns his decision and the Record of Convictions stub (with the conviction entered on it) to the motorist. The motorist then fulfills the conditions of the sentence. The judge returns the Enforcement Agency copy of the ticket to the law enforcement agency where it is kept on file, and forwards the Certificate Concerning Violation of Law Relating to Vehicles to the Department of Motor Vehicles where it is used to update the driver license file. In addition, the magistrate is required to file monthly with the Justice Court Fund at the

Department of Audit and Control a report of each case including: name of defendant, statute and section of the law where the violation may be found, a brief description of the offense, the date of arrest, the type of arresting officer, the date of disposition, the disposition, and the sentence (which includes the dollar amount of any fine).


The Present New York State Traffic Ticket Arrest/Conviction "System" June 1, 1978
Tickets designed by police department
tickets printed
Copy sent to DMV for approval
tickets distributed to officers
issued by police officer to motorist
under jurisdiction of criminal justice system
yes
no
agency retains one copy (optional)
sent to court
Simplified Traffic Information
Conviction Certificate
Enforcement Agency Copy
retained by officer
Officer's Copy
given to motorist
Uniform Traffic Ticket
Administrative Adjudication System
motorist enters plea (may do so by mail or in person)
not guilty
Court Appearance for arraignment
A
guilty
court appearance mandated by nature of offense or by driver record
yes
(plea of guilty not accepted)
no
Court determines disposition and sanction
B
Court returns decision to motorist
motorist pays fine
Court returns conviction stub to motorist
STOP
Court sends Enforcement Agency copy to police
Police agency maintains file of issued tickets
Semi-annual reports on traffic tickets issued sent to DMV
STOP
Court makes monthly report to the Department of Audit and Control
Audit and Control uses monthly reports as the basis for it's audits of the courts
STOP
Court forwards Conviction Certificate to DMV
DMV updates license file
edit reveals need for DMV action
no
STOP
DMV action taken
STOP


A
type of violation
Infraction
Court appearance for arraign-ment
motorist makes plea
not guilty
guilty
B
date set for trial
trial held
motorist found guilty
yes
B
no
motorist released
Misdemeanor
Court appearance for arraign-ment
motorist makes plea
not guilty
guilty
B
motorist petitions for case to be heard in county court
no
yes
court accepts petition
no
yes
date set for trial
trial held
motorist found guilty
yes
B
no
motorist released
Felony
Court appearance for arraign-ment
motorist makes plea
not guilty
guilty
B
preliminary hearing held
sufficient evidence is shown
yes
no
state makes decision to go on
yes
no
motorist released
grand jury convened
indictment results
no
motorist released
yes
trial held
motorist found guilty
yes
B
no
motorist released

State Police Ticket Monitoring System

The New York State Police (DSP) has had in operation since January 1, 1972 a comprehensive traffic ticket monitoring system. The State Police issue over 500,000 tickets annually and maintain an inventory of about 600,000 to 650,000 tickets per year. Tickets are generally ordered twice annually. All ordering is handled by the sergeant in charge of traffic tickets in the Traffic Section at Division Headquarters.

The tickets are delivered by the printer to each troop headquarters where they are the responsibility of the troop traffic supervisor, generally a technical sergeant. He acknowledges receipt of these tickets to Division Headquarters by teletype. Each troop generally gets 30,000 to 40,000 tickets in a shipment. (A stock of about 40,000 to 50,000 spare tickets is maintained at Troop G Headquarters in Loudonville. This is called the Division Stock and is used to replenish supplies for troops which use more than their quota and thus run short before a new supply of tickets is due. These tickets become Troop G stock if they are not needed elsewhere).

The troop traffic supervisors issue the tickets to individual stations in boxes of 1,000. When they are received at the station they become the responsibility of the station commander (generally a sergeant). The station commander acknowledges receipt of the tickets to the troop traffic supervisor, with a copy to the Traffic Section by teletype.

The station commander issues the tickets in packages of 25 to individual troopers as they need them, keeping track of the serial numbers of the tickets. He may issue more than one book at a time to a trooper depending on the trooper's need; if the trooper is working on a task which might result in the issuance of a large number of tickets (e.g., radar), he may be assigned three or four ticket packets at a time. When tickets are issued to a trooper at a particular station, they always stay under the auspices of that station. If the trooper is transferred from one station to another, he doesn't take the tickets assigned to him with him. Instead a Reassignment Notice for Pending/Unissued Tickets is completed for his tickets and is forwarded to Division Headquarters. The trooper leaves his records on pending tickets with the station commander, and it becomes the responsibility of the station commander to close them out. Full or partial books of unissued tickets are assigned to another trooper for issuance using this form. The form is then sent to Division Headquarters where the records on those tickets are corrected appropriately.

There is enclosed in the ticket package a receipt which the trooper must fill out acknowledging delivery of the specific numbered tickets. At the moment the trooper receives the ticket packet and returns the completed receipt to his commanding officer the tickets become his responsibility. The receipt is filled out in duplicate; one copy is kept at the station for its records, and the other copy is forwarded to Electronic Data Processing (EDP) at Division Headquarters. If the original receipt form is lost or misplaced, a Duplicate Receipt must be completed and submitted in its place. At EDP the ticket numbers and the specific trooper to whom the packet was issued are entered into the computer. This is the first contact the tickets have with the computer, and it is at this point that, based on the computer record, the trooper is given full responsibility for all tickets issued to him. The sergeant in charge of traffic tickets at the Division Headquarters receives a weekly print-out which is developed from these receipts. This print-out shows the assignment of tickets for the past week by troop, zone, station, trooper's shield number, and assignation date, ticket numbers, count, and batch number.

When a trooper issues a Uniform Traffic Ticket to a motorist, he completes six color-coded copies of the ticket. The ticket includes information on the motorist, vehicle, violation, and court; each of the six copies contains additional information needed by the recipient of that copy. The top copy (yellow) is the Uniform Traffic Ticket and is issued to the motorist. In addition to the standard information, this copy contains the motorist warning and information needed by the motorist if he wants to make his plea by mail. The next three copies are submitted to the appropriate court, either directly by the trooper or in a batch from the station. The trooper signs and dates the Simplified Traffic Information (salmon), affirming the veracity of the Information as he has completed it. The white copy is the "certificate concerning violation of law relating to vehicles". This copy shows the disposition of the case and sanction imposed (if any) and is forwarded by the court after disposition to the Department of Motor Vehicles where the conviction information is taken from it and used to update the driver record. On the reverse side of this copy, the judge or the court clerk certifies that the defendant has been informed of the ramifications of a guilty plea, should he choose to make one. The blue copy, entitled "enforcement agency copy (to audit and control)", contains information on the disposition of the case. This copy is returned to the trooper by the court after the case is decided, and the trooper uses the information on it to update his own records. This copy of the ticket is then forwarded to the Department of Audit and Control for their records. The Arrest Record (green) provides processing information on the arrest needed by the troop and the Division, including the type of countermeasure action employed and the highway class (state, county, town, etc.). The green copies are submitted on a weekly basis

by the station commander to EDP at Division Headquarters where ticket information is entered into the computer. This is the first update on the ticket since it was initially entered and shows what the trooper has done with the ticket. The final copy, on white heavyweight paper, is the disposition record and is kept by the trooper until the case is entirely disposed of. In addition to the standard information, this copy contains information used by State Police EDP on the disposition of the ticket: the amount of fine levied (if any), "DWI-DWAI DRUGS" test information, a notation on whether the defendant was convicted on a felony, misdemeanor or reduced charge, and whether there was a trial. In addition, the trooper may use the reverse side of this copy for notes on the case, i.e., in preparation for court appearances. When the trooper receives the blue copy of the ticket from the court, he tranfers the conviction information onto the disposition record (white hard copy). The station commander then forwards the blue copy through troop headquarters to the Department of Audit and Control, and sends the white disposition record to EDP at Division Headquarters where the disposition information is entered into the computer and matched with the information previously entered on the ticket. At this time, the ticket number is removed from the list of those tickets for which the trooper is held accountable.

Each trooper is required to fill out a New York State Police Uniform Traffic Ticket Record. The trooper begins filling out the form when he issues the ticket. His initial entry includes ticket number, defendant's name, date issued, the charge (V & T section and subdivision), and the court to which the case was referred. When he receives the blue copy of the ticket back from the court, he fills in the rest of the information (including charge convicted of if different from the original charge). The Uniform Traffic Ticket Record must be retained for one year after the date of the disposition or disposal of the last ticket processed.

To assist him in his record keeping, every month each trooper gets a printout indicating the status of every ticket he is responsible for according to the original traffic ticket receipts. This printout indicates which tickets have been issued and are awaiting disposition and which tickets have not yet been issued. If two subsequent printouts indicate that the trooper has not issued a ticket which according to his records he has issued, the trooper must act to correct this. The trooper completes a Duplicate Arrest Record (which takes the place of the green copy of the ticket), and submits this with an explanatory memorandum and verification from his station commander to the traffic ticket sergeant at Division Headquarters, who forwards it to EDP. This Duplicate Arrest Record contains only that information needed for computer coding of the ticket. It includes no information for identification of motorist, vehicle

or court. If the computer printout fails to show disposition on a ticket for which the trooper has recorded disposition in his records, he follows a similar procedure to make the correction. He completes a Duplicate Disposition Record which again includes only that information needed for computer coding of the ticket. He then submits this with an explanatory memorandum and verification from his station commander to the traffic ticket sergeant at Division Headquarters, who reviews it and forwards it to EDP.

If a ticket has been listed on the trooper's print-out for an extended period of time as issued but not yet disposed of by the court, it is the trooper's responsibility to check on its status. In a case where the motorist has not responded to the ticket, the court will issue a scofflaw suspension after the appropriate period of time. The trooper is responsible for checking with the court on the status of the ticket to see if the court has provided to DMV the information required for processing the scofflaw suspension. When the license is suspended, the trooper must obtain proof of this, i.e., a teletype printout of the suspension from the DSP computer. He must submit this proof with the white hard copy of the ticket to State Police EDP to get that ticket removed from the list of those for which he is responsible. The ticket is then closed out as far as the trooper is concerned even though it is not yet considered closed by the court.

Provision is made in the system for declaring a ticket to be lost or voided. If a ticket is lost, the trooper must submit a memorandum to the troop commander stating exactly what happened to the ticket. He must do the same for a voided ticket and must include with the memorandum any parts of the ticket he has in his possession. This memorandum, with any parts of the ticket available, is forwarded to the traffic ticket sergeant at Division Headquarters who fills out a Traffic Ticket Deletion Notice. This form is the only one accepted by EDP for deletion of a ticket, and can only be completed by the traffic ticket sergeant in the Traffic Section at Division Headquarters.

Computer processing of ticket information takes place in three stages of the system:

1. Initial entry of information into the system takes place when the receipt for Uniform Traffic Tickets is received at Division Headquarters from the trooper. Data entered at this time includes the ticket number, trooper's name, troop, and station.

2. When the arrest record is received at EDP, certain information on the ticket is coded and entered including the state by which the license was issued; the driver's year of birth, and sex; the type of vehicle; the day,

date, and hour of arrest; the highway; the violation for which the ticket was issued; the speed at which the motorist was traveling (if the arrest was for excessive speed); the Location Code; the troop, zone, station number, and the trooper's shield number.

3. When the disposition record is received at EDP, the final computer processing takes place. At this time, information on how the case was disposed, disposition date, fine levied (if any), alcohol or drug involvement, and whether or not there was a trial is entered. The ticket is then removed from the list of tickets for which the trooper is responsible.

The tickets are batch processed off-line. Data is entered and verified in a two step process with two sets of edits built in. The daily edit looks for obvious visible errors, such as date issued, Location Code, violation as compared to type of arrest, and other internal checks built into the ticket itself. In the weekly edit, the data entered is matched with the master files. If the shield number, troop, zone or station does not agree with the information on the master file or if there is already a disposition received and noted for that ticket, the data is rejected. Incorrect Location Code is the error most frequently found in editing the tickets.

If there is required information on the ticket which cannot be coded (generally because it is either illegible or is incorrect data), the uncodable information is highlighted and the ticket is forwarded to the sergeant in the Traffic Section who is in charge of tickets. The sergeant groups the tickets by troop and sends them with a cover memo to the troop commander. The troop commander forwards the tickets to the appropriate station where the trooper who wrote each ticket makes any necessary corrections before returning it to troop headquarters. It is then returned to the Traffic Section at Division Headquarters and is forwarded to EDP for entry into the computer.

A variety of reports are generated from this ticket monitoring system for administrative and research purposes. Several of them have been mentioned above. Examples of other reports which are produced include reports on the dispositions of DSP arrests; arrests by violation, post and day of week, post and hour, hour and day, and type; convictions by the same; and disposition reports on DWI arrests for analysis.

It has been suggested that the State Police ticket monitoring system be expanded statewide, or that it be incorporated into and used as a major component of the T.L.E. and A. Data Subsystem. There are certain issues which must be considered and resolved before this could take place.

Among these are the question of what the reaction of local agencies might be to State Police monitoring, what type of bookkeeping would be required of police agencies to accompany this system, and how would control of who might authorize duplicate, voided, or lost tickets be handled so that the strict regulation found in the present system might be maintained.

Problems in New York State's Present Traffic Ticket Processing 'System'

There are a number of areas of the present system as a whole where problems and deficiencies are readily apparent. The three areas where the Department of Motor Vehicles (DMV) is dependent upon input from outside agencies in order for effective system functioning are deficient. These three areas are outlined below.

At the present time police agencies are required by law to submit their traffic tickets to DMV for approval. The Department has no way to guarantee that all agencies are submitting them and has no program for enforcing this section of the law. In addition, the approval that tickets receive from the Department is not really "meaningful"; very few tickets are actually rejected for use. As a result, there is a wide variety of tickets in use in New York State.

The Department of Motor Vehicles is dependent upon reports from the courts for entering convictions onto drivers' records. The reports are supposed to be submitted promptly (within 48 hours when a suspension or revocation will result, and within 15 days for all other convictions) but often are submitted late, and sometimes not at all. Some courts are frequent late or nonreporters; as a group, county courts seem to be more lax in reporting convictions for V & T violations to the Department of Motor Vehicles than are other courts. The Department has the authority to fine judges who are neglectful of their reporting duties, but has not chosen to take advantage of this alternative to encourage more prompt and complete reporting of convictions.

Police agencies are presently required by law to submit semi-annual reports to the Department of Motor Vehicles on the number of tickets they have issued in the preceding six-month period. Unfortunately, not all agencies are presently submitting these reports, so there is presently no way of determining exactly how many tickets are issued annually in this state. The Department is aware of which agencies are not presently submitting these reports, but is not following up on their failure to submit, although the Department does apparently have the option of auditing those agencies that are negligent in submitting semi-annual reports.

The Department of Audit and Control receives monthly reports from the courts on their activities. These reports are used by Audit and Control as a basis for determining the appropriate amount of revenue to be reimbursed to the locality from the total funds collected by the court. Here too, the Department of Audit and Control cannot count on the

veracity and totality of the information being reported to them, and must resort to costly, spot-check audits based on matches of monthly reports with state police tickets in order to check on the accuracy of the information they are receiving.

There are no controls in the present system on what a police officer does with tickets issued to him except those which may have been established by the individual police agencies. A police officer may "lose" or "void" a ticket in many communities in the state without having to fear for the consequences. He may also alter the information contained in the summons if he chooses, and generally has to clear these changes with no one. Lack of accountability for traffic tickets is a serious, unresolved problem in the present system.

A number of problems in the present system involve the courts. There is some question about how prompt the courts are in returning the Enforcement Agency copy of the ticket to the police agency who wrote it following disposition. It is necessary for the police agencies to receive these copies as quickly as possible so that they may complete and close out their records.

In court handling of cases, there are several categories of handling which require special treatment and may therefore cause and result in problems in the present system. If the motorist is under age 16, he must be treated as a juvenile offender. His case will then be heard in Family Court, and, if sufficient evidence is offered, he may be adjudicated a person in need of supervision (PINS) or a juvenile delinquent, at the judge's discretion. He is not found guilty of having committed a traffic offense, and therefore no records concerning the offense are sent to the Department of Motor Vehicles. Motorists between the ages of 16 and 22 who are charged with traffic offenses may be granted youthful offender status. Youthful offenders may be convicted of traffic offenses, but all records concerning their arrest and conviction remain private. Therefore the Department of Motor Vehicles receives no conviction information on this group of motorist either.

A judge also has the option, when hearing a case, to grant an adjournment in contemplation of dismissal (ACD). The granting of an ACD means that the determination of guilt or innocence in a case has been postponed to a date set by the court, and that if, during the interim period, the individual meets the criteria established by the judge, the case will be dismissed. In this case the ticket will be outstanding generally for an extended period of time, and, if the case is dismissed, DMV will never receive a report on it.

Another problem facing the courts at this time is what to do about those tickets which are never disposed. If the

motorist doesn't act to clear up a ticket within a reasonable amount of time, a scofflaw suspension may result, and, in fact, a warrant may be issued for the motorist's arrest. Unfortunately, in too many cases, the motorist ignores the suspension and simply can't be found so that other action may be served on him. (He may be from a state with which New York State has no reciprocity agreement, or he may simply be "hiding out" somewhere.) This results in outstanding cases which burden police and court records.

One option open to the courts when a motorist is found to be not guilty of a traffic offense is to issue a "seal and return order," as provided for by Section 160.50 of the Criminal Procedure Law. This results in problems for several agencies, since what it does essentially is to declare that the action never happened. In this case, the police agency does not receive a copy of the disposition to complete its record. In many cases, the ticket will have been written for more than one traffic offense, but if the case is sealed, any other included offenses will not be heard, and therefore, the Department of Motor Vehicles does not receive conviction information on them.

Finally, in some cases where motorists plead guilty by mail, the guilty plea is accepted by the court even though the driver's record or the nature of the offense makes a court appearance mandatory. If this is the case and the motorist's license is suspended or revoked, he may appeal on the basis that he did not receive the mandatory hearing to which he was entitled.

* * *

There are two systems which must be included in any discussion of the present traffic ticket processing system, the Administrative Adjudication System and the State Police ticket monitoring system. These are also not without problems. Some of the problems result from the interaction of each system with the total "system," others are a result of the design of each of these systems.

The traffic ticket monitoring system operated by the Division of State Police for tickets written by its members is a very complete, comprehensive system providing complete accountability for each ticket. The tickets are assigned to an individual trooper, and that trooper is held accountable for the tickets until they have completed their progress through the system. Some problems seem perhaps to result from this.

One problem may result from the necessary responsibility for and interaction of the ticket between the trooper issuing it and the courts. Though complete responsibility for the ticket is assigned to the trooper, disposition of a ticket is totally

dependent on court action. A court may allow a ticket to be held open in its records for months or even years regardless of efforts of the trooper who wrote it to get a disposition, or at least a scofflaw suspension, on the ticket. If this is the case, the DSP file on the ticket must often be kept open as well, continuing a trooper's responsibility for a ticket over which he has no control.

Another area which might be seen as a problem is the amount of paperwork this system requires. In addition to filling out the six-part ticket, the trooper must enter ticket information on the New York State Police Uniform Traffic Ticket Record which is kept by the trooper, and onto the station blotter, and update each of these as the ticket progresses through the system. Each month each trooper gets a print-out containing information on the status of each ticket for which he is responsible. The trooper must review this printout for accuracy and complete the necessary paperwork to make any corrections. The paperwork required for voided or lost tickets is also time consuming, requiring that an accompanying memo be submitted with all available sections of the ticket to the traffic ticket sergeant at Division Headquarters. The sergeant must then complete a Traffic Ticket Deletion Notice to remove the ticket from the file.

Tickets which are incorrect or illegible must now be mailed back to the appropriate trooper for correction. This process can take as long as three weeks, and involves additional costs for mailing and handling.

The system is also not an exceptionally timely one. There is a turn-around time on ticket entry of about three weeks, since tickets are batch-entered at Division Headquarters. As a result, information contained in reports is not as current as might be desirable.

* * *

In certain areas of the state, all tickets written for traffic infractions are under the jurisdiction of the Administrative Adjudication Bureau, part of the Department of Motor Vehicles. The Administrative Adjudication System provides for non-criminal hearings for the motorists receiving these tickets, if the motorist chooses to request one by pleading guilty with an explanation or not guilty. The system is seen as efficient, effective and convenient for the populace it serves, but is not totally without problems or weaknesses.

The Administrative Adjudication system is not a total system in two ways. It does not provide for total ticket accountability. Tickets are not accounted for from the time of distribution to the officer or from their issuance to the motorist, but rather the accounting process only begins when

the ticket actually reaches the Administrative Adjudication Bureau. As a result, tickets may still be improperly disposed of early on in their "life." The Administrative Adjudication System also does not cover the entire universe of Vehicle and Traffic Law violations. Tickets issued for traffic-related misdemeanors and felonies are not under the jurisdiction of Administrative Adjudication, but are instead adjudicated by the appropriate criminal court. A further weakness in regard to tickets is the fact that there is no "uniform" Administrative Adjudication ticket. Although all the tickets are similar, each area under the AAB's jurisdiction uses a distinct ticket, with a total of four different tickets in use at the present time.

There are several problem areas in the Administrative Adjudication system as it presently operates. At the present time all "not guilty" hearings are held during the day, so motorists who wish to contest the charges made against them must be free during the day in order to do so. In addition, there is a built-in gap of twenty-one days between the day a ticket is issued and the day the motorist is scheduled to appear if he chooses to plead not guilty. Immediate not guilty hearings are not available, so a motorist from a distant part of the state or from out-of-state must either plead guilty to the charges, return for the hearing at some increased cost or inconvenience to himself, or abscond. None of these alternatives would seem to benefit traffic law enforcement efforts or improved highway safety in the state. Finally, all traffic tickets in use in New York City at the present time may be used for traffic violations, traffic-related misdemeanors and felonies, and parking violations, and are therefore made returnable to the Administrative Adjudication Bureau, the Criminal Court, or the Parking Violations Bureau depending upon the offense for which the ticket was written. If an error is made in routing a ticket to the appropriate adjudicator, there is no way to trace the ticket. As a result, even though Administrative Adjudication returns to the Parking Violations Bureau or to Criminal Court any tickets it gets by mistake, there is no way of knowing how many Administrative Adjudication tickets are lost in the Criminal Court or the Parking Violations Bureau.

There is presently a move toward statewide expansion of Administrative Adjudication. The Department has appointed a Task Force to examine the possibility more closely. There are some problems with statewide expansion of Administrative Adjudication. The present system in its present locations is cost-effective. The system is designed to be cost-effective in areas with high population density. It would seem that if this same system is applied to areas having lower population density, especially rural areas, this benefit of cost-effectiveness would be lost. Another aspect to be considered is the system's convenience to the populace it is serving. In its present urban locations, Administrative

Adjudication Offices are placed in locations convenient to the population they are serving. They are generally centrally located and are accessible by mass transportation. Easy, convenient access to offices by all users might be a problem in less urban areas. If the Administrative Adjudication System were set up in areas with low population density so that there was only one hearing location per county, as considerations of cost-effectiveness might dictate, some considerable inconvenience to the police in that area and to the populace being served might result. The rural motorist might have to drive long distances to a hearing office rather than the shorter distance he now drives to the justice of the peace. Some hesitance in acceptance of the program might result.

Mentioned above are just some of the problems which are found in the present 'system' of processing traffic tickets. Any new ticket processing system will be faced with many of the same problems and must, in order to function effectively, find ways of successfully resolving them.

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June 3, 1977

Mr. Albert E. Goke
Administrator, Division of Highway
Traffic Safety
Department of Community Affairs
Capitol Station
Helena, MT 59601

Dear Sir:

The New York State Traffic Records Project is currently involved in developing a Traffic Law Enforcement and Adjudication Data Subsystem similar to that presented by the National Highway Traffic Safety Administration in the Highway Safety Program Standards. To this end, we would very much appreciate receiving any information you have available on ongoing or completed projects of a similar nature conducted by your state or a major political subdivision within the state. We would also appreciate hearing about any relevant research you know of being conducted by other states or private groups, including research on traffic courts and the uniform traffic ticket.

Concurrently, we are developing an Educational Services Data Subsystem generally in concert with the guidelines set forth in the Design Manual for State Traffic Records Systems. Any information you may have concerning similar efforts to develop a data base of information regarding student drivers, driver education teachers and schools would be appreciated.

If you are not the Traffic Records Project Director for your state, we would appreciate it if you would provide us with the name, address, and telephone number of the present director.

Thank you for your assistance. We look forward to hearing from you.

Sincerely yours,

Clarence W. Mosher
Director, Traffic Records Project

CWM/jg

States and territories which responded to our June 3, 1977 letter to Traffic Safety Coordinators in each of the forty-nine states and five territories are:

States

Alabama
Alaska
Arizona
Arkansas
California
Colorado
Connecticut
Delaware
Florida
Georgia
Hawaii
Idaho
Kansas
Kentucky
Maine
Minnesota
Missouri
New Hampshire
New Jersey
Nevada
North Carolina
North Dakota
Oklahoma
Pennsylvania
Rhode Island
South Carolina
South Dakota
Virginia
Washington
West Virginia

Territories

Guam
Puerto Rico

Existing Arrest/Conviction Systems Outside of New York State

A breakdown of the states which made positive responses to our June 3rd letter, and a synopsis of the materials received from those states follows:

Alabama

The State of Alabama has a Law Enforcement Data System which combines standard law enforcement data, (including, for example, wanted persons and stolen vehicles), with access to their automated driver license issuance system for inquiries. Alabama started using a Uniform Traffic Ticket on a statewide basis on April 1, 1977, and is now in the process of developing a training program to educate appropriate personnel in its use. It is also developing an automated accounting system, a data entry process, and a program for microfilming. The state has no arrest/conviction monitoring system in use at the present time.

Alaska

Alaska presently uses statewide a five-part Uniform Traffic Citation. When a ticket is issued, the police officer gives the first three copies of the ticket to the appropriate court, and the last two to the motorist. The last copy of the citation is a pre-addressed, preposted envelope to facilitate the use of mail-in bail for traffic citations. Bail forfeiture in lieu of payment of a fine is a legal and commonly accepted practice in Alaska.

Since early 1975, the processing of traffic citations within the Alaska court system has been a function of the Automated Traffic Processing System (ATPS). There are two different variations of the citation processing system in use, one in the three large cities in which 80% of the citations originate, and another in the rural areas. In Anchorage, Fairbanks, and Juneau, citations are entered into the computer via cathode ray tube terminal (CRT) immediately upon their being filed with the District Court. The citations are then processed through the court and are adjudicated. Adjudication information is immediately entered into the computer via CRT. For all other state courts, citations are sent

to data entry centers after disposition and are entered into the computer only once, after the case is cleared.

Entry of citation disposition data into the ATPS instantaneously updates the statewide driver's history file. This file, which contains the complete history for each Alaska driver, can be accessed immediately from many locations throughout the state, using either the driver's name or the driver's license number.

Other outputs of the ATPS include, in Anchorage, a list of all persons scheduled for traffic arraignment on a particular date, the current driver's history for each of these persons (this is produced the morning of his appearance for use by traffic judges in the courtroom), and a computer generated statewide index of citations which has replaced the manual index card system previously used for answering inquiries from the public. ATPS produces several types of management reports, most of which were not previously available to Alaskan agencies interested in highway safety. These reports include traffic workload, citation processing time, types of violations for which citations were issued, conviction rates and fines imposed, citations issued by police agency, and demographic data on traffic violators.

Arizona

The state of Arizona includes some law enforcement and adjudication information in its drivers file. The T. L. E. & A. related information contained therein includes: date of violation, type of violation, issuing agency, speed (both the speed at which the motorist was traveling and the lawful speed), vehicle and motorist identification information, the court, the disposition, the disposition date, and the exact nature of the sanction. They are limited to analysis and use of this information; they do not envision expansion to a full, self-contained T. L. E. & A. system in the near future.

California

The State of California has no formal T. L. E. and A. Data Subsystem, and no formally accepted Uniform Traffic Ticket in use statewide. It does require that all citation forms be approved by the Judicial Council, which stipulates what information the form may and may not contain. As a result, the ticket

format is virtually identical from one police agency to another even though there is no standard, state-printed form. California traffic tickets are printed in multi-colored copies. Of these copies, the issuing policy agency keeps one, and the court gets a copy. The court sends an abstract to the Department of Motor Vehicles notifying it of convictions but no notification is sent for citations which do not result in convictions. The respondent from California recommended that a legal mandate be introduced which would require the court to inform the police agency of all dispositions no matter what they are.

Colorado

At present, Colorado traffic records officials are examining the feasibility of developing both an adjudication data subsystem and a uniform citation.

Connecticut

Connecticut has developed a "Juris Kriminal" system which attempts to cover the total traffic case-load of the Court of Common Pleas (the court which handles most traffic cases in Connecticut). This system works as follows:

1. When a ticket is written, a copy is sent to the Department of Motor Vehicles (DMV). (About 275,000 traffic citations are issued annually in Connecticut).

2. DMV establishes a record on the driver from the ticket and his driving record, noting the officer but not the time and location of issuance.

3. This record goes into a pending case file which is used to produce the court schedule and the operator history file.

4. A hard copy of the operator history file is produced and sent to court for use as a pre-sentence investigation report.

5. After disposition, all material is sent to a central location where the driver's record is called up on the CRT and disposition and conviction offense information is entered.

6. Hard copy of the new reproduction of the driver's record with disposition information is sent to DMV.

The Connecticut "Juris Kriminal" system was easily developed and instituted for several reasons, according to the state's Traffic Records Project Director. Connecticut has a statewide court system with no local courts at all, and a relatively low number of police agencies (only 86 in all), resulting in fewer conflicts and differences of opinion about what the system should include, and whether, in fact, there should even be a system. Also contributing to the ease in development is the fact that all of Connecticut's police agencies were already using the same basic procedures in forwarding all information to the same central point. In addition, the courts were eager to have a system which would aid them in scheduling cases and carrying out other administrative procedures.

In October, Connecticut hopes to start developing a module at DMV which will provide tabulations and report making ability for arrests. This module will be placed at the beginning of the system, producing statewide information on enforcement levels prior to charges being dropped, plea bargaining, or conviction for another offense.

In conjunction with its "Juris Kriminal" system, the State of Connecticut uses a Uniform Traffic Ticket (UTT). With the UTT, each ticket can now be tracked as to where it was issued, for what offense, and what the disposition was. Due to administrative decisions in the statewide court system, there are at this time two different ticket styles in use, but one is being phased out. (The UTT was revised by the court system which mandated its use but certain police agencies objected to the revised version and have not yet adopted it).

Delaware

The State of Delaware has a Uniform Traffic Ticket presently in use statewide. It has no T. L. E. and A. type system to monitor it, but does monitor those tickets written by the Delaware State Police.

Florida

One of the few states in the union that has a functioning statewide arrest/conviction monitoring system is Florida. There is a Uniform Traffic Ticket in use statewide which is distributed by the Department of Highway Safety and Motor Vehicles (DHSMV). About 1.7 million tickets are issued each year. The Department accounts for all traffic tickets. Its itemized inventory system records, with respect to tickets:

- purchases
- receiving reports
- distributions to agencies
- return of copies of all used tickets from all law enforcement agencies, and
- receipt of adjudication records for all court dispositions.

As a result of the details included in the system, DHSMV can determine the police agencies to which the serially numbered tickets were issued, and can then determine ticket use based on ticket copies which are received separately from law enforcement agencies and from court clerks.

Several summary type reports are generated from the UTT File. Two of these reports are the Uniform Traffic Ticket Arrest and Disposition Report, and the Uniform Traffic Ticket Arrest Statistics by City. In addition to information and materials received, Florida officials also have available information on implementation problems and benefits already realized from the citation monitoring program.

Hawaii

In Hawaii, the Judiciary operates as one administrative unit on a statewide basis. The state is in the process of developing two systems which represent a comprehensive effort to improve court operations. These systems address the courts' major processes and the majority of different case types processed by the courts. The TRAVIS system (Traffic Violations Information System) is NHTSA funded and, when completed, will be a statewide computer system that satisfies both the requirements for providing information to the Traffic Records System and the operational needs of the Judiciary's Traffic Violations Bureau. This system keeps track of the person unit (rather than the case) that is to be accounted for - all citations, points and associated transactions are applied to the person. The system

provides for the scheduling of court appearances and the production of physical calendars for use by persons directly related to the court. It also automates the accounting and reporting of transactions for nonappropriated funds of the Judiciary, including both govermental (fines, fees, court costs,) and nongovernmental (bail, support payments,) realizations. In addition, the system manages and records the inventory of citations and the books in which they are printed. It keeps an account of every citation, and causes daily and monthly reports to be generated requesting information on the status of the citations. This system also provides for the preparation of various types of reports on court operations to assist in the administration of the courts. The costs for completion, operation, and maintenance of the two systems, TRAVIS and HAJIS (Hawaii Judicial Information System), on a statewide basis is estimated to be $750,000 per year. It is expected that both systems will be in full operation by 1981.

Maine

The State of Maine has recently been reassessing its system for handling traffic violations. Under the present system, traffic violations receive standard court adjudication in the Maine District Courts. There is a Traffic Violations Bureau as part of every District Court, where the county clerk (or his designee) accepts written appearances, waivers of trial, pleas of guilty, and payments of fines and costs in traffic cases, subject to limitations prescribed by statute. Persons seeking to waive court appearance must affirm that they have no previous motor vehicle convictions since individuals with any prior convictions are not eligible for waiver of appearance, but the Bureau staff does not have a good system for checking the drivers' records to determine eligibility.

In addition, only first offenders can plead guilty and pay a fine by mail or through the bureau clerk, but once again, the clerks have no efficient way of checking the driver's record. In Maine at this time, traffic offenders are classified as "criminals" and are therefore dealt with through the judicial system.

In addition, there is no Uniform Traffic Ticket in use statewide in Maine at the present time. The Maine State Police have one standard ticket in use, but local police agencies develop and use their own variations. Perhaps because there is no Uniform Traffic Ticket in use in Maine, there

is no ticket monitoring system. Due to the lack of a uniform ticket which can be used to transmit information from agency to agency within the criminal justice system, court clerks must prepare complaints and docket schedules from "worksheets" containing information on the driver and the offense prepared by individual police departments..

In assessing its traffic violations processing system, Maine state officials found a need for improvement in two areas of the system. There is a need for improved retrieval of drivers' records from the Department of Motor Vehicles. Quick retrieval of drivers' records is essential for checking on eligibility for waiver of appearance, and for making available to the sentencing judge relevant information to aid him in determining the appropriate disposition. There is also a need for accurate reporting of cases by the court to the Department of Motor Vehicles in order to make sure driver records are kept up-to-date (especially in regard to convictions, suspensions, revocations, and points received) and to keep track of revenue received from the collection of fines. With a Uniform Traffic Ticket, the Department of Motor Vehicles could keep track of exactly what happens to all tickets issued and the resulting effect on the drivers to whom they are issued.

In response to the problems mentioned above, the Maine Traffic Court Study came out with 12 recommendations to improve the traffic violation processing system. They are:

1. Traffic offenses, except the most serious, should be reclassified as "traffic infractions" and offenders should not be subject to incarceration.

2. Adjudication of traffic offenses should remain judicial. The study considered both administrative adjudication and parajudicial adjudication of traffic offenses and found administrative adjudication ill-suited to Maine for reasons related to population density and expense. A parajudicial system was seen as feasible but not necessary at this point.

3. A Uniform Traffic Ticket should be developed and used statewide. It should feature serial numbers and should be produced in quadruplicate (with different

colored sheets for complaint, summons, police record and adstract of court record for DMV). Records should be kept of the distribution of tickets to police agencies and ticket booklets to officers, and of the disposition of tickets by officers to individuals. These records should be subject to audit by the state.

4. Eligibility for waiver of court appearance should be expanded whenever consistent with highway safety.

5. Plea alternatives offered should (1) admit the violation charged, (2) admit the violation charged with an explanation or (3) deny the violation charged.

6. Uniform rules and procedures for operating traffic violations bureaus should be promulgated, and workshops conducted to educate clerks in appropriate procedures. A manual containing such rules and procedures should be distributed to appropriate individuals.

7. Traffic infractions should be heard in "traffic sessions" rather than with criminal matters of the court.

8. There should be simplified, published rules and procedures for the trial of traffic cases. Defendants should be entitled to the same procedural safeguards accorded criminal defendants in similar situations.

9. All trials should be recorded. Court staff should be made available to do so, to log recordings, and to prepare transcripts. All appeals to the Superior Court should be on transcripts of the records so prepared.

10. A sentencing policy should be developed for traffic offenses. This policy should include a provision for consistency in fines and sentences imposed, with the requirement that variations be supported by reasonable justification. This policy should also hold for license suspensions.

11. A mixed system of batch processing, teletype, and computer terminal facilities should be implemented to enable courts to retrieve prior offense data from the Department of Motor Vehicles (for use as a presentence report), and to assure accurate reporting of adjudications or convictions by courts to DMV. In addition, provisions should be made for expungement of the records of those motorists found not to have committed the alleged traffic infractions.

12. Criminal jury trials for traffic cases should be limited to those cases where incarceration or a very high fine (over $500) may be imposed. The basis for review of all traffic cases should be limited to matters of law.

New Hampshire

The State of New Hampshire was awarded a Federal grant to develop a Model State Traffic Records System Demonstration Project. The project involves developing all eight data subsystems resulting in a complete traffic records system for the state. In preparation for the development of the entire traffic records system, New Hampshire highway safety officials did some groundwork for the Traffic Law Enforcement and Adjudication Data Subsystem. Information was requested from potential users of the subsystem on their needs, giving highway safety officials some ideas as to how to gain their cooperation.

Authorization to collect needed data for the system was already contained in various sections of the New Hampshire State Law. Unfortunately, due to the actions of the New Hampshire State Legislature this past June, the Model State Traffic Records System Demonstration Project was scrapped in New Hampshire as of July 1, 1977.

The New Hampshire State Supreme Court has provided for the use of a Uniform Traffic Ticket in district and municipal courts. It is not presently the sole ticket in use statewide, although it will be made mandatory. The present ticket is a four-part form printed and issued through the Administrative Committee of District and Municipal Courts. The uniform citation is presently undergoing a revision with the re-

vised form containing five copies; a court copy, the police officer's copy, the defendant's copy, a copy for the Motor Vehicle Department, and a police administration/traffic records copy.

New Jersey

In the State of New Jersey, a traffic ticket control system was mandated by the State Supreme Court and supported by legislation. Cases in each township are adjudicated by magistrates, who are appointed by the county court judge. The ticket monitoring system is based in these municipal courts. There is a Uniform Traffic Ticket in use in New Jersey. Its institution, like that of the ticket control system, was mandated by the State Supreme Court and supported by legislation.

Nevada

Nevada traffic safety officials are presently developing and will institute a statewide Uniform Traffic Ticket. Their experiences thus far have indicated to them that (in Nevada) the uniform ticket should be developed and introduced by court rather than by law enforcement agencies in order to insure complete compliance. In addition to developing the UTT, they are currently involved in two other projects which relate directly to the development of a traffic law enforcement and adjudication data subsystem.

A new Administrative Office of the Courts was established effective July 1, 1977. Its goals are to develop a management information system to gather statistics on the courts, and to accommodate therein a citation tracking component with an accounting function to keep track of traffic fines. The court information management system will complement their offender-based criminal history data bank to provide statewide data in all criminal justice areas. In addition to this, a comprehensive field survey of all traffic courts throughout Nevada is being conducted. In this survey, bench procedures, clerical operations, security, and facilities are being examined with the aim of developing a traffic court manual and guidelines for uniform procedures.

Oklahoma

The state of Oklahoma uses statewide the Uniform Violation Complaint (UVC) which is based on the American Bar Association's Uniform Traffic Ticket. The stated purpose of the UVC is to be of assistance in highway safety and selective enforcement program management and evaluation and to provide a uniform method of reporting and compiling statistical data on traffic infractions. It is a five-part form; the first two copies are forwarded to the court, the third copy is kept by the police agency, the fourth copy is the "JUVENILE" copy and is mailed to the parent or guardian when the ticket is written for a juvenile offender and is kept by the officer for his records or discarded otherwise, and the fifth copy is given to the motorist at the time of issuance.

The Oklahoma Department of Public Safety operates a computerized system which monitors traffic ticket arrests and dispositions. After they are issued, all traffic tickets are computer-listed by citation number and are entered into the Unmatched Arrest and Abstract File. (Abstracts are the disposition reports from the courts). Also in the Unmatched Arrest and Abstract File are abstracts for which no arrest is yet listed, warrants, failure to appear notices and facsimiles (of either the arrest or the abstract entry). The last three are matched with the appropriate arrest in the Unmatched Arrest and Abstract File and are stored there. When an abstract, which contains citation identification and disposition information, is received from the court, it is entered on the Unmatched Arrest and Abstract tape, and is matched with the arrest entry for that citation. This completed citation is then stored in the Arrest and Abstract File. The Unmatched Arrest and Abstract File is updated weekly, with all newly matched information entered immediately into the Arrest and Abstract File. Reports on arrest/conviction and nonconviction statistics are generated from this file every five days, monthly, quarterly, semi-annually and annually.

Puerto Rico

In the Commonwealth of Puerto Rico, police, the justice department, and the courts administration are jointly establishing the Criminal Justice Information System which will include information on misdemeanor and felony traffic violations. There is a Uniform Traffic Ticket in use in Puerto Rico, but tickets are not computer-processed.

Rhode Island

The state of Rhode Island reformed its traffic adjudication system in 1974 and implemented administrative adjudication in 1975. The system does not include under its jurisdiction the city of Providence. The Administrative Adjudication Division is divided into four operation sections. The Violation Section issues and controls the uniform summonses. The system provides for complete ticket accountability which is overseen by this section. The Hearing Section is responsible for the actual conduct of the hearing process. The Driver Retraining Section retrains drivers referred by hearing officers, and the Data System Section performs the data processing operations. The Administrative Adjudication Division staff consists of three Commissioners (hearing officers) and support personnel. The three Commissioners and their staffs travel to the seven part-time hearing locations located around the state on a regular basis. This system does not feature an on-line data search capacity for checking driver records, and instead uses printed abstracts.

South Carolina

Traffic safety officials in South Carolina see that State's Traffic Records System as "weak in the Adjudication Data Base" since local elected magistrates handle all traffic cases at the subdivision level. The state developed its computerized traffic records system during 1967, 1968, and 1969 with the establishment of four computerized files-driver, accident, motor vehicle, and highway. This was prior to the development of the "Design Manual," so South Carolina's system is not structured on the subsystem basis as presented therein.

South Dakota

The conceptual design for the South Dakota Central Traffic Records System was drawn up in 1971. The Central Traffic Records System is a composite of eleven subsystems which provide the information required for management's operational needs and safety planning; that is, data needed to identify the types, scope, and relative magnitude of specific problems and to formulate a strategy for developing countermeasures to overcome a problem, implementing the countermeasures, and evaluating their performance and impact. The systems which relate

most closely to a T. L. E. and A. system are the Police Traffic Services Subsystem and the Courts Management System.

The Police Traffic Services Subsystem is presently used solely to provide manpower utilization information to the South Dakota Highway Patrol to assist them in manpower allocation. It contains each officer's time distribution, patrol activity, car reports, and tickets and is used primarily for performance evaluation of patrolmen. While the existing system is oriented towards a day-to-day need to be able to evaluate performance of patrolmen, future plans are much broader in scope. A ticket file is proposed which will monitor Uniform Traffic Tickets from their distribution to police officers through disposition by the courts (through tie-ins with the Courts Management System). The addition of a ticket file will provide the capability for analysis of ticket dispositions including analysis and reports on unresolved tickets, and, by combining the ticket file with the accident records and roadway environment files, will permit analysis of a large range of data related to selective enforcement, personnel management, and highway safety.

The Courts Management System is being designed to contribute to more efficient internal management of the court system. The system will handle traffic citations/cases from docketing through disposition. It will provide output on traffic tickets including offense vs. plea vs. conviction by entering data two times, when the ticket comes in and when the case is disposed of. This aspect of the system should be operational by early 1978. When the system is fully operational, it will also provide data on case processing time (from docket to disposition), judicial penalties imposed, recidivism rates, traffic court system costs, and court workload.

Virginia

The state of Virginia has in use statewide a Uniform Traffic Ticket mandated by statute in the late 1960's. The Uniform Traffic Ticket is printed on local contract with each police force having its own set of sequential numbers, but all forms are consistent across the state for Department of Motor Vehicles computer purposes. Each ticket contains a notice of the motorists' trial rights as well as plea options and standard fines. The state Department of Motor Vehicles processes citation convictions. They do not presently check on individual tickets, or on a court's statistics, nor is there any check for the number of situations

in which charges have been reduced. There are tentative plans to do some case tracking once some of the proposed court system modifications are implemented.

Virginia has recently started a Uniform Docketing and Caseload Reporting System for all types of court cases including traffic. The system sets up court dockets and monitors by court and case those cases which are under the auspices of the court. It produces monthly summary reports on the number of hearings (broken down by type), number of transactions, dispositions, warrant information, and receipts written.

At least one city in Virginia has a T. L. E. and A. type system. The city of Portsmouth has a complete traffic ticket accountability system operated by the city's Data Processing Department for the city police and the court. In this system, traffic tickets are issued to the officer in books of 25, and the numbers of those tickets with the name of the officer to whom they were given is entered into the computer. When a ticket is issued to a violator, all copies of the ticket except the officer's and the motorist's are turned in to the court. The court then processes the ticket and reports the disposition to the Data Processing Department. If a ticket is missing from a "completed" book, it will print out on a "missing ticket list". The court will then ask for accountability from the Police Department. The process also assures that the officer has a record of those tickets he has turned into the court. If the ticket isn't subsequently disposed of by the court, the officer can then hold the court accountable.

Washington

The state of Washington is presently developing a total state traffic records system which is in compliance with the basic objectives outlined in NHTSA's Design Manual for State Traffic Records System. Included in this traffic records system is a Traffic Law Enforcement and Adjudication component which is designed to work hand in hand with their proposed Courts Management System. The T. L. E. and A. system would process at the state level all citation filing, disposition reporting, accounting, and enforcement summarization activities.

Their state traffic records system has been designed at two levels, with a master plan for a total integrated system at the state level. The T. L. E. and A. component of the system is primarily concerned with monitoring the issuance, processing, adjudication and historical retention of traffic citations in order

to promote traffic safety and identify problem drivers in the state. It will also assist in the statewide promotion of traffic safety by producing data that will aid in determining the quality, effectiveness and most practical deployment of the state level traffic law enforcement effort. Significant design features of the Washington T. L. E. and A. component include uniform court procedures for use in all courts statewide, a Courts Management System to support the operations of the state court system including in it civil, criminal and traffic cases, an interim courts system (temporary partial implementation of the Courts Management System), modified Washington State Patrol citation procedures, processing and distribution of citation related data at the Department of Motor Vehicles, the reduction of clerical effort in Washington State Police detachments, and the ability to correlate enforcement data with accident or conviction data. It should be noted that the system is presently designed to use only Washington State Police citations as source data, though it could easily be expanded to accommodate all citations written in the state.

A "Model Traffic Records System for Local Jurisdictions" has been developed for use at the local level to provide that communities across the state would have compatible systems. Because different types and sizes of community have different needs, the system was developed at three levels to meet these diverse needs. The system is composed of four files: a master location file which is a street representation containing a sequential listing of intersections and midblock locations as well as summary statistics for a location's accidents and citations; a street index file in which all streets are given a computer-assigned number for constructing the street network; a collision history file, and a citation history file, both of which would be used in conjunction with the master location file for report production. The T. L. E. and A. aspect of this system is the citation history file containing violation data which can be analyzed to aid police in monitoring enforcement activities. The Washington Uniform Citation and Complaint is the principle source document for data in this file. Thirteen Washington local jurisdictions have installed the model system, and expansion is planned into twenty additional political subdivisions in the near future.

An Overview of Traffic Ticket Processing Systems in New Jersey and Florida

In New Jersey, Traffic Records staff met with Lieutenant Walter Moore of the Office of Highway Safety. New Jersey has a Uniform Traffic Ticket in use statewide. There is no statewide traffic ticket monitoring system presently in operation in New Jersey, but the New Jersey State Police have a system for monitoring tickets written by their officers which is very similar to the system used by the New York State Division of State Police. Other than those tickets written by State Police, printing, distribution, and processing of all traffic tickets in New Jersey are handled by the municipal court system in a process specified by state law. The municipal court in each community purchases prenumbered summonses from the printer of its choice, distributes the tickets to the police agencies issuing tickets within the court's jurisdiction, and monitors their use. Administrative procedures concerning tickets are specifically detailed; the systems in the muncipalities are essentially the same as the New Jersey State Police System, except that whereas the state police system is computerized, the municipal systems may not be. Provision is included in the system for complete accountability for tickets by the police to the municipal court and internally by the court itself.

The State of Florida has a fairly complete traffic ticket monitoring system, with ticket monitoring handled by the Division of Driver Licenses in the Florida Department of Highway Safety and Motor Vehicles (DHSMV). Alan Cochrane and K. David Corbin of the Division coordinated the visit and arranged meetings with supervisors in all areas of the system.

In 1971, the Department of Highway Safety and Motor Vehicles was given complete control over and accountability for traffic tickets by the Florida Legislature. The traffic ticket monitoring system was established in 1972 to meet these new responsibilities.

Florida has no municipal, magistrate, or justice courts. Its courts are divided into three levels: county/circuit courts, courts of appeals, and the State Supreme Court. The county courts hear all traffic cases; the number of judges in each county is directly proportionate to the total caseload. There is a Traffic Violations Bureau (TVB) attached to each county court. The TVB keeps records and collects fine money for the whole county, and all tickets written within the county are returnable to the TVB.

There is a Uniform Traffic Ticket in use statewide in the state of Florida. Printing and distributing these tickets to police agencies is handled by DHSMV through the twelve troop headquarters of the Florida Highway Patrol. (The Highway Patrol is a division of DHSMV.) The tickets are printed in books of 25 on NCR paper at a cost of about 50 cents per book. They are supplied free of charge to the police agencies.

The Florida UTT is a five-part ticket, with one copy given to the motorist (yellow), one copy retained by the police officer/agency (pink), one copy sent to DHSMV for entry into the computer at the time of the arrest (blue), and two copies sent on to the courts (both white). Of these two copies, one is retained by the court for its records, the other is forwarded to DHSMV following dispostion.

Computer entry of data concerning the ticket is done in three stages. Initial entry of data takes place when the tickets are distributed to the police agencies and indicates to which agency each ticket was sent. When the arrest record is received from the police agency by DHSMV, data entered includes ticket number, county, issuing police agency, month, day, and year of issuance, and the nature of the violation. After disposition of the case, the court sends a copy of the ticket with the disposition information to DHSMV. At this time, the following information is entered into the files: police agency, date of violation, conviction offense, date of adjudication, action taken by the Traffic Violations Bureau, type of court, location, verdict, and driver license number. The conviction is then entered on to the driver's record.

Suggestions were made by some of the people with whom meetings were held that there are areas of Florida's system where improvements could be made. Some of the possible improvements suggested include: standardizing record keeping procedures used by police, courts, and DHSMV; sending out regularly scheduled exceptions reports on outstanding tickets to both police agencies and the courts; developing a regular, complete auditing effort; supplying whenever required standard, prenumbered documents to be used statewide (including ticket receipts, report forms, etc.); and providing for tight controls and follow-up on all documents issued and on all monies received. Several of these ideas had already been taken into consideration in the several systems proposed in the New York State T.L.E. & A. Data Subsystem Feasibility Study, but those that hadn't were considered in the refinement process. Overall, the trip was found to be very beneficial to the feasibility study, since it served as an example of a traffic law enforcement and adjudication system which is effective and efficient in aiding the cause of highway safety in the state.

ATTACHMENT 6

Resource Personnel

Name/Title	Association or Agency
Colonel George Infante - Chairman	Highway Safety and Traffic Committee, N.Y.S. Associatic of Chiefs of Police, Divisic of State Police.
Eugene Shaw - Vice Chairman	Highway Safety and Traffic Committee, N.Y.S. Associatic of Chiefs of Police, Chief of Police, Brighton Town Police Department.
Richard T. Beckel - Inspector	Highway Safety and Traffic Committee, N.Y.S. Associatic of Chiefs of Police, N.Y.C. Housing Authority Police Department.
Carl Cataldo - Chief of Police	Highway Safety and Traffic Committee, N.Y.S. Associatic of Chiefs of Police, Southol Town Police Department. Peconic, N.Y.
James Donnelly - Chief of Police	Highway Safety and Traffic Committee, N.Y.S. Associatic of Chiefs of Police, Palis-ades Interstate Parkway Police Department. Bear Mountain, N.Y.
Gerard Hance - Chief of Police	Highway Safety and Traffic Committee, N.Y.S. Associatic of Chiefs of Police, Floral Park Village Police Dept. Floral Park, N.Y.
Richard F. McGuinness - Deputy Chief of Operations	Highway Safety and Traffic Committee, N.Y.S. Associati of Chiefs of Police, Nassau County Police Department. Mineola, N.Y.
Julian Rivo - Director	Highway Safety and Traffic Committee, N.Y.S. Associati of Chiefs of Police, Resear and Program Development, State Traffic Safety Counci
Frank Simonas - Associate Director	Highway Safety and Traffic Committee,N.Y.S. Associatic of Chiefs of Police, State Traffic Safety Council.

Name/Title	Association or Agency
Major John A. Sullivan - Director	Highway Safety and Traffic Committee, N.Y.S. Association of Chiefs of Police, Traffic Section - Division of State Police.
Richard Bolton - Counsel	Highway Safety and Traffic Committee, N.Y.S. Association of Chiefs of Police, Division of State Police.
Morris Gimpelson - Director	Highway Safety and Traffic Committee, N.Y.S. Association of Chiefs of Police, Field Operations - Downstate DMV.
Charles Tramontana - Head Inspector	Highway Safety and Traffic Committee, N.Y.S. Association of Chiefs of Police, Motor Vehicle License - Downstate DMV.
Arthur Susskind - Motor Vehicle Information Assistant	Highway Safety and Traffic Committee, N.Y.S. Association of Chiefs of Police, Public Relations - DMV.
William Sanford - Executive Secretary	New York State - Association of Towns.
Leo Kirk - Investigator	Commission on Judicial Conduct.
Michael D. Celock - Investigator	Commission on Judicial Conduct.
Robert Fisher - Principal Examiner of Municipal Affairs	Department of Audit & Control, Division of Municipal Affairs.
Stanley Marszalek - Supervisor of Audit Planning	Department of Audit & Control, Division of Municipal Affairs.
Robert Tinney - Senior Administrative Analyst	Department of Audit & Control, Office of Management Analysis.
Pat Leanza - Assistant Computer Systems Analyst	Department of Audit & Control, Office of Management System Analysis.
Nelda Polansky - Head Account Clerk	Department of Audit & Control, Justice Court Fund.
Michael Manning - Senior Accountant	Department of Audit & Control, Bureau of State Accounting Systems.

Name/Title	Association or Agency
Joseph R. Donovan - First Assistant Counsel	Dept. of Motor Vehicles, Legal Division, Office of the Deputy Commissioner & Counsel.
Thomas McManus - Acting Director	Dept. of Motor Vehicles, Division of Driver Safety.
Austin O'Brien - Assistant Director	Dept. of Motor Vehicles, Division of Driver Safety.
Alfred LeMon - Chief Adjudicator	Dept. of Motor Vehicles, Driver Improvement Bureau, Division of Driver Safety.
Richard Smith - Acting Director	Dept. of Motor Vehicles, Office of Motor Vehicle Safety Program Coordination, Division of Driver Safety.
Carolyn Whitbeck - Traffic Records Specialist	Dept. of Motor Vehicles, Office of Motor Vehicle Safety Program Coordination, Division of Driver Safety.
Edward Theroux - Driver Improvement Adjudicator	Dept. of Motor Vehicles, Driver Improvement Analysis Unit, Driver Improvement Bureau.
Sidney Berke - Director	Dept. of Motor Vehicles, Division of Hearing and Adjudication.
Salvatore Amato - Supervising Referee	Dept. of Motor Vehicles, Hearing Bureau.
Malcolm Abrams - Assistant Director	Dept. of Motor Vehicles, Division of Research and Development.
Steven Paskin - Associate Research Analyst	Dept. of Motor Vehicles, Division of Research and Development.
Paul Silverstein - Budget Analyst Trainee II	Dept. of Motor Vehicles, Division of Fiscal Planning and Management, Budgeting.
Edward J. Dwyer - Supervisor	Dept. of Motor Vehicles, Administrative Adjudication Task Force.

Name/Title	Association or Agency
Mary Ann Phibbs - Administrative Adjudication Evaluator	Dept. of Motor Vehicles, Administrative Adjudication Task Force.
William G. McMahon - Deputy Commissioner	Bureau for Municipal Police, Division of Criminal Justice Services.
Edward Reynolds - Highway Safety Project Director	Bureau for Municipal Police, Division of Criminal Justice Services.
Fred Smith - Supervisor	Police Administrative Services, Bureau for Muncipal Police, Division of Criminal Justice Services.
Robert Hogan - Executive Director	Division of Interdepartmental Traffic Safety Program Coordination.
Ronald Malecki - Assistant Executive Director	Division of Interdepartmental Traffic Safety Program Coordination.
William Rourke - Chief	Bureau of Program Planning and Evaluation, Division of Interdepartmental Traffic Safety Program Coordination.
Barbara Baciewicz - Representative	Highway Safety Program, Division of Interdepartmental Traffic Safety Program Coordination.
Lt. David Baker - Assistant Director	Traffic Section, Division of State Police.
Sgt. Thomas McCleave - Technical Sgt.	Traffic Section, Division of State Police.
Sgt. James Young - Technical Sgt.	Traffic Section, (until 2/78), Division of State Police.
Sgt. William Hungerschafer - Technical Sgt.	Research and Planning Divisio Division of State Police.

Name/Title	Association or Agency
Fred Frank - Director	Electronic Data Processing, Division of State Police.
Michael F. McEnaney - Director	Office of Management and Planning, Office of Court Administration.
Frank Zarro - Court Planner II	Office of Court Administration
Simeon E. Gordon - Manager	Systems Analysis, Office of Court Administration.

Attachment 7

STATE OF NEW YORK
DEPARTMENT OF AUDIT AND CONTROL
ALBANY

ARTHUR LEVITT
STATE COMPTROLLER

March 17, 1978

IN REPLYING REFER TO

Mr. Clarence Mosher, Director
Traffic Records Project
Department of Motor Vehicles
Empire State Plaza
Swan Street Building
Albany, New York 12228

Dear Mr. Mosher:

This is in response to a request by Emilie Wright, a member of your staff, regarding the potential benefits the Traffic Law Enforcement and Adjudication Project (TLE and A) could have upon the Department of Audit and Control's program of conducting examinations of the financial accounts of local justices.

Mrs. Wright has been working with Mr. Patrick Leanza of this Department to determine if this project could have spin-off benefits for the Department of Audit and Control. Current procedures employed by the State Comptroller in implementing these responsibilities are as follows:

1. Town Law, §27(1) and Village Law, §4-410 requires all town and village justices within the State of New York to file a report with the State Comptroller containing details of all cases adjudicated in his court for the preceding month. Accompanying each report is a remittance in the amount of any fines, forfeited bail, penalties or civil fees imposed by the justice in connection with such cases. The Justice Court Fund receives such reports and any accompanying remittances, summarizes the data, and determines distribution of moneys between the State and the corresponding municipality pursuant to applicable statutory directives.

2. Article 3 of the General Municipal Law requires the State Comptroller to periodically examine the accounts of Justices to determine that moneys received in connection with judicial proceedings were accounted for properly.

Our audits of Justices' fiscal activities consist of extensive substantive testing because inadequacies in the present system limit independent verification by our examiners. As a result, the commitment afforded to these examinations when considered in relation to our other responsibilities and to available departmental audit time is disproportionate. Since approximately 90% of a Justice's case load represents Vehicle and Traffic violations, the TLE and A Project, if implemented, could facilitate the audit of Justices' accounts. Discrepancies between disposed cases and resulting fines reported to the State Comptroller and the Department of Motor Vehicles would provide a basis for limiting the amount of testing necessary to reach audit conclusions. Confirmation procedures, in connection with such examinations, could be computerized through the Uniform Ticket System resulting in an additional saving of professional staff audit time.

Mr. Daniel N. Dickens, Director of Municipal Affairs Examinations, has estimated that the Division's 1978-79 commitment for Justice audits in villages and towns is estimated at 6,638 man days. He concludes that information provided by the TLE and A Project would reduce time by as much as fifty percent resulting in a saving of 3,310 man days. This represents a personal service time saving estimated to have a value in excess of $340,000. The man hours saved by implementation of this program would allow the Department to monitor other programs which fall within our responsibility for which we currently lack sufficient staff.

The State Comptroller endorses any effort to improve the quality of reporting by local judicial officers. As indicated above, we believe such improved system would have a beneficial effect on this Department's auditing efforts and to that end I look forward to future cooperation between members of our respective staffs.

Very truly yours,

DAVID S. SILVER
Director, Division of Municipal Affairs

Attachment 8

Members of the Traffic Law Enforcement and Adjudication Data Subsystem Feasibility Study Work Committee

Abrams, Malcolm	Research & Development	Department of Motor Vehicles
Cahill, Richard	Administrative Adjudication Task Force	Department of Motor Vehicles
Dwyer, Edward	Administrative Adjudication Task Force	Department of Motor Vehicles
LeMon, Alfred	Driver Improvement	Department of Motor Vehicles
Marks, Mary	Traffic Records	Department of Motor Vehicles
Mosher, Clarence	Traffic Records	Department of Motor Vehicles
Paskin, Stephen	Research & Development	Department of Motor Vehicles
Phibbs, Mary Ann	Administrative Adjudication Task Force	Department of Motor Vehicles
Wright, Emilie	Traffic Records	Department of Motor Vehicles
Leanza, Pat	Management System Analysis	Department of Audit and Control
Polanski, Nelda	Justice Court Fund	Department of Audit and Control
Baker, Lt. David	Traffic Section	Division of State Police
Hungerschafer, Sgt. William	Research & Planning	Division of State Police
McCleave, Sgt. Thomas	Traffic Section	Division of State Police
Young, Sgt. James	Traffic Section	Division of State Police
Smith, Frederic	Municipal Police	Division of Criminal Justice Services

Attachment 9

CRITERIA FOR EVALUATING SYSTEMS

A. Political — Total Evaluation Weight 21.2

1. Public reaction — Evaluation Weight 3.4

Good-evidenced by favorable press, public commentary

Average-mixed commentary or no strong sentiment either way

Poor-public campaign against, letters to legislature, bad press

2. Legislative requirements — Evaluation Weight 2.6

Good-no legislation or changes in Commissioner's Regulations needed

Average-procedural changes needed, some changes in Commissioner's Regulations or other agency (DSP, DCJS) regulations required

Poor-new legislation required

3. Administrative control of system — Evaluation Weight 4.2

Good-authority centered in one central office or department (DMV, DSP, DCJS)

Average-diversified control either at two levels (state and local police) or at two different agencies (DMV, DSP)

Poor-no centralized control, redundent and conflicting lines of authority

4. Effects on court system — Evaluation Weight 4.6

Good-judges free to handle other types of cases, court calendar eased

Average-no change in court case load or number of judges needed

Poor-more judges needed, court system bogged down with heavier case loads

5. Local-State relationship — Evaluation Weight 3.6

Good-local police and local administrators generally pleased with new system

Average-mixed feelings toward system (e.g., police favor but local administrators disapprove)

Poor-generally unfavorable reaction by police and local administrators

6. State agency relationship — Evaluation Weight 2.8

Good-high degree of cooperation between all concerned state agencies, no empire building or jockeying for control

Average-some resistence in determination of system administration, reasonable conflict of interest to be worked out

Poor-competition for control, reluctance of any key agency to support system, establishment of parallel systems to prevent power usurping

B. Operational — Total Evaluation Weight 43.4

1. Paper processing time — Evaluation Weight 6.2

Good-faster than the present system (from date of conviction to date entry made on driver license file)

Average-current system

Poor-slower than the current system

2. Trial and conviction appeal case load — Evaluation Weight 5.8

Good-fewer appeals than currently, nature of system makes total court time less

Average-current system

Poor-more appeals and/or more court time needed to resolve an individual case

3. Communication of information — Evaluation Weight 6.2

Good-all concerned government agencies have quick and easy access to any conviction information (on individuals or rates) about which they have the need and right to learn

Average-current system

Poor-data retrieval is limited, passage of information from file to file, agency to agency, or various government level to various government level is hindered

4. System monitoring — Evaluation Weight 9.2

Good-system is established so that ticket control is easily monitored by state agency, court or local police, (i.e., system allows for easy statistical monitoring of charge versus conviction by court, etc. and of conviction rates for various socio-demographic groupings), system further allows for monitoring of conviction records of individual motorists

Average-current system

Poor-no or limited monitoring control of tickets, data, and individual motorists' conviction records

5. System maintenance — Evaluation Weight 7.0

Good-ticket supply is monitored, reordering is done at routine intervals, ticket numbers are easily controlled and traceable, exceptions are at a minimum

Average-current system

Poor-ticket number control is difficult to maintain, many exceptions, reordering as needed causes emergency reordering procedures to be used

6. Police training — Evaluation Weight 4.8

Good-officers become easily familiar with uniform traffic tickets and utilization where possible of the V&T Law for classifying violations, police clerks are given easy to follow instructions for ticket processing

Average-current system

Poor-officer training in use of new ticket or utilization of V&T Law rather than local ordinances meets with resistence or confusion, police clerks require extensive training or are confused about processing of tickets

7. Court training — Evaluation Weight 4.2

Good-court clerks are given easy to follow instructions for ticket and conviction processing

Average-current system

Poor-court clerks require extensive training or are confused about processing of tickets and convictions

C. Fiscal — Total Evaluation Weight 35.4

Agency	Type of Cost	System Costs	
		One Time	Continuous
1. Police	Training-officer and clerk	X	
Evaluation Weight 6.2	System Conversion-disposal of supply of obsolete tickets etc.	X	
	Paper Processing-time to fill out tickets and necessary reports, dual book-keeping, keeping track of numbers, etc.		X
	Paper file and storage		X
	Clerical auditing		X
	Court appearance-change in number, convenience of scheduling, etc.		X
	System monitoring-must police agency establish a system to monitor issuance by officer to meet needs of T.L.E.&A system, etc.		X
2. Responsible State Agency	Systems Design-entire (human & computer)	X	
Evaluation Weight 6.0	Training	X	
	System Monitoring-actual follow up on tickets		X
	Computer processing time		X

Agency	Type of Cost	System Costs	
		One Time	Continuous
	Computer files-storage		X
	Paper files and storage		X
	Mailing and postage		X
	Tickets-designing, printing, distributing		X
3. Audit & Control	Training	X	
Evaluation Weight 6.6	System Design-their auditing system	X	
	System Monitoring-follow-up on tickets		X
	Computer processing		X
	Manpower to audit system		X
	Files and storage-for paper or tapes		X
4. Courts	Training	X	
Evaluation Weight 3.2	Manpower to process tickets		X
	Docket Scheduling-change in case load, convenience in actual scheduling, etc.		X
	Mailing & Postage		X
5. Local Jurisdiction	Revenue received from tickets		X
Evaluation Weight 3.2			
6. Public Sector	Accident Loss		X
Evaluation Weight 5.0			

Agency	Type of Cost	System Costs	
		One Time	Continuous
7. DMV Driver Improvement	Corrective Programs- includes classes, warning letters, special license restrictions, suspensions, revocations		X

Evaluation Weight
5.2

SYSTEM RATING TABLE

(Numeric Conversion of Evaluation Factor)

EVALUATION FACTOR	EVALUATION FACTOR WEIGHT	PRESENT SYSTEM RATING*	PRESENT SYSTEM RATING WEIGHT	PROPOSAL A RATING*	PROPOSAL A RATING WEIGHT
A. POLITICAL					
1. Public Reaction	3.4				
2. Legislative Requirements	2.6				
3. Administrative Control of System	4.2				
4. Effect on Court System	4.6				
5. Local-State Relationship	3.6				
6. State Agency Relationship	2.8				
B. OPERATIONAL					
1. Paper Processing Time	6.2				
2. Conviction Appeal Caseload	5.8				
3. Communication of Information	6.2				
4. System Monitoring	9.2				
5. System Maintenance	7.0				
6. Training - Police	4.8				
7. Training - Courts	4.2				
C. FISCAL					
1. Police	6.2				
2. Responsible State Agency	6.0				
3. Audit & Control	6.6				
4. Court Costs	3.2				
5. Local Jurisdictions	3.2				
6. Public	5.0				
7. DMV Driver Improvement	5.2				

* RATING - GOOD = 5 for excellent, 4 for good
AVERAGE = 3
POOR = 2 for fair, 1 for poor

SYSTEM RATING TABLE

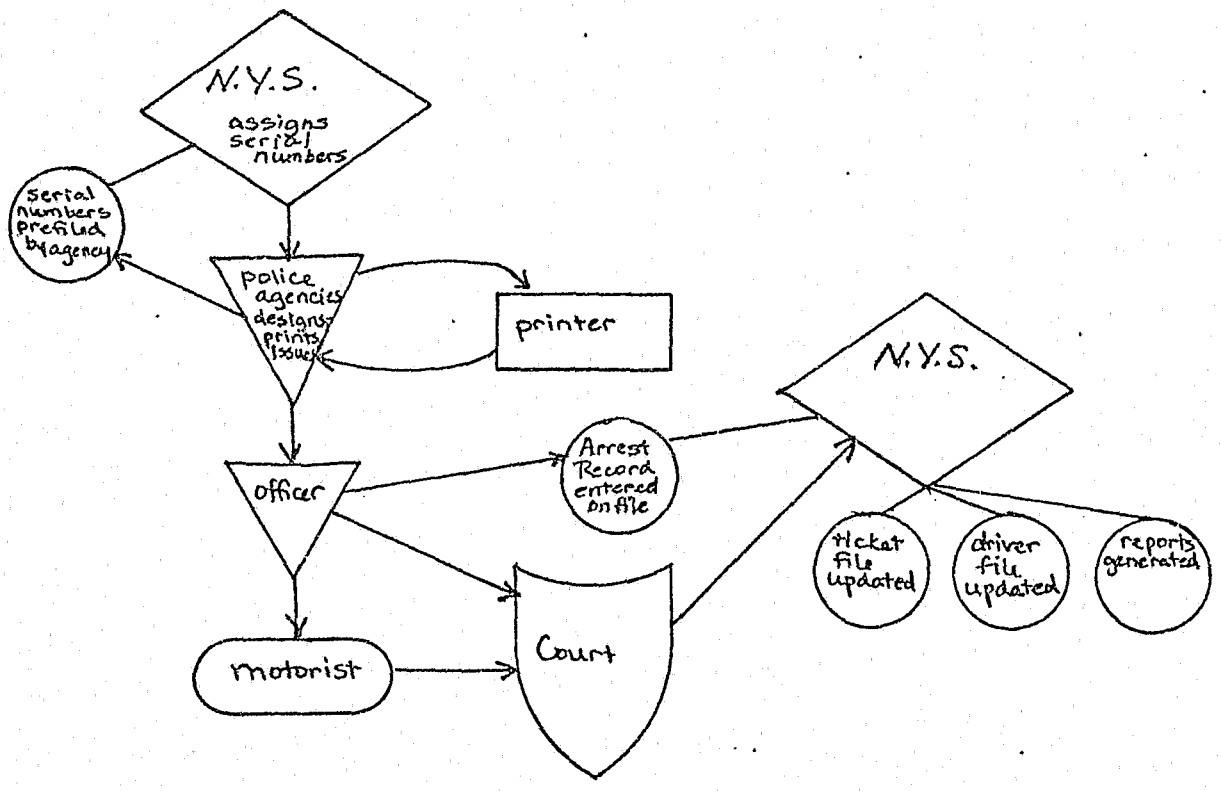
(Numeric Conversion of Evaluation Factor)

EVALUATION FACTOR	EVALUATION FACTOR WEIGHT	PROPOSAL B RATING*	PROPOSAL B RATING WEIGHT	PROPOSAL C RATING*	PROPOSAL C RATING WEIGHT
A. POLITICAL					
1. Public Reaction	3.4				
2. Legislative Requirements	2.6				
3. Administrative Control of System	4.2				
4. Effect on Court System	4.6				
5. Local-State Relationship	3.6				
6. State Agency Relationship	2.8				
B. OPERATIONAL					
1. Paper Processing Time	6.2				
2. Conviction Appeal Caseload	5.8				
3. Communication of Information	6.2				
4. System Monitoring	9.2				
5. System Maintenance	7.0				
6. Training - Police	4.8				
7. Training - Courts	4.2				
C. FISCAL					
1. Police	6.2				
2. Responsible State Agency	6.0				
3. Audit & Control	6.6				
4. Court Costs	3.2				
5. Local Jurisdictions	3.2				
6. Public	5.0				
7. DMV Driver Improvement	5.2				

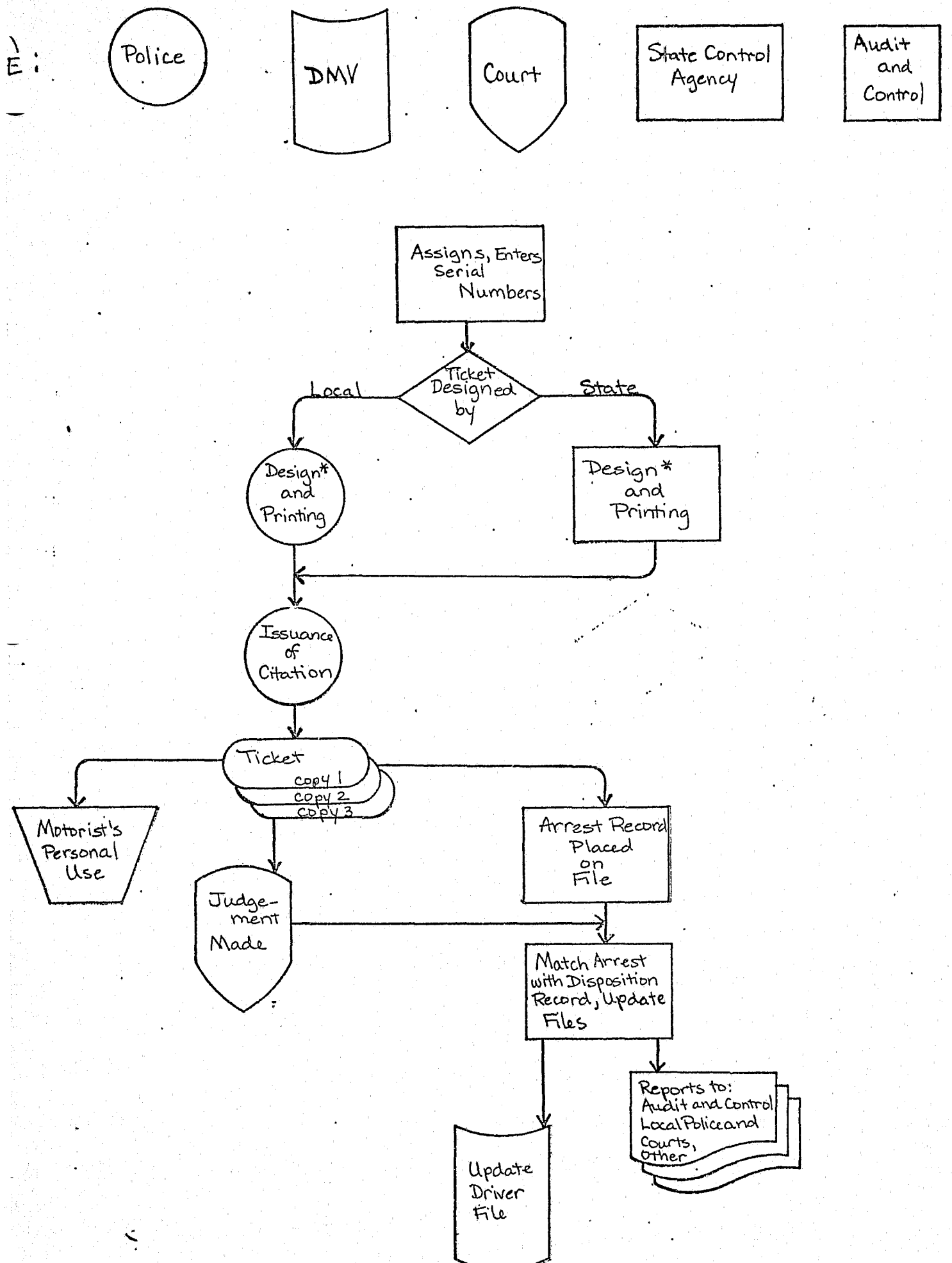
* RATING - GOOD = 5 for excellent, 4 for good
AVERAGE = 3
POOR = 2 for fair, 1 for poor

Proposal A

1) State assigns ticket serial numbers based on NCIC numbers to police agencies
2) Police agencies design, have printed and issue tickets containing these series numbers, reporting to NYS potentially active numbers as tickets are printed. These ticket numbers are prefiled.
3) After issuing ticket, police agency forwards Arrest Record to state. Arrest information (not including motorist identification information) is matched with prefiled ticket number.
4) After disposition, court forwards Disposition Record to controlling agency where:
   a) ticket file is updated - information on conviction or dismissal of each ticket is matched with previously filed information on that ticket (still no M.I. information)
   b) conviction information is used to update drivers history.
   c) reports processed for police agencies, Audit and Control, research - content depending on individual need.



Proposal B



11 ticket designs are subject to approval of the Department of Motor Vehicles.

Proposal C

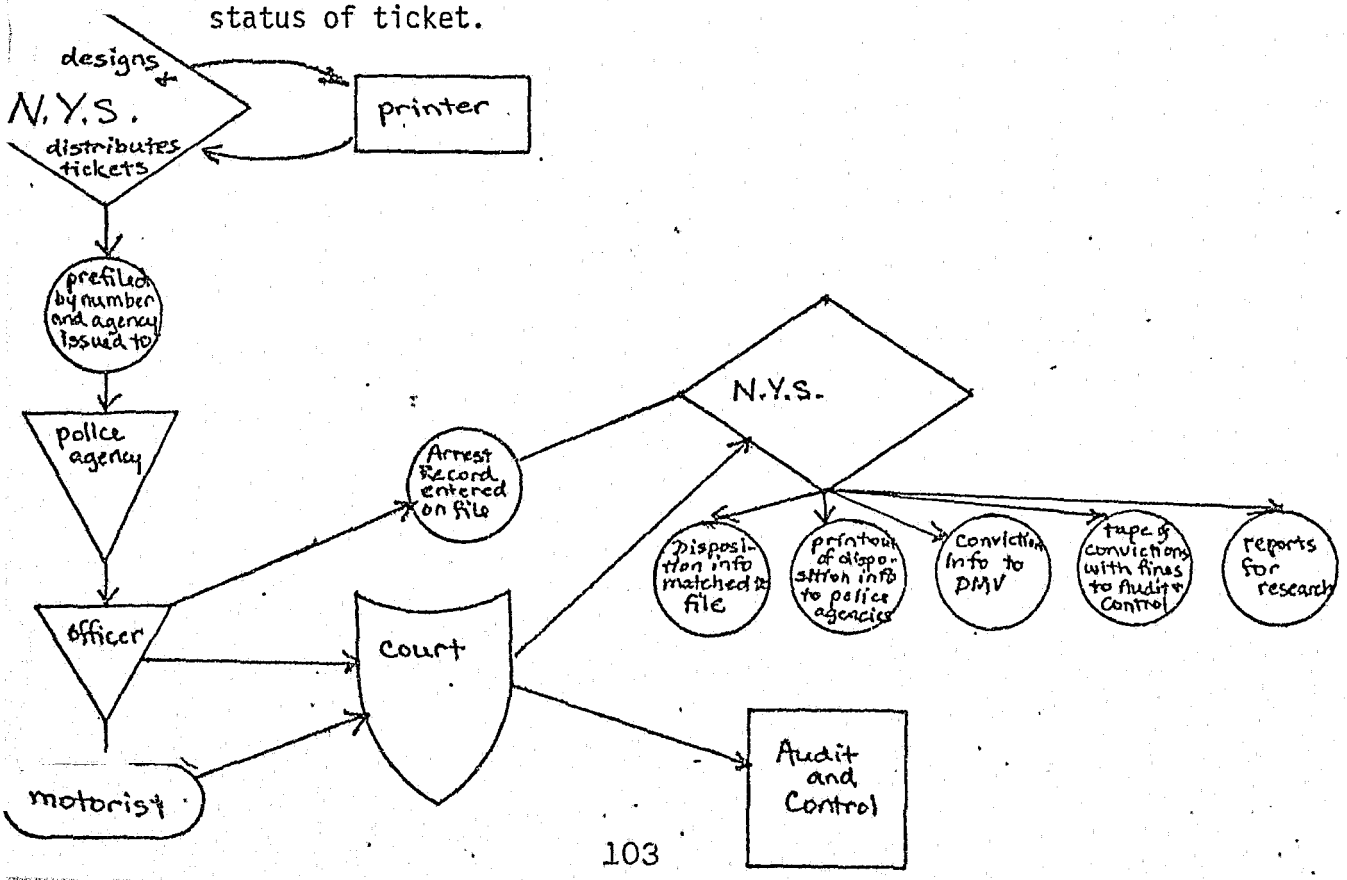
1) NYS designs UTT and contracts for printing tickets.

2) NYS distributes pre-numbered tickets to agencies (free or for cost), entering onto file ticket numbers issued to each agency.

3) Police submit Arrest Record to controlling agency who enters arrest information onto file matching with prefiled ticket numbers (not using MI information).

4) Court disposes of case - guilty plea or trial - forwards Disposition Record to controlling agency, and Audit and Control copy to the Department of Audit and Control. Then the controlling agency matches disposition information with tickets already on the file and sends printout of disposition information of all tickets by number to appropriate police agency, tape of conviction information to DMV for updating of driver's file, and tape containing any convictions which included fines to Audit and Control where it could be cross-matched with their records, and fill research group requests for appropriate/needed information.

5) Controlling agency sends regularly scheduled reports on tickets unaccounted for to appropriate police agencies and receives back from them explanation of status of ticket.

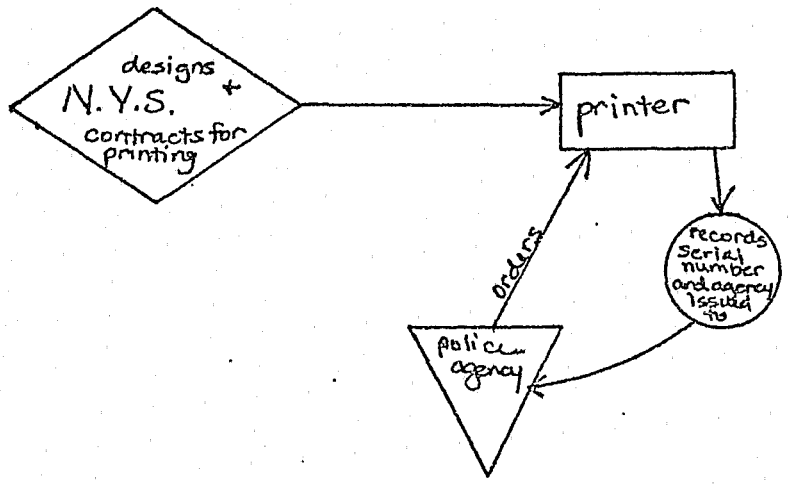


Proposal D

1) N.Y.S. designs serial-numbered UTT with input from police agencies to meet needs of and be used by all police agencies in the state.

2) N.Y.S. contracts with printer to print and distribute tickets .

3) Police Agencies purchase tickets at fixed cost per ticket from printer, printer makes a record of which tickets go to which agency by serial number prior to sending tickets out.



Proposal E

1) NYS designs Uniform Traffic Ticket

2) NYS contracts for printing of tickets

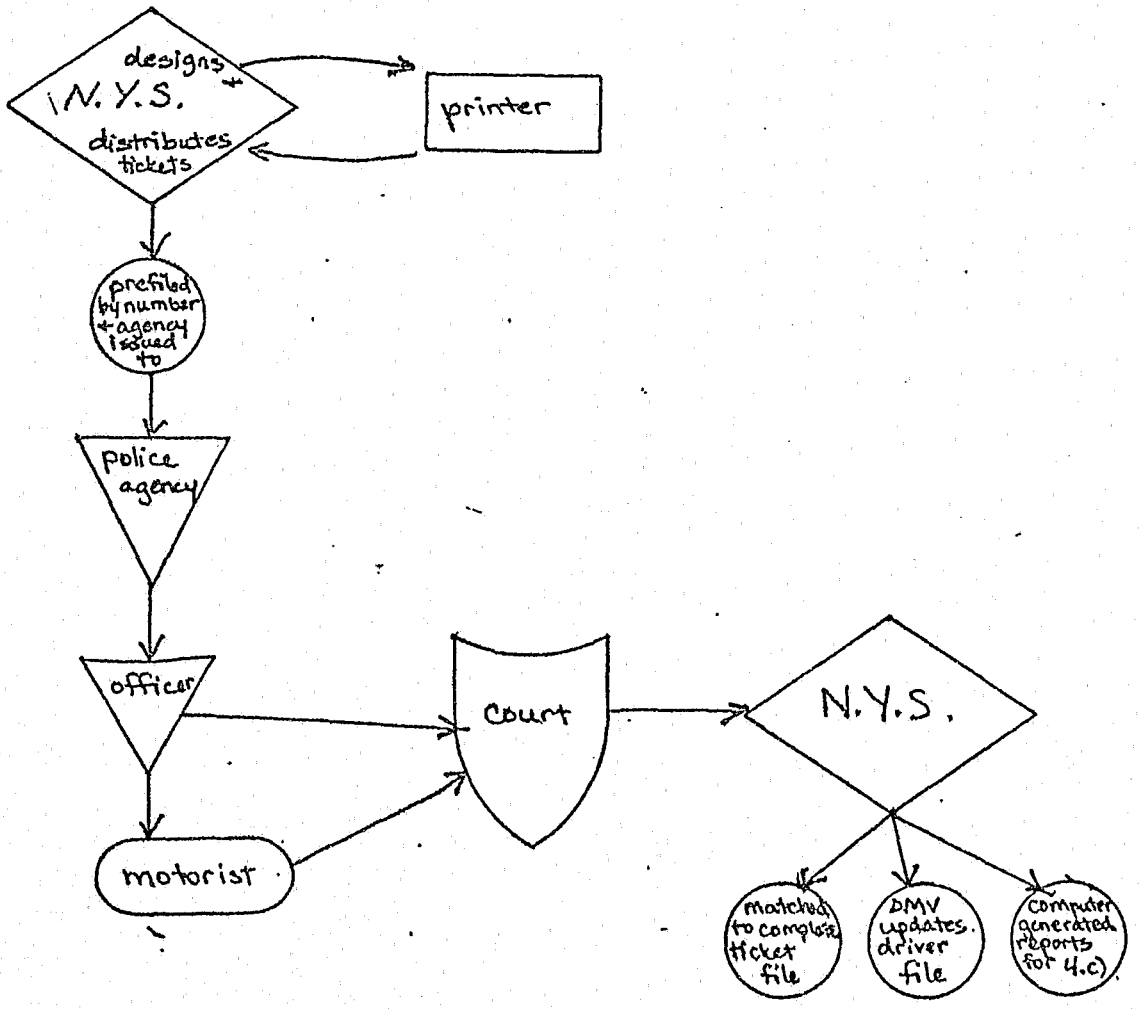
3) NYS distributes tickets to police agencies (free or at cost) monitoring which tickets go to which agencies and sets up prefile on computer of ticket serial numbers and agencies to whom those tickets were issued.

4) After disposition, court forwards disposition of all tickets, convictions or dismissals to DMV where:

   a) ticket is matched against prefiled number and ticket file is completed- both convictions and dismissals since no motorist identification information is included here.

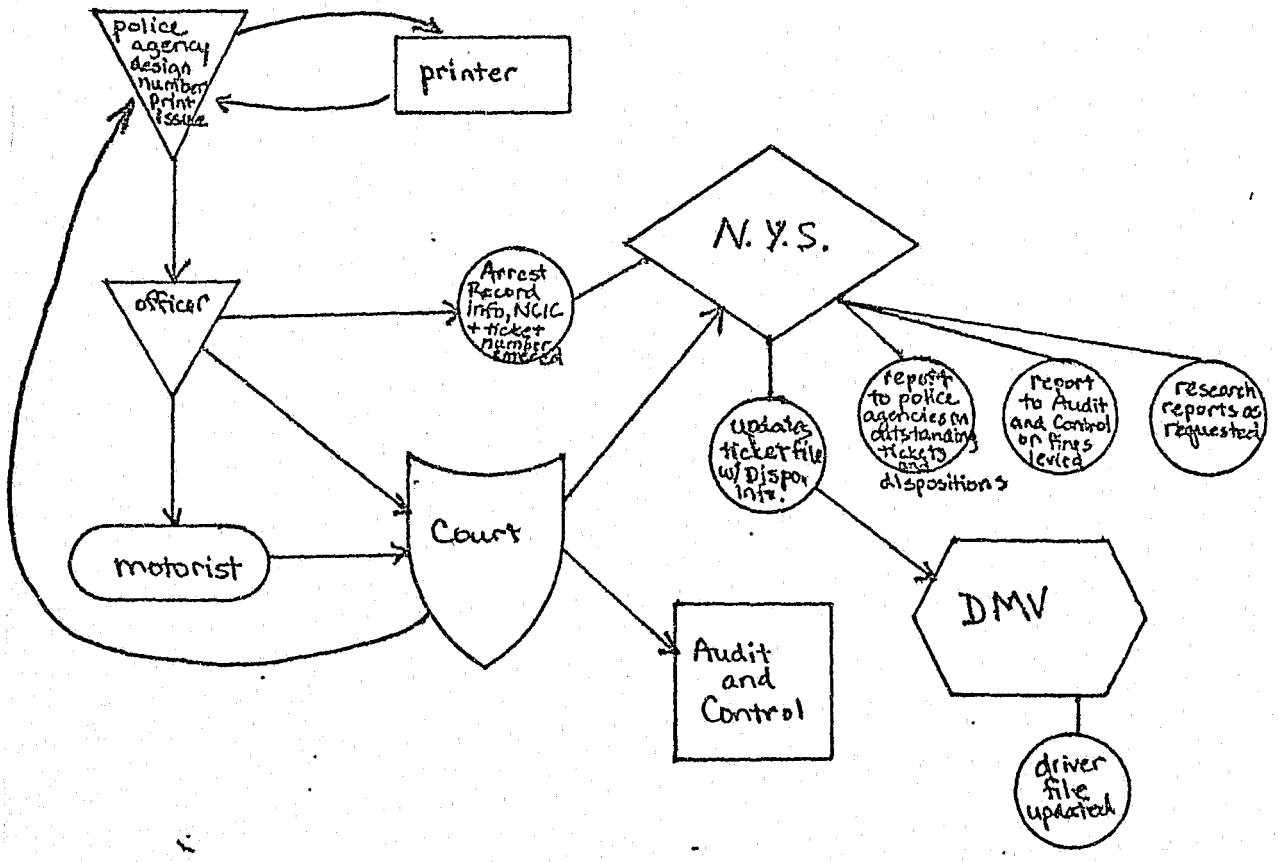
   b) conviction information is used to update driver records.

   c) Reports are generated for police agencies on ticket statistics, Audit and Control on fines levied, and for research/evaluation.



Proposal F

1) Police agencies design, number and print their own tickets.
2) After ticket is issued to motorist, police agency sends copy of Arrest Records to controlling agency where police NCIC number, ticket number, and arrest information is entered into the computer, forming the ticket file (no MI information is entered).
3) Court forwards Disposition Record to controlling agency who updates ticket file as to whether charge was convicted or dismissed. Controlling agency then forwards Disposition Record to DMV where driver file is updated. Court also returns a copy to police for their use in updating their own records and forwards a third copy to Audit and Control.
4) Controlling agency issues reports to:
   a) police agencies on tickets issued which are still outstanding and on disposition statistics (convictions vs. dismissials)
   b) Audit and Control on fines levied - perhaps by court, by ticket number, etc.
   c) Research group - as requested.



Proposal G

1) State designs, prints and distributes serially numbered tickets to police agencies (either free or at cost), keeping track of which tickets are issued to which police agency. Ticket numbers are prefiled on computer.

2) Agency issues ticket to officer who issues it to motorist. (Agency has responsibility for accounting for each prenumbered ticket received-how they do it is their own problem).

3) Police agency forwards Arrest Record to state where it is matched with prefiled ticket number & arrest information is entered into file, but this information entered includes no information which could be used to identify motorist.

4) Controlling agency then forwards Arrest Record to DMV where driver history is generated and forwarded to court to which ticket is returnable (to be used in determining eligibility of waiver of trial and to be used as a presentence report).

5) Court disposes of case and returns one copy of ticket w/disposition information and fine levied to Audit & Control and one copy of the citation to controlling agency where ticket file is updated (conviction or dismissal), research statistics are prepared, & report on disposition of that ticket (by number) is sent to police agency.

6) Controlling agency then forwards to DMV who enters conviction information on driver file, generates reports on fines levied to be sent to Audit & Control.

Proposal A

1. The State agency assigns ticket serial numbers to police agencies. Serial numbers are based on police agency NCIC numbers, so numbers are unique for each agency. The ticket numbers are pre-filed in the ticket file.

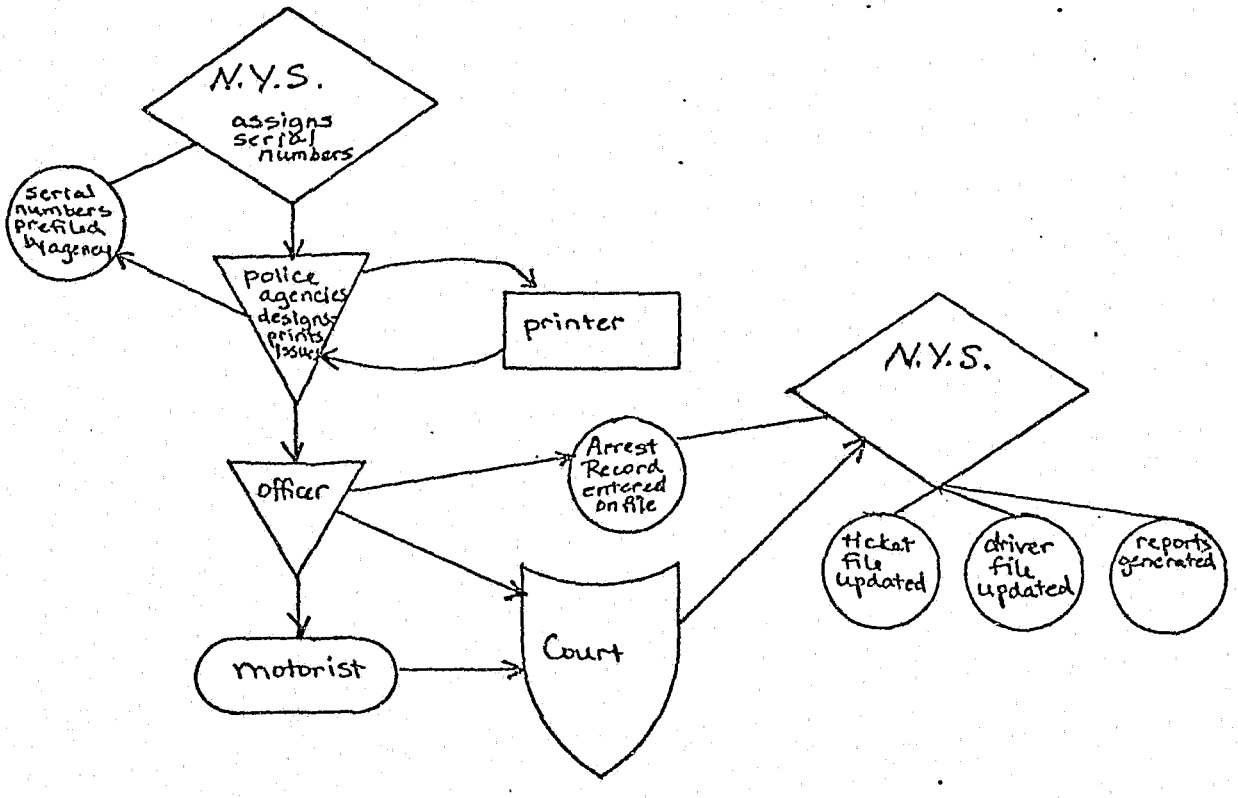
2. The Police Agency designs ticket, basing the ticket design on the standard set forth by the state agency. The police agency has the tickets printed using the pre-assigned serial numbers and issues the ticekts to their officers for issuance to the motorist.

3. After a ticket is issued, the police agency forwards the Arrest Record copy of the ticket to the state agency. Information taken from the Arrest Record is entered into the computer and matched with the previously filed information on that ticket.

4. After disposition, the court forwards the Disposition Record copy of the ticket to the state agency where the ticket file is updated; information on conviction or dismissal of each ticket is matched with previously filed information on that ticket. The information in the ticket file is then used to update the driver file, and is used to generate reports for police agencies, the courts, the Department of Audit and Control, and the Division of Research and Development at the Department of Motor Vehicles; the content of the reports will depend upon the recipient's needs.

Proposal A

1) State assigns ticket serial numbers based on NCIC numbers to police agencies
2) Police agencies design, have printed and issue tickets containing these series numbers, reporting to NYS potentially active numbers as tickets are printed. These ticket numbers are prefiled.
3) After issuing ticket, police agency forwards Arrest Record to state. Arrest information (not including motorist identification information) is matched with prefiled ticket number.
4) After disposition, court forwards Disposition Record to controlling agency where:
   a) ticket file is updated - information on conviction or dismissal of each ticket is matched with previously filed information on that ticket (still no M.I. information)
   b) conviction information is used to update drivers history.
   c) reports processed for police agencies, Audit and Control, research content depending on individual need.



Proposal B

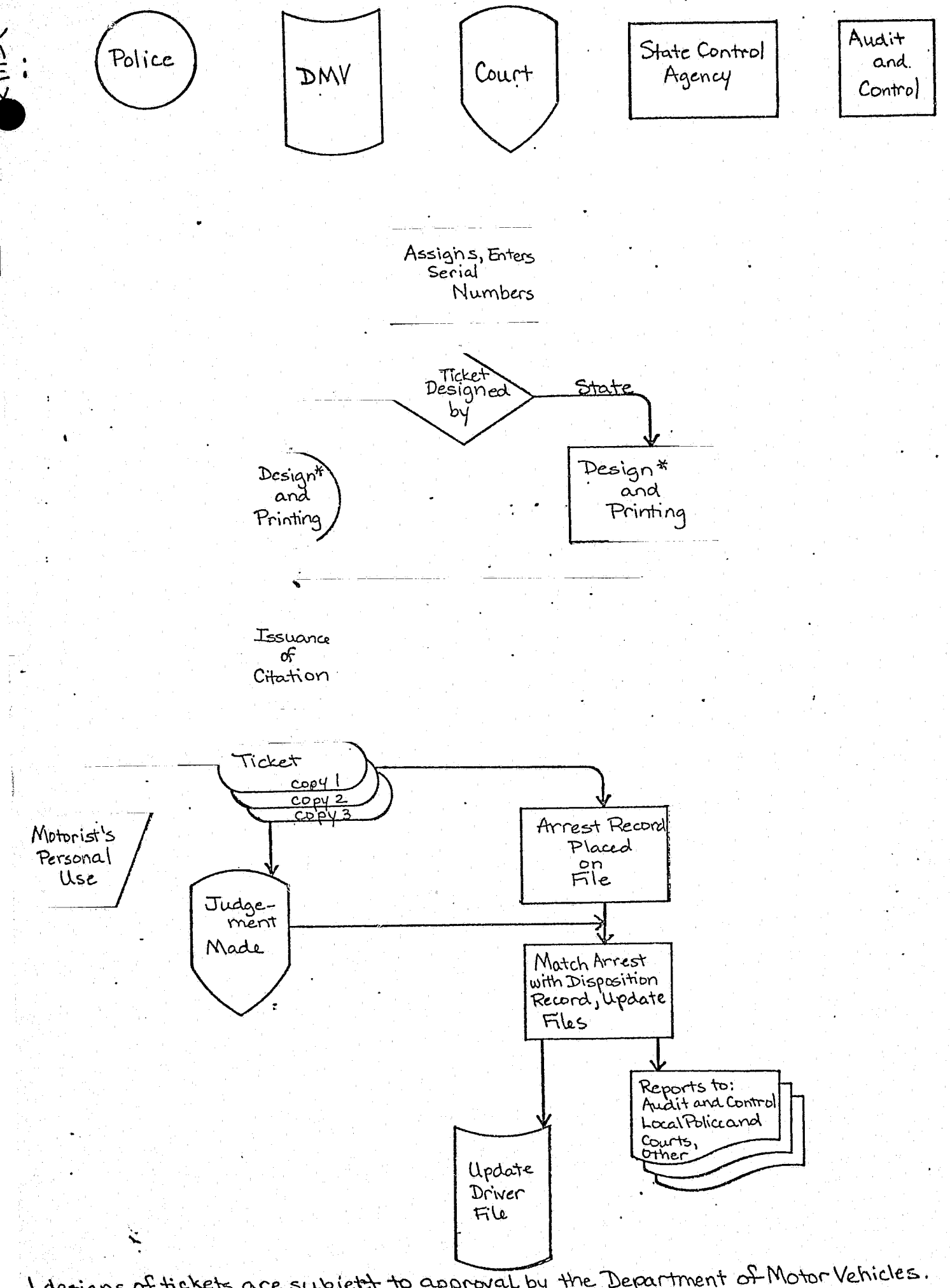
1. The state agency assigns ticket serial numbers to police agencies. Serial numbers are based on police agency NCIC numbers, so numbers are unique for each agency.

2. The ticket is designed and printed by either the state agency or local police agencies. Large local police agencies are given the option of designing and printing the tickets if they choose to do so, otherwise the tickets will be designed and printed for the police agencies by the state agency. Police agencies distribute tickets to the officers for issuance to the motorist.

3. After a ticket is issued, the police agency forwards the Arrest Record copy of the ticket to the state agency where information from that copy is entered into the computer forming the ticket file.

4. After disposition, the court forwards the Disposition Record copy of the ticket to the state agency where the ticket file is updated; information on conviction or dismissal of each ticket is matched with previously filed information on that ticket. The information in the ticket file is then used to update the driver file, and is used to generate reports for police agencies, the courts, the Department of Audit and Control, and the Division of Research and Development at the Department of Motor Vehicles; the content of the reports will depend upon the recipient's needs.

Proposal B



*designs of tickets are subject to approval by the Department of Motor Vehicles.

Proposal C

1. The state agency designs and prints Uniform Traffic Tickets.

2. The state agency distributes pre-numbered tickets to police agencies, entering on the ticket file the numbers of those tickets and the police agencies to which they were sent. Police agencies distribute tickets to the officers for issuance to the motorist.

3. After a ticket is issued, the police agency forwards the Arrest Record copy of the ticket to the state agency. Information taken from the Arrest Record is entered into the computer and matched with the previously filed information on that ticket.

4. The court disposes of the case after either a guilty plea or a trial and forwards the Disposition Record copy of the ticket to the state agency and the Audit and Control copy to the Department of Audit and Control. The state agency then matches disposition information with the information in the ticket file about that ticket. The information in the ticket file is then used to update the driver file, and is used to generate reports for police agencies, the courts, the Department of Audit and Control for cross-matching with their records, and the Division of Research and Development at the Department of Motor Vehicles; the content of the report will depend upon the recipient's needs.

5. The state agency sends regularly scheduled reports to police agencies and courts on tickets which are unaccounted for, and receives back from them explanations on the status of those tickets.

Proposal C

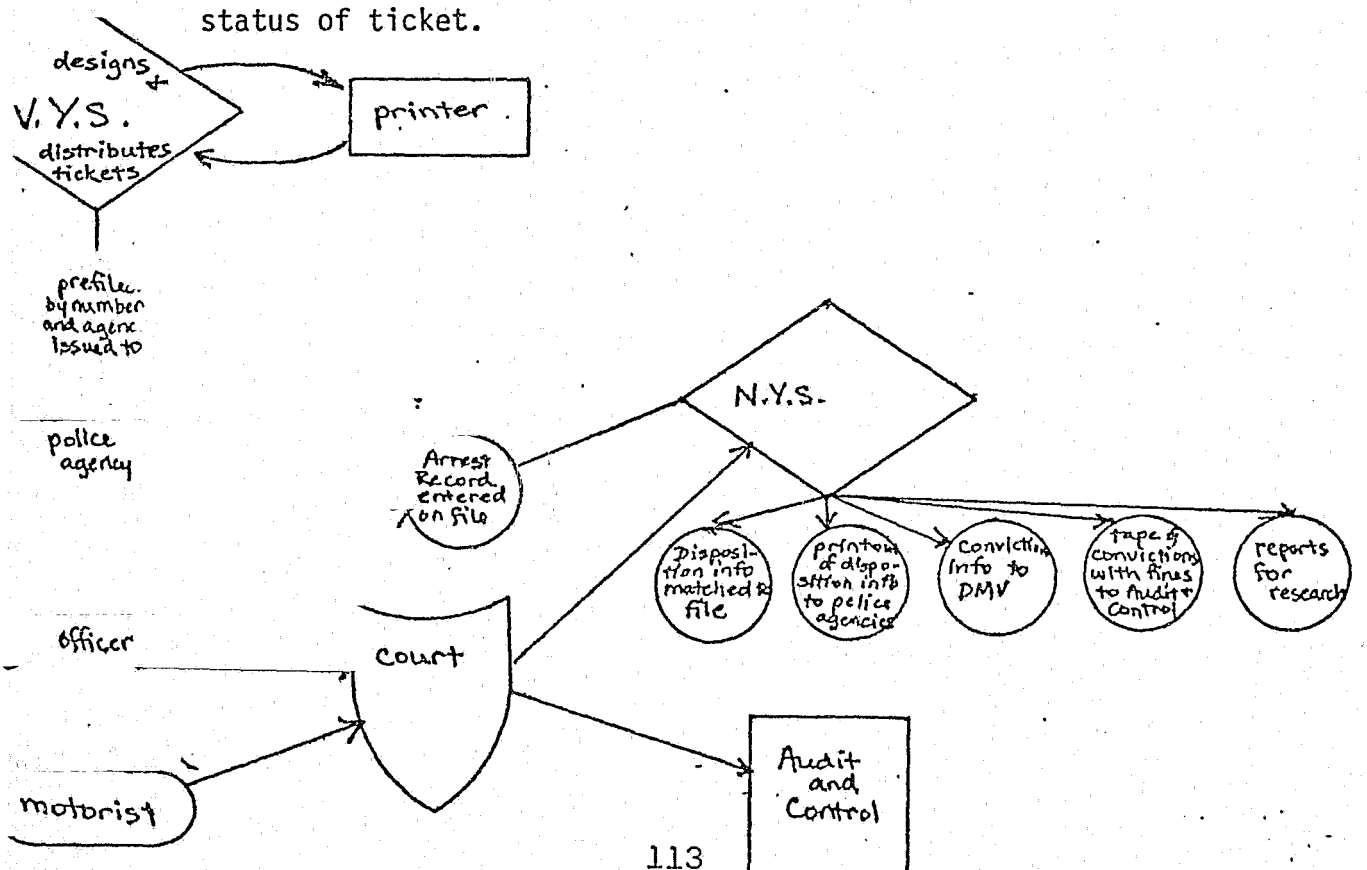
1) NYS designs UTT and contracts for printing tickets.

2) NYS distributes pre-numbered tickets to agencies (free or for cost), entering onto file ticket numbers issued to each agency.

3) Police submit Arrest Record to controlling agency who enters arrest information onto file matching with prefiled ticket numbers (not using MI information).

4) Court disposes of case - guilty plea or trial - forwards Disposition Record to controlling agency, and Audit and Control copy to the Department of Audit and Control. Then the controlling agency matches disposition information with tickets already on the file and sends printout of disposition information of all tickets by number to appropriate police agency, tape of conviction information to DMV for updating of driver's file, and tape containing any convictions which included fines to Audit and Control where it could be cross-matched with their records, and fill research group requests for appropriate/needed information.

5) Controlling agency sends regularly scheduled reports on tickets unaccounted for to appropriate police agencies and receives back from them explanation of status of ticket.



Reports Which May Be Generated From the System by Potential User

For System Monitoring by T. L. E. and A. Staff

* Report on Pending Tickets (no court action)
* Reports on Tickets (including processing time) by Issuing Police Agency and by Adjudicating Court
* Exceptions Reports for Police Departments and Courts
* Reports on Changes in Charge from Arrest Entry to Disposition Entry

For Use by the Police Agencies

* Report on Unissued Stock of Tickets
* Report on Tickets Issued but Not Yet Disposed Of
* Report on Disposition of Tickets Issued by Ticket
* Report on Tickets Issued and Tickets for Which Conviction Resulted by Location, Time of Day, etc. for Selective Enforcement Purposes
* Reports on Total Number of Arrests and Dispositions by Type, etc.
* Reports on Arrests vs. Convictions by Total Number, Type, etc.

For Use by the Courts

* Report on Delinquent Submission of Conviction Notices
* Report on Pending Tickets (no court action)
* Report on Changes in Charge
* Report on Delinquent Outstanding Tickets (probably semi-annually)
* Monthly Report by Court on Cases Heard and Revenues Collected
* Report on Caseload by Judge and by Court

For Use by Department of Motor Vehicles

* Report on Delinquent Submission of Conviction Notices
* Report on Convictions and Fines Collected for Violations of Vehicle and Traffic Law § 385 (overloads)

* Report on All Arrest and Dispositions by Motorist (daily, through interface)

For Use by the Department of Audit and Control

* Report on Reductions

* Monthly Report by Court on Cases Heard and Revenues Assessed and Collected

* Report on Cases Heard and Fines Collected for State Offenses vs. Local Offenses

* Report on Village Ordinances Enforced by Town Justices

* Report on Tickets Issued by Conservation Officers

* Report by Justice on Cases Heard and Revenues Collected

* Report on Convictions and Fines Collected for Violations of Vehicle and Traffic Law § 385 (overloads)

* Report on Cases Heard by Each Court by Motorist and Disposition (for use in developing confirmation letters)

For Use by Court Monitor

* Report on Changes in Charge

* Report on Delinquent Outstanding Tickets (probably semi-annually)

* Report on Caseload by Judge and by Court

For Use in Highway Safety Research Areas

* Research reports analyzing and comparing data elements as requested

* Report on Tickets issued as a Result of Accidents to Check on Conviction Rates, etc.

* Reports available on request containing citation information to be used in evaluating DMV Driver Safety Programs

* Reports on Tickets Issued for Alcohol or Drug Related Violations (including name, location, sex, age, BAC test and results, original offenses, disposition, sanction, etc.)

* Reports on Total Arrests and Dispositions Monthly, Annually, etc. by type, etc.

* Reports on Arrests vs. Convictions by Total Number, Type, etc.

For Use by the Division of Criminal Justice Services

* Report on Types of Errors Most Frequently Found on Tickets (for police training)

Data that should be included in T. L. E. and A. Data Subsystem File includes:

INITIAL ENTRY

1. Ticket serial number
2. Police agency issued to (NCIC)
3. Police officer issued to (optional)
4. Date of transmittal of tickets to police agencies

ARREST RECORD ENTRY

1. Ticket serial number
2. Class of license
3. State license issued by
4. Date of birth
5. Sex
6. Type of vehicle - year, make & plate number
7. Name and type of court
8. Day of issuance
9. Date of issuance
10. Time of issuance
11. Location - route, community
12. Violation charged
13. County
14. Arrest type - radar, patrol, etc.
15. Hometown of motorist (taken off driver license)
16. Type of highway (county, state, town, etc.)
17. Court appearance date
18. Accident related

DISPOSITION RECORD ENTRY

1. Ticket serial number
2. Plea
3. Disposition
4. Date of disposition
5. Charge convicted of
6. Sanction
7. Test for drug/alcohol
8. Result of test
9. Identification of judge
10. Name of motorist - confidential
11. Motorist's address

Attachment 14

Ratings of Present and Proposed Systems

(Numeric Conversion of Evaluation Factor)

EVALUATION FACTOR	EVALUATION FACTOR WEIGHT	PRESENT SYSTEM		PROPOSAL A	
		RATING*	RATING WEIGHT	RATING*	RATING WEIGHT
A. Political					
1. Public Reaction	3.4	3	10.2	4	13.6
2. Legislative Requirements	2.6	5	13.0	3	7.8
3. Administrative Control of System	4.2	1	4.2	3	12.6
4. Effect on Court System	4.6	3	13.8	3	13.8
5. Local-State Relationship	3.6	3	10.8	4	14.4
6. State Agency Relationship	2.8	3	8.4	4	11.2
B. Operational					
1. Paper Processing Time	6.2	3	18.6	3	18.6
2. Conviction Appeal Caseload	5.8	3	17.4	3	17.4
3. Communication of Information	6.2	3	18.6	5	31.0
4. System Monitoring	9.2	3	27.6	5	46.0
5. System Maintenance	7.0	3	21.0	3	21.0
6. Training-Police	4.8	3	14.4	5	24.0
7. Training-Courts	4.2	3	12.6	5	21.0
C. Costs					
1. Police	6.2	4	24.8	4	24.8
2. Responsible State Agency	6.0	5	30.0	3	18.0
3. Audit & Control	6.6	4	26.4	4	26.4
4. Court Costs	3.2	3	9.6	4	12.8
5. Local Jurisdictions	5.0	5	25.0	5	25.0
6. Public	5.0	3	15.0	4	20.0
7. DMV Driver Improvement	5.2	3	15.6	2	10.4
TOTAL			337		389.8

RATING - Excellent - 5; Good - 4; Average - 3; Fair - 2; Poor - 1.

Ratings of Present and Proposed Systems

(Numeric Conversion of Evaluation Factor)

EVALUATION FACTOR	EVALUATION FACTOR WEIGHT	PROPOSAL B		PROPOSAL C	
		RATING*	RATING WEIGHT	RATING*	RATING WEIGHT
A. Political					
1. Public Reaction	3.4	3	10.2	5	17.0
2. Legislative Requirements	2.6	3	7.8	3	7.8
3. Administrative Control of System	4.2	2	8.4	5	21.0
4. Effect on Court System	4.6	3	13.8	3	13.8
5. Local-State Relationship	3.6	3	10.8	5	18.0
6. State Agency Relationship	2.8	4	11.2	5	14.0
B. Operational					
1. Paper Processing Time	6.2	3	18.6	3	18.6
2. Conviction Appeal Caseload	5.8	3	17.4	3	17.4
3. Communication of Information	6.2	4	24.8	5	31.0
4. System Monitoring	9.2	4	36.8	5	46.0
5. System Maintenance	7.0	4	28.0	5	35.0
6. Training-Police	4.8	5	24.0	5	24.0
7. Training-Courts	4.2	5	21.0	5	21.0
C. Costs					
1. Police	6.2	4	24.8	3	18.6
2. Responsible State Agency	6.0	3	18.0	3	18.0
3. Audit & Control	6.6	4	26.4	4	26.4
4. Court Costs	3.2	4	12.8	4	12.8
5. Local Jurisdictions	5.0	5	16.0	5	16.0
6. Public	5.0	4	20.0	4	20.0
7. DMV Driver Improvement	5.2	2	10.4	2	10.4
TOTAL			361.2		406.8

* RATING - Excellent - 5; Good - 4; Average - 3; Fair - 2; Poor - 1.

THE FIELD ENTRY PROCESSING SYSTEM

The Field Entry Processing System provides for all traffic ticket processing operations to be carried out through a cooperative effort by the Department of Motor Vehicles and the Division of State Police. Traffic tickets would be printed by a printer under contract to DMV. Arrangements for distribution of tickets to police agencies statewide would be the responsibility of the Division of State Police. Responsibility for data entry, processing, and report generation would be shared by the two.

Police agencies would return receipts for tickets received to the nearest Division of State Police Troop or Zone Headquarters, probably the one from which the tickets were issued. The numbers of the tickets they have received are noted on the receipt. When this receipt is received by DSP, the initial data entry will be made. Ticket numbers and the police agencies receiving them will be entered on-line into the DSP computer. The data will then be forwarded by interface to the Department of Motor Vehicles' computer where it will be stored pending the issuance and disposition of each ticket.

Each police agency will distribute traffic tickets to member officers. The police officer will issue a ticket to a motorist for a violation of the Vehicle and Traffic Law or a traffic-related local ordinance. When a ticket is issued, the officer will give one copy of the ticket to the motorist. At that time, the police agency will send a copy of the ticket, called the Arrest Record, to the nearest Division of State Police Troop or Zone Headquarters. When this copy is received by DSP, information concerning the arrest is entered into the computer and sent over the interface to the DMV computer. There this information and information previously entered on the ticket will be matched and stored in the file pending the completion of the ticket's progress through the system.

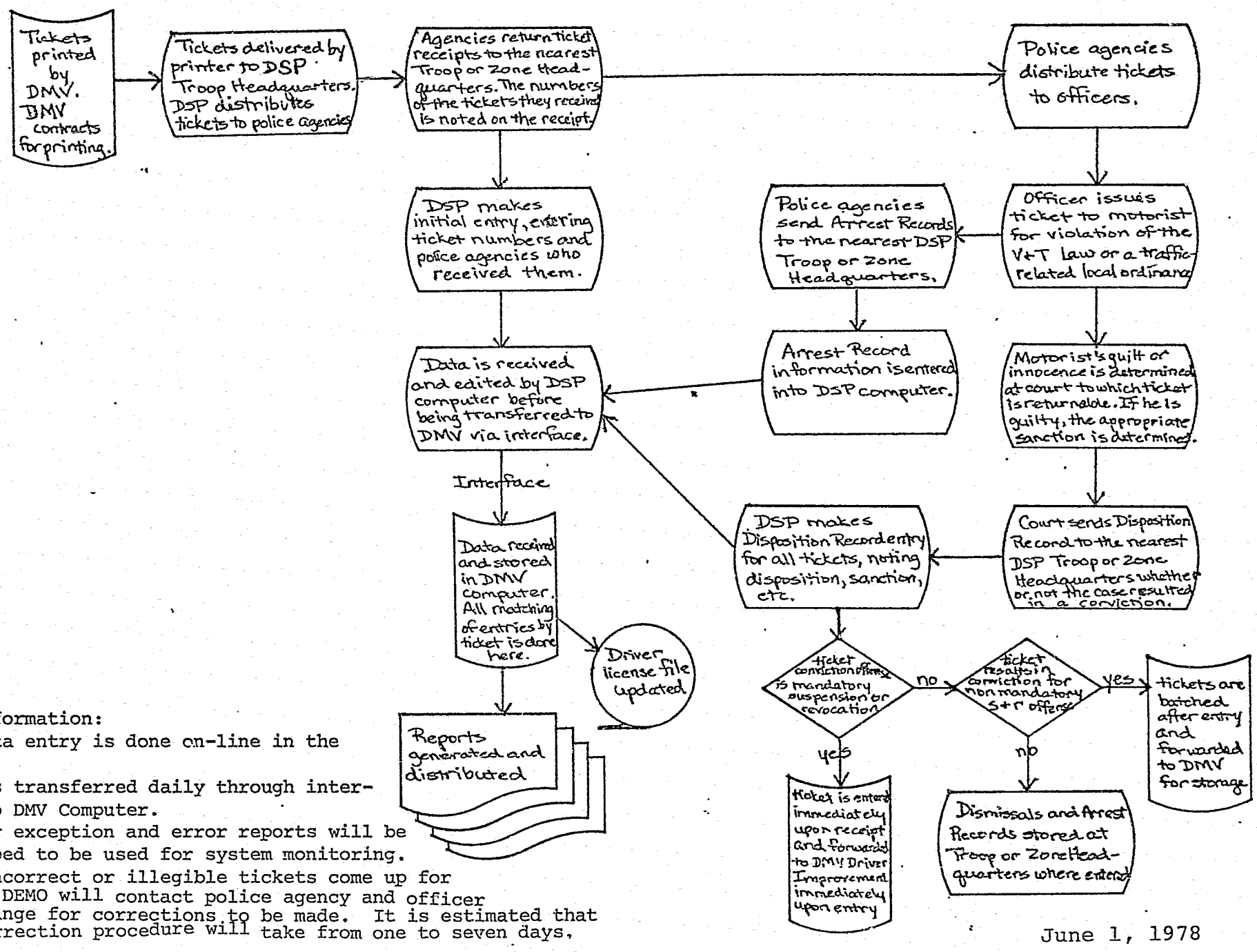
Copies of the ticket will then be forwarded by the police to the court which holds jurisdiction over traffic tickets in the locality where it was issued. Here the motorist's guilt or innocence is determined. If the motorist is found guilty, the appropriate sanction is determined and noted on the ticket. The court will send the Disposition Record, a copy of the ticket, to the nearest DSP Troop or Zone Headquarters whether or not the case resulted in a conviction. When this copy is received by DSP, a disposition entry is made for all tickets, noting disposition, sanction, etc.

This information is then forwarded to DMV where it is matched with the information previously entered on that ticket, completing the file on that particular ticket.

From information on completed tickets and pending tickets, a variety of reports will be generated and distributed by the Department of Motor Vehicles to concerned agencies. Conviction information on completed tickets will be used to update the driver license file.

Points of information which should be considered concerning the system include the fact that all data entry will be done on-line in the field. Data will be transferred daily through the interface from the Division of State Police computer to the Department of Motor Vehicles' computer. Data entry and turnaround will therefore be timely. Data in the file will be used to generate regularly scheduled exception and error reports. These would be used for system monitoring by the T. L. E. and A. staff and by other concerned agencies. When incorrect or illegible tickets come up for entry, the DEMO (date entry machine operator) in each data entry location will contact the police agency and officer who wrote the ticket to arrange for corrections to be made. It is estimated that the correction procedure will take from one to seven days.

Field Entry Processing System



Points of Information:

1. All data entry is done on-line in the field.
2. Data is transferred daily through interface to DMV Computer.
3. Regular exception and error reports will be developed to be used for system monitoring.
4. When incorrect or illegible tickets come up for entry, DEMO will contact police agency and officer to arrange for corrections to be made. It is estimated that the correction procedure will take from one to seven days.

June 1, 1978

Traffic Law Enforcement and Adjudication
Data Subsystem

Cost Estimate for the Field
Entry Processing System

As a basis for determining annual workload and costs, a figure of 1,250,000 Uniform Traffic Tickets will be used. This figure represents the number of tickets issued in all areas of the state not under the jurisdiction of the Administrative Adjudication Bureau.

This figure is approximately twice that of the number of tickets presently processed by the State Police traffic ticket monitoring system.

Field entry of the type provided for by this system requires that staff be provided for in each data entry location. Data will be entered in forty Division of State Police Troop and Zone Headquarters. One data entry clerk has been provided for each of these forty locations.

	Costs	
	Initial	Annual
Personal Services		
-Data Entry		
Data Entry Terminal Operators Grade 8 (median salary $8,308)	$332,320 (40)	$332,320 (40)
-Data Processing		
Associate Computer Analyst-DSP Grade 23 (median salary $22,000)	$ 22,000 (1)	$ 22,000 (1)
Senior Computer Programmers-DMV Grade 18 (median salary $16,575)	74,588 (4.5)	16,575 (1)
Supervision (15% of SG 18 M/D's)	13,766 (.7)	
Senior Computer Operator Grade 14 (median salary $12,196)	12,196 (1)	12,196 (1)
Sub-Total	$122,550	$ 50,771
-Operations		
Manager Grade 23 (median salary $22,000)	$ 22,000 (1)	$ 22,000 (1)
Technical Sergeant	18,400 (1)	18,400 (1)
Assistant Manager Grade 18 (median salary $16,575)	16,575 (1)	16,575 (1)
Stenographer Grade 5 (median salary $7,000)	7,000 (1)	7,000 (1)
Sub-Total	$ 63,975	$ 63,975
Total Personal Services	$518,845	$447,066
-Fringe Benefits		
@ 60% (18,400)	$ 11,040	$ 11,040 (18,400)
@ 29.67% (500,445)	148,482	127,185 (428,666)
Sub-Total	$159,522	$138,225
GRAND TOTAL PERSONAL SERVICES	$678,367	$585,291

	Costs	
	Initial	Annual
Other Than Personal Services		
-Supplies and Materials	$ 2,800	$ 2,800
-Travel		
Initial-for setting up program-10 locations x 3 individuals	$ 2,100	
Follow up-for problem resolution-48 mandays x 3 individuals	5,000	$ 5,000
	$ 7,100	$ 5,000
-Data Processing		
DSP: 2 Disc drives (1 primary file and 1 back-up) @ $800 each per month	$ 19,200	$ 19,200
Magnetic tapes-100 @ $7 each (for safeguard of system, audit trail messages received are stored on tape for one year)	700	
Dual Channel Select @ $111 per month	1,332	1,332
Standard interface converter @ $332 per month	3,984	3,984
Interface line, DSP-DMV @ $300 per month	3,600	3,600
Sub-Total	$ 28,816	$ 28,116
DMV: MP168	$ 96,000	$ 96,000
3350 discs and back-up @ $575 per month	13,800	13,800
Tapes - 30 @ $7 each	210	
Adapter (1), Modum (1), 4800 Baud line (1) @$504 per month	6,048	6,048
Report printing - $2.30 per thousand feet, 23,530 reports per year	460	460
Sub-Total	$116,518	$116,308
Total EDP	$145,334	$144,424

	Costs	
	Initial	Annual
-Miscellaneous Expenses		
Printing tickets - 1,250,000 @ $27.82 per thousand	$ 33,800	$ 33,800
Postage		
Distribution of Reports	$ 9,360	$ 9,360
Recovery of tickets- Arrest Records	11,667	11,667
Disposition Records-		
Suspension and revocations	10,140	10,140
All others	15,717	15,717
Return mailing of incorrect tickets for correction	6,500	6,500
Mailing Disposition Records for convictions to DMV	16,000	16,000
Sub-Total	$ 69,384	$ 69,384
-Equipment		
Desks and chairs - 4 @ $360 each	$ 1,440	
Files (20 drawer files) 40 @ $148.10 each	5,924	$ 500
Sub-Total	$ 7,364	$ 500
TOTAL OTHER THAN PERSONAL SERVICES	$265,782	$ 255,908
Personal Services	$678,367	$ 585,291
OTPS	265,782	255,908
Grand Total	$944,149	$ 841,199

Cost Summary - State Police Processing

	Initial	Annual
Personal Services		
Data Entry	$ 332,320	$ 332,320
Data Processing	122,550	50,771
Operations	63,975	63,975
Sub-Total	$ 518,845	$ 447,066
Total Fringe	$ 159,522	$ 138,225
Total Personal Services	$ 678,367	$ 585,291
Other Than Personal Services		
Supplies and Materials	$ 2,800	$ 2,800
Travel	7,100	5,000
Data Processing - DSP	28,816	28,116
Data Processing - DMV	116,518	116,308
Printing Tickets	33,800	33,800
Postage	69,384	69,384
Equipment	7,364	500
Total Other Than Personal Services	$ 265,782	$ 255,908
GRAND TOTAL	$ 944,149	$ 841,199

THE CENTRAL ENTRY PROCESSING SYSTEM

The Central Entry Processing System provides for all traffic ticket processing operations to be carried out by the Department of Motor Vehicles. Traffic tickets would be printed by a printer who is under contract to the Department, and arrangement for distribution of tickets to police agencies statewide would be the Department's responsibility.

These police agencies would return receipts for tickets received to the Department of Motor Vehicles. The numbers of the tickets they have received are noted on the receipt. When this receipt is received, DMV makes the initial entry of data, entering the ticket numbers and the police agency receiving these tickets. This data will be stored in the DMV computer awaiting issuance and disposition of the ticket.

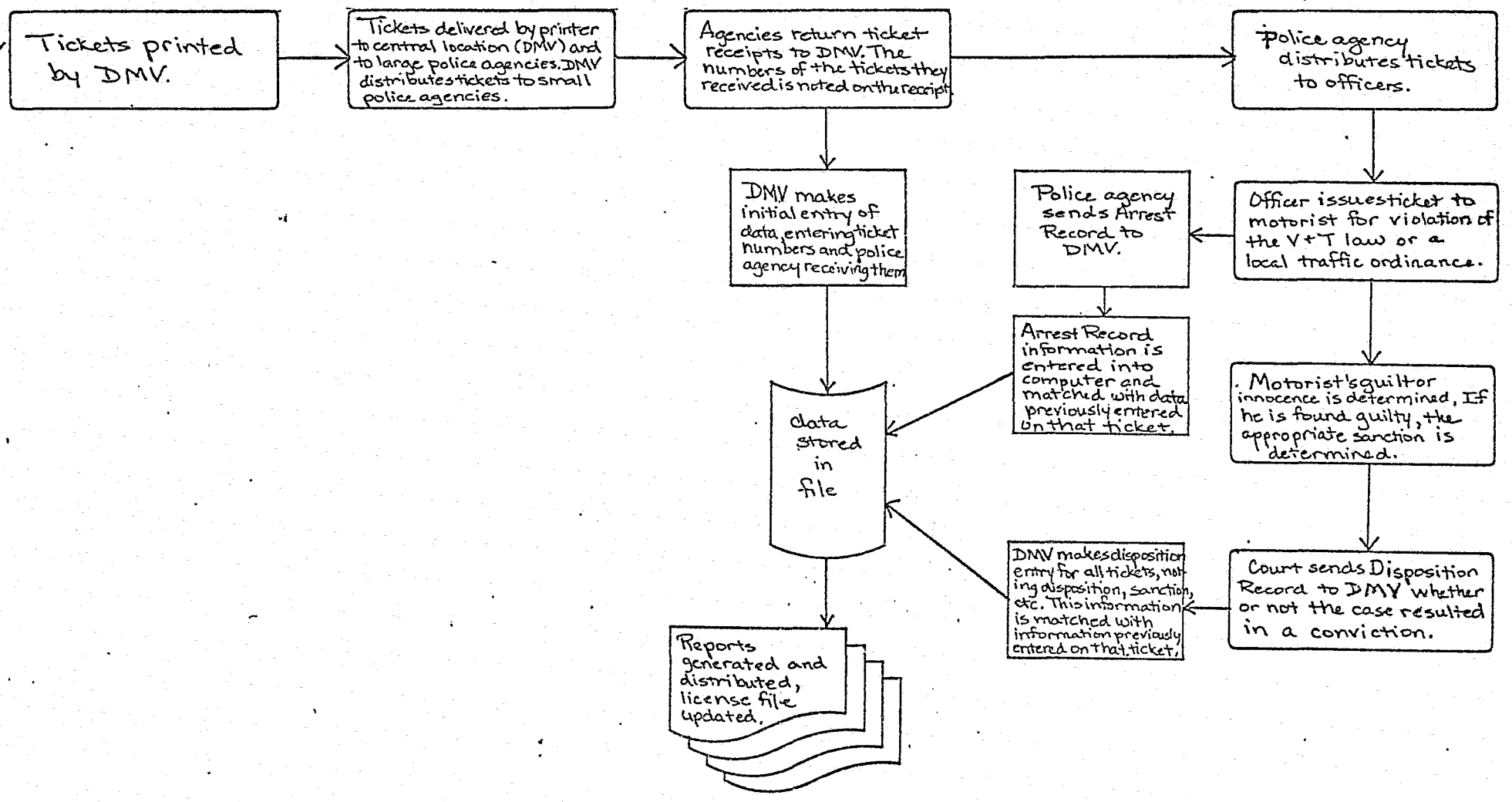
Each police agency will distribute traffic tickets to member officers. The police officer will issue a ticket to a motorist for a violation of the Vehicle and Traffic Law or a traffic-related local ordinance. When a ticket is issued, the officer will give one copy of the ticket to the motorist. At that time, the police agency will send a copy of the ticket, called the Arrest Record, to the Department of Motor Vehicles. When this copy is received by DMV, information concerning the arrest is entered into the computer and matched with data previously entered on that ticket. This information and the information previously entered will be stored in the file pending the completion of the ticket's progress through the system.

Copies of the ticket are forwarded by the police to the court which holds jurisdiction over traffic tickets in the locality where it was issued. Here the motorist's guilt or innocence is determined. If the motorist is found guilty, the appropriate sanction is determined and noted on the ticket. The court will send the Disposition Record, a copy of the ticket, to the Department of Motor Vehicles whether or not the case resulted in a conviction. When this copy is received by DMV, a disposition entry is made for all tickets, noting disposition, sanction, etc. This information is matched with information previously entered on that ticket, completing the file on that particular ticket.

From information on completed tickets and pending tickets, a variety of reports will be generated and distributed to concerned agencies. Conviction information on completed tickets will be used to update the driver license file.

Points of information which should be considered concerning this system include the fact that all data would be entered off-line at a central location. It is anticipated that there would be a turnaround time of three to four weeks from ticket issuance to entry of data into the system. Data in the file would be used to generate regularly scheduled exception and error reports. These would be used for system monitoring by the T. L. E. and A. staff and by other concerned agencies. Tickets which are incorrect or illegible and therefore can't be entered will be mailed back to the appropriate police agency or court for correction. The ticket would be corrected there and returned to DMV for entry. It is anticipated that the correction procedure would take two to three weeks.

Central Entry Processing System



Points of Information:

1) All data is entered off-line at a central location.
2) Regular exception and error reports will be developed to be used for system monitoring.
3) Tickets which are incorrect or illegible must be mailed back to the appropriate police agency or court for correction, corrected, and then returned to DMV for entry. It is anticipated that this procedure would take two or three weeks.

June 1, 1978

Traffic Law Enforcement and Adjudication
Data Subsystem

Central Entry Processing System
Cost Estimate

As a basis for determining annual work load and costs, a figure of 1,250,000 Traffic Tickets will be used. This figure represents the number of tickets issued in all areas of the state not under jurisdiction of the Administrative Adjudication Bureau.

Although this figure doesn't vary radically from present Data Preparation and Data Entry Units' workloads in the Department's License File section, the three additional data entries required - initial entry, arrest record entry and dismissal entry - will require significantly larger staffing and equipment levels in these areas. In determining productivity rates for the three new entries, present tasks requiring essentially the same number of entry steps were used as guidelines.

The supervisor of this section feels present staffing levels might adequately handle a small workload increase. Without requesting additional workforce, though, present staffing levels may be jeopardized.

The Data Preparation Unit will require the services of one additional clerk to efficiently handle expected increases in workload.

Personal Services - Manpower Requirements

	Required
Data Preparation:	11 Clerks 1 Senior Clerk 1 Principal Clerk
Data Entry:	
Initial Entry 18,000 ÷ 950 = 19 MD's	.1 DEMO
Arrest Record Entry 1,250,000 ÷ 559 = 2,236 MD's	10.2 DEMO
Dismissal Entry 140,000 ÷ 470 = 298 MD's	1.4 DEMO
Disposition Record Entry Hit 965,000 ÷ 559 ≅ 1,728 MD No-Hit 144,300 ÷ 170 = 849 MD	7.9 DEMO 3.9 DEMO 23.5 DEMO 4.0 SR DEMO 1.0 PR DEMO 1.0 Hd. Clerk 29.5

Data Processing:
All Figures M/D estimates

Initial Entry/Arrest/Disp./Reports

Design:

30	80	20	200	=	330

Program:

30	240	40	400	=	710

Modify Control & L

Design: 120/MD = 120120
Modify Acc. Report = 20
Total 140
1,180 M/D

5.4 SR COMP PROGRMR

EDP:
Supervision: 15% of PRGRMR Time
.15 x 5.5 = .8

.8 ASSOC COMP PROGRMR (SG-23)

Total EDP Positions 6.2

	Required
Operations:	
Interaction between DMV, Police Departments and Courts, to facilitate understanding and cooperation between all groups participating in UTT system, dissemination of Commissioner's rulings, needed are the services of at least:	
1 - Manager (SG-23 level)	1 Manager
2 - Assistants (SG-18 level)	2 Assistants
1 - Steno (SG-5 level)	1 Steno
	4

	Costs	
	Initial	Annual
Personal Services		
Data Prep - License Clerical Section:		
Clerks - Grade 3 (salary - $6,360)	$ 69,960 (11)	$ 69,960 (11)
Senior Clerk - Grade 7 (salary - $9,130)	9,130 (1)	9,130 (1)
Principal Clerk - Grade 11 (salary - $11,609)	11,609 (1)	11,609 (1)
Sub-Total	$ 90,699	$ 90,699
Data Entry - License Control Section:		
Data Entry Machine Operators Grade 4 (salary - $7,350)	$184,184 (24)	$184,184 (24)
Senior DEMO - Grade 7 (salary - $8,532)	34,726 (4)	34,726 (4)
Principal DEMO - Grade 11 (salary - $12,608)	12,608 (1)	12,608 (1)
Head Clerk - Grade 15 (salary - $14,600)	14,600 (1)	14,600 (1)
Sub-Total	$246,118	$246,118
Data Processing:		
Senior Computer Programmer Grade 18 (salary - $16,575)	$ 91,160 (5.5)	$ 16,575 (1)
Supervision (15% of SG-18 M/D's) - Grade 23 (salary - $19,700)	15,730 (.8)	
Sub-Total	$106,890	$ 16,575
Operations:		
Manager - Grade 23 (salary - $22,000)	$ 22,000	$ 22,000
Assistant Manager - Grade 18 (salary - $16,000)	32,000	32,000
Steno - Grade 5 (salary - $7,000)	7,000	7,000
Sub-Total	$ 61,000	$ 61,000

	Costs	
	Initial	Annual
Total Personal Services	$ 504,707	$ 414,392
Fringe Benefits @ 29.67%	149,746	122,950
Grand Total Personal Services	$654,453	$ 537,342
Other Than Personal Services		
Supplies and Materials - Data entry/clerical mailing - Envelopes	$ 2,800	$ 2,800
Travel - initial - for setting up the program - 10 locations x 3 individuals	2,100	
Travel - follow-up - for problem resolution - 48 man-days travel for each of the three staff members divided equally between upstate and downstate	5,000	5,000
Sub-Total	$ 7,100	$ 5,000
Contractual Services:		
EDP:		
MP 168	$ 96,000	$ 96,000
CRT Control & L Unit @ $470/ month + back-up	7,500	7,500
CRT (19 units) @ $1,900/month + back-up	31,800	31,800
3350 discs @ $575/month + back-up	13,800	13,800
Tapes @ $7 each	210	210
Sub-Total	$ 149,310	$ 149,310
Office of General Services:		
Electrical Installation	$ 1,000	
Printing of tickets - 1,250,000 tickets @ $27,82/thousand	$ 33,800	$ 33,800
Postage:		
Distribution of reports - 36,000 reports annually x .26	$ 9,360	$ 9,360
Distribution of tickets to police agencies	16,100	16,100
Recovery of tickets - Receipts	448	448
Disposition Records - 78,000 suspensions & revocations x .13	10,140	10,140

	Costs	
	Initial	Annual
All other dispositions	$ 15,717	$ 15,717
Return mailing of incorrect tickets for correction - 25,000 tickets x .26 (allowing for a 2% error rate)	6,500	6,500
Sub-Total Postage	$ 69,932	$ 69,932
Telephone & Telegraph	---	---
Equipment:		
Desks & Chairs $360 x 25	$ 9,000	
Files $117 x 10	1,170	$ 500
Sub-Total	$ 10,170	$ 500
Total Other Than Personal Services	$274,112	$261,342
Total Personal Services	$654,453	$537,342
Total Other Than Personal Services	274,112	261,342
GRAND TOTAL	$928,565	$798,684

Cost Summary - DMV Processing

	Initial	Annual
Personal Services		
Data Prep	$ 90,699	$ 90,699
Data Entry	246,118	246,118
Data Processing	106,890	16,575
Operations	61,000	61,000
Sub-Total	$ 504,707	$ 414,392
Total Fringe	149,746	122,950
Total Personal Services	$ 654,453	$ 537,342
Other Than Personal Services		
Supplies and Materials	$ 2,800	$ 2,800
Travel	7,100	5,000
Contractual Services	149,310	149,310
Electrical Installation	1,000	---
Printing of Tickets	33,800	33,800
Postage	69,932	69,932
Equipment	10,170	500
Total Other Than Personal Services	$ 274,112	$ 261,342
GRAND TOTAL	$ 928,565	$ 798,684

Field Entry Processing System

Costs in Present System Offsetting Costs in Proposed System

Attachment 17

General Cost Area	Initial		Annual				
Personal Services	Detail	Costs	Detail	Costs	Comments	Dollars Offset	Net Cost
Data Prep	---	---	---	---	Adoption of this system will result in reduction of 11 DMV Data Prep-License Clerical Positions at a savings of $77,978	$ - 77,978	$ - 77,978
Data Entry	Data Entry Terminal Operators (40)	$ 332,320	Data Entry Terminal Operators (40)	$ 332,320	Adoption of this system will result in reduction of 10.5 DMV Data Entry-License Control positions at a savings of $89,898.	$ - 89,898	
					Adoption of this system will result in reduction of 18 DSP traffic ticket monitoring system positions at a savings of $119,876.	$ -119,876	$ +122,546
Data Processing	Associate Computer Analyst (1)	$ 22,000	Associate Computer Analyst (1)	$ 22,000	Adoption of this system will result in reduction of 1 DSP programmer of traffic ticket monitoring system at a savings of $15,730.	$ - 15,730	$ + 35,041
	Senior Computer Programmers (4.5)	74,588	Senior Computer Programmer (1)	16,575			
	Supervision (.7)	13,766	Senior Computer Operator (1)	12,196			
	Sub-Total	$ 122,550	Sub-Total	$ 50,771			
Operations	Manager (1)	$ 22,000	Manager (1)	$ 22,000	Adoption of this system will result in reduction of .5 DSP technical sergeant in charge of their traffic ticket monitoring system at a savings of $9,200.	$ - 9,200	$ + 54,775
	Tech. Sgt. (1)	18,400	Tech. Sgt. (1)	18,400			
	Asst. Manager (1)	16,575	Asst. Manager (1)	16,575			
	Stenographer (1)	7,000	Stenographer (1)	7,000			
	Sub-Total	$ 63,975	Sub-Total	$ 63,975			
Total Personal Services		$ 518,845		$ 447,066	Total offset in P. S. costs	$ -312,682	$ +134,384
Fringe Benefits	$ 18,400 @ 60%	$ 11,040	$ 18,400 @ 60%	$ 11,040	Reduction in fringe:		
	$500,445 @ 29.67%	148,482	$428,666 @ 29.67%	127,185	$9,200 @ 60%	$ - 5,520	
	Sub-Total	$ 159,522	Sub-Total	$ 138,225	$303,482 @ 29.67%	- 90,043	$ + 42,662
						$ - 95,563	
PERSONNEL TOTAL		$ 678,367		$ 585,291	Total Personnel Costs Offset	$ -408,245	$ +177,046

8. Costs in Present System Offsetting Costs in Proposed System

General Cost Area	Initial		Annual			Dollars	Net Cost
Other Than Personal Services	Detail	Costs	Detail	Costs	Comments	Offset	Net Cost
Supplies and Materials	Envelopes	$ 2,800	Envelopes	$ 2,800	The present expenditure for envelopes in DMV's Data Entry/ Clerical Section is $1,600	$ - 1,600	$ + 1,200
Travel	Initial Training	$ 2,100	Follow-up	$ 5,000			$ + 5,000
	Follow-up	5,000					
	Sub-Total	$ 7,100	Sub-Total	$ 5,000			
Contractual Services	EDP-DSP	$ 28,816	EDP-DSP	$ 28,116	The present expenditure for EDP		
	EDP-DMV	116,518	EDP-DMV	116,308	conviction monitoring by DMV is		
	Sub-Total	$ 145,334	Sub-Total	$ 144,424	$53,760	$ - 53,760	$ + 90,664
Miscellaneous Expenses	Printing-tickets	$ 33,800	Printing-tickets	$ 33,800	The total sum now spent on UTT's in NYS by police agencies is		
	Postage -		Postage -				
	Dist. of reports	$ 9,360	Dist. of reports	$ 9,360	presently well in excess of		
	Recovery of tickets-		Recovery of tickets-		$33,800.	$ - 33,800	
	Arrest Records	11,667	Arrest Records	11,667	Postage - DSP spends approximate-		
	Disp. Records -		Disp. Records -		ly $10,000 annually on postage		
	S & R's	10,140	S & R's	10,140	for mailing Arrest and Disposition		
	All others	15,717	All others	15,717	copies of tickets to Division		
	Return mailing of incorrect tickets for correction	6,500	Return mailing of incorrect tickets for correction	6,500	Headquarters and $4,000 for mail- ing blue copies to the Department of Audit and Control.		
	Mailing Disposition Records for convic- tions to DMV	16,000	Mailing Disposi- tion Records for convictions to DMV	16,000	Total: $14,000 Courts must now mail conviction certificates to DMV for all tickets for which convictions	$ - 14,000	
	Sub-Total (postage)	$ 69,384	Sub-Total (postage)	$ 69,384	have resulted at an annual cost		
	Telephone & telegraph	---	Telephone & Telegraph	---	of about $16,000	$ - 16,000	$ + 39,384
Equipment	Desks & Chairs - 4 @ $360	$ 1,440	Additional if needed	$ 500			$ + 500
	Files - 40 @ $148.10	5,924					
	Sub-Total	$ 7,364	Sub-Total	$ 500			
Total Other than Personal Serv.		$ 265,782		$ 255,908	Total OTPS Offset	$ -119,160	OTPS $ +136,748

General Cost Area	Initial			Annual			Costs in present system offsetting Costs in Proposed System		Dollars		Net Cost
Other Than Personal Services	Detail		Cost	Detail		Cost		Comments		Offset	Personal Services
Total Personal Services			$ 678,367			$ 585,291	Total	Personal Services Offset	$ (1)	- 408,245	$ + 177,046
	Clerks	(11)	$ 69,690	Clerks	(11)	$ 69,690	Personal Services Offset	This system will incorporate			
	Sr. Clerk	(1)	9,130	Sr. Clerk	(1)	9,130	EDP Data Preparation clerical				
	Jr. Clerk	(1)	11,690	Jr. Clerk	(1)	11,690	In addition to the above noted		77.7		
	SUB-TOTAL		90,510	SUB-TOTAL		90,510	offset costs, the Department of				
							Audit and Control has indicated				
Data Entry	DEMO	( )	$ 184,194	DEMO	(24)	$ 184,194	to us that the system would result		10.5	$ 80,808	$ + 43,072
	Sr. DEMO	( )	34,776	Sr. DEMO	(4)	34,776	in a personal service time savings				
	Jr. DEMO	( )	12,608	Jr. DEMO	(1)	12,608	with a value in excess of $340,000				
	Head Clerk	( )	14,690	Head Clerk	(1)	14,690	(see Attachment 7) at a cost of $80,8		$	- 340,000	$ - 340,000
	SUB-TOTAL		246,268	SUB-TOTAL		246,268	Adoption of this system will re-			113,148	
GRAND TOTAL COST FOR SYSTEM			$ 944,149			$ 841,199	Total offset to monitoring system		$ (1)	867,405	$ - 26,206
							tions at savings of $113,148				
							lowing for 1 clerk to handle				
							monitoring not included in system)				
Data Processing	Senior Computer			Senior Computer			Adoption of this system will re-			$ 7,865	$ + 8,710
	Programmer	(5.5)	$ 91,160	Programmer	(1)	$ 16,575	sult in reduction of .5 PSP pro-				
	Supervision	( )	15,730				grammer of traffic ticket moni-				
	SUB-TOTAL		106,890	SUB-TOTAL		16,575	toring system at a savings of $7,865.				
Operations	Manager	( )	$ 22,000	Manager	(1)	$ 22,000					$ + 61,000
	Assistant Managers	( )	32,000	Assistant Managers	(2)	32,000					
	Steno	( )	7,000	Steno	(1)	7,000					
	SUB-TOTAL		61,000	SUB-TOTAL		61,000					
Total Personal Services			$ 504,707			$ 442,392	Total offset in personal services		$	288,880	$ +125,503
							costs				
Fringe Benefits	@ 29.67%		$ 149,704	@ 29.67%		$ 132,950	Reduction in Fringe $288,880 @				
							29.67%		$	85,713	$ + 37,237
TOTAL			$ 654,411			$ 575,342	Total Personnel Costs Offset		$	374,593	$ +162,740

Central Entry Processing System

General Cost Area	Initial		Annual		Costs in Present System Offsetting Costs in Proposed System		
Personal Services	Detail	Costs	Detail	Costs	Comments	Dollars Offset	Net Cost
Data Prep	Clerks (11) Sr. Clerk (1) Pr. Clerk (1) SUB-TOTAL	$ 69,960 9,130 11,609 90,699	Clerks (11) Sr. Clerk (1) Pr. Clerk (1) SUB-TOTAL	$ 69,690 9,130 11,609 90,699	This system will incorporate 11 DMV Data Prep-License Clerical positions at a cost of $77,798	$ 77,978	$ + 12,721
Data Entry	DEMO (24) Sr. DEMO (4) Pr. DEMO (1) Head Clerk (1) SUB-TOTAL	$ 184,184 34,726 12,608 14,600 246,118	DEMO (24) Sr. DEMO (.4) Pr. DEMO (1) Head Clerk (1) SUB-TOTAL	$ 184,184 34,726 12,608 14,600 246,118	This system will incorporate 10.5 DMV Data Entry-License Control positions at a cost of $89,898. Adoption of this system will result in reduction of 17 DSP traffic ticket monitoring system positions at savings of $113,148 (allowing for 1 clerk to handle DSP monitoring not included in system)	$ 89,898 113,148	$ + 43,072
Data Processing	Senior Computer Programmers (5.5) Supervision (.8) SUB-TOTAL	$ 91,160 15,730 106,890	Senior Computer Programmer (1) SUB-TOTAL	$ 16,575 16,575	Adoption of this system will result in reduction of .5 DSP programmer of traffic ticket monitoring system at a savings of $7,865.	$ 7,865	$ + 8,710
Operations	Manager (1) Assistant Managers (2) Steno (1) SUB-TOTAL	$ 22,000 32,000 7,000 61,000	Manager (1) Assistant Managers (2) Steno (1) SUB-TOTAL	$ 22,000 32,000 7,000 61,000			$ + 61,000
Total Personal Services		$ 504,707		$ 414,392	Total offset in personal services costs	$ 288,889	$ +125,503
Fringe Benefits	@ 29.67%	$ 149,746	@ 29.67%	$ 122,950	Reduction in fringe $288,889 @ 29.67%	$ 85,713	$ + 37,237
PERSONNEL TOTAL		$ 654,453		$ 537,342	Total Personnel Costs offset	$ 374,602	$ +162,740

Costs in Present System Offsetting
Costs in Proposed System

General Cost Area Other than Pers. Serv.	Initial Detail	Initial Costs	Annual Detail	Annual Costs	Comments	Dollars Offset	Net Cost
Supplies and Materials	Envelopes	$ 2,800	Envelopes	$ 2,800	The present expenditure for envelopes in DMV's Data Entry/ Clerical section is $1,600.	$ - 1,600	$ + 1,200
Travel	Initial Training	$ 2,100	Follow-up	$ 5,000			$ + 5,000
	Follow-up	5,000					
	SUB-TOTAL	7,100		5,000			
Contractual Services	EDP	$ 149,100	EDP	$ 149,100	The present expenditure for EDP conviction monitoring by DMV is $53,760.	$ - 53,760	$ + 99,150
	Back-up	210	Back-up	210		+ 3,600	
		149,310		149,310		- 50,160	
					This system would require interface between the DMV and the DSP computers for DSP monitoring of tickets written by its members at an annual cost of $3,600.		+ 308,522
Office of General Services	Electrical Installation	$ 1,000	Printing-tickets	$ 33,800	The total sum now spent on UTT's in NYS by police agencies is now well in excess of $33,800.		
	Printing-tickets	33,800	Postage -			$ -33,800	
	Postage -		Distribution of Reports	9,360	Postage DSP spends approximately $10,000 annually on postage for mailing Arrest & Disposition copies of tickets to Division Headquarters and $4,000 on mailing blue copies to the Department of Audit and Control.	$ - 340,000	$ -340,000
	Distribution of tickets	16,100	Distribution of Tickets	16,100			
	Distribution of reports	9,360	Recovery of Tickets -			$ - 820,164	$ - 11,478
	Recovery of tickets-		Receipts	448			
	Receipts	448	Arrest Records	11,667			
	Arrest Records	11,667	Disposition Records -		Total $14,000	-14,000	
	Disposition Records-		S & R's	10,140	Courts now must mail conviction certificates to DMV for all tickets for which convictions have resulted at an annual cost of about $16,000.		
	S & R's	10,140	Other Disposition Records	15,717		-16,000	$ + 39,932
	Other Disp. Records	15,717	Return mailing of incorrect tickets for correction	6,500			
	Return mailing of incorrect tickets for correction	6,500					
	SUB-TOTAL (Postage)	69,932	SUB-TOTAL (postage)	69,932			
	Telephone & Telegraph	---	Telephone & Telegraph	---			

General Cost Area Other than Pers. Serv.	Initial Detail	Initial Costs	Annual Detail	Annual Costs	Costs in Present System Offsetting Costs in Proposed System — Comments	Dollars Offset	Net Cost
Equipment	Desks & Chairs - 25 @ $360	$ 9,000	Additional if needed	$ 500			$ + 500
	Files - 10 @ $117	1,170					
	SUB-TOTAL	10,170					
Total Other Than Personal Services		$ 274,112		$ 261,342	Total Other Than Personal Services Offset	$ - 115,560	Total OTPS + 145,782
Total Cost for System		$ 928,565		$ 798,684	Total Offset	$ - 490,162	Total Personal Services and OTPS + 308,522
					In addition to the above noted offset costs, the Department of Audit and Control has indicated to us that the system would result in a personal service time savings with a value in excess of $340,000 (See Exhibit 7).	$ - 340,000	$ -340,000
GRAND TOTAL		$ 928,565		$ 798,684		$ - 830,162	$ - 31,478

Personal Services	Central Entry Processing System	Initial Costs	Field Entry Processing System	Initial Costs
Data Prep	Clerks (11)	$ 69,960	---	---
	Senior Clerk (1)	9,130	---	---
	Principal Clerk (1)	11,609	---	---
	Sub-Total	$ 90,699	---	---
Data Entry	DEMO (24)	$ 184,184	Data Entry Terminal Operators (40)	$ 332,320
	Senior DEMO (4)	34,726		
	Principal DEMO (1)	12,608		
	Head Clerk (1)	14,600		
	Sub-Total	$ 246,118		
Data Processing	Senior Computer Programmers (5.5)	$ 91,160	DSP - Associate Computer Analyst (1)	$ 22,000
	Supervision (.8)	15,730	Senior Computer Operator (1)	12,196
			DMV - Senior Computer Programmers (4.5)	74,588
			Supervision (.7)	13,766
	Sub-Total	$ 106,890	Sub-Total	$ 122,550
Operations	Manager (1)	$ 22,000	Manager (1)	$ 22,000
	Assistant Managers (2)	32,000	Technical Sergeant (1)	18,400
	Steno (1)	7,000	Assistant Manager (1)	16,575
			Stenographer (1)	7,000
	Sub-Total	$ 61,000	Sub-Total	$ 63,975
Fringe Benefits	@ 29.67%	$ 149,746	@ 60%	$ 11,040
			@ 29.67%	148,482
	Sub-Total	$ 149,746	Sub-Total	$ 159,522
PERSONNEL TOTAL		$ 654,453		$ 678,367

Other Than Personal Services	Processing System	Initial Costs	Field Entry Processing System	Initial Costs
Supplies and Materials	Envelopes	$ 2,800	Envelopes	$ 2,800
Travel	Initial training	$ 2,100	Initial training	$ 2,100
	Follow-up	5,000	Follow-up	5,000
	Sub-total	$ 7,100	Sub-Total	$ 7,100
Contractual Services	EDP	$ 149,100	DSP:	
	Back-up	210	EDP and back-up	$ 28,816
			DMV:	
			EDP and back-up	116,518
	Sub-Total	$ 149,310	Sub-Total	$ 145,334
Miscellaneous Expenses	Electrical Installation	$ 1,000	Printing - tickets	$ 33,800
	Printing - tickets	33,800	Postage -	
	Postage -		Distribution of Reports	9,360
	Distribution of reports	9,360	Recovery of tickets	
	Distribution of tickets	16,100	Arrest Records	11,667
	Recovery of tickets -		Disposition Records -	
	Receipts	448	S & R's	10,140
	Arrest Records	11,667	Other Disposition Records	15,717
	Disposition Records -		Return mailing of incorrect	
	S & R's	10,140	tickets for correction	6,500
	Other Disp. Records	15,717	Mailing Disposition Records for	
	Return mailing of incorrect tickets for correction	6,500	convictions to DMV	16,000
	Sub-Total (postage)	$ 69,932	Sub-Total (postage)	$ 69,384
Equipment	Desks & Chairs-25 @ $360	$ 9,000	Desks & Chairs - 4 @ $360	$ 1,440
	Files - 10 @ $117	1,170	Files - 40 @ $148.10	5,924
	Sub-Total	$ 10,170	Sub-Total	$ 7,364
Total Other Than Personal Services		$ 274,112		$ 265,782
TOTAL COST FOR SYSTEM		$ 928,565		$ 944,149

Personal Services	Central Entry Processing System	Annual Costs	Field Entry Processing System	Annual Costs
Data Prep	Clerks (11)	$ 69,960	---	---
	Senior Clerk (1)	9,130	---	---
	Principal Clerk (1)	11,609	---	---
	Sub-Total	$ 90,699		---
Data Entry	DEMO (24)	$ 184,184	Data Entry Terminal Operators (40)	$ 332,320
	Senior DEMO (4)	34,726		
	Principal DEMO (1)	12,608		
	Head Clerk (1)	14,600		
	Sub-Total	$ 246,118	Sub-Total	$ 332,320
Data Processing	Sr. Comp. Prog. (1)	$ 16,575	DSP - Associate Computer Analyst (1)	$ 22,000
			Senior Computer Operator (1)	12,196
			DMV - Senior Computer Programmer (1)	16,575
	Sub-Total	$ 16,575	Sub-Total	$ 50,771
Operations	Manager (1)	$ 22,000	Manager (1)	$ 22,000
	Assistant Managers (2)	32,000	Technical Sergeant (1)	18,400
			Assistant Manager (1)	16,575
	Stenographer (1)	7,000	Stenographer (1)	7,000
	Sub-Total	$ 61,000	Sub-Total	$ 63,975
Total Personal Services		$ 414,392		$ 447,066
Fringe Benefits	@ 29.67%	$ 122,950	$ 18,400 @ 60%	$ 11,040
			$428,666 @ 29.67%	127,185
	Sub-Total	$ 122,950	Sub-Total	$ 138,225
PERSONNAL TOTAL		$ 537,342		$ 585,291

Supplies and Materials	Envelopes	$	2,800	Envelopes	$ 2,800
Travel	Follow-up	$	5,000	Follow-up	$ 5,000
Contractual Services	EDP	$	149,100	DSP - EDP and back-up	$ 28,116
	Back-up		210	DMV - EDP and back-up	116,308
	Sub-Total	$	149,310	Sub-Total	$ 144,424
Miscellaneous Expenses	Printing - tickets	$	33,800	Printing - tickets	$ 33,800
	Postage -			Postage -	
	Distribution of rep.		9,360	Distribution of reports	9,360
	Dist. of tickets		16,100	Recovery of tickets	
	Recovery of tickets-			Arrest Records	11,667
	Receipts		448	Disposition Records -	
	Arrest Records		11,667	S & R's	10,140
	Disposition records-			Other Disposition Records	15,717
	S & R's		10,140	Return mailing of incorrect	
	Other Disp. records		15,717	tickets for correction	6,500
	Return mailing of			Mailing Disposition Records for	
	incorrect tickets			convictions to DMV	16,000
	for correction		6,500		
	Sub-Total (postage)	$	69,932	Sub-Total (postage)	$ 69,384
	Telephone & Telegraph		---	Telephone & Telegraph	---
Equipment	Additional if needed	$	500	Additional if needed	$ 500
Total Other Than Personal Serv.		$	261,342		$ 255,908
TOTAL COST FOR SYSTEM		$	798,684		$ 841,199

Attachment 19

Comparison of Processing Systems by Cost to Individual Agencies

	Cost Factors	DMV Costs	Offset $	DSP Costs	Offset $	A&C Costs	Offset $	Local Police Costs	Offset $	Court Costs	Offset $	Total Costs	Total Offset $
Central Entry Processing System	Annual	$798,684	$273,045	$ 37,791	$170,917		$340,000		$ 33,800		$16,000	$836,475*	$833,762*
Field Entry Processing System	Annual	$308,382	$273,045	$532,817	$204,560		$340,000		$ 33,800		$16,000	$775,691	$867,405

*Takes into account some costs to other agencies not included in processing systems' costs. These are a $37,791 cost to DSP for the supplemental system required by State Police and a $3,600 additional offset to DMV for an interface between the DMV and DSP computers.

Attachment 20

Cost to the Department of Motor Vehicles of the Present Traffic Ticket Processing System

The Department of Motor Vehicles presently processes only convictions for moving traffic offenses, of which there were a total of 854,000 in 1976. In order to accomplish this processing, which includes coding and entry of data on to the computer, the following staff and expenditures are required:

	Costs*	Total
Personal Services		
Data Preparation:		
Clerks - SG-3 (9)	57,239	
Senior Clerk - SG-7 (1)	9,130	
Principal Clerk - SG-11 (1)	11,609	
Sub-Total	77,978	
Data Entry:		
Data Entry Machine Operators - SG-4 (9)	74,464	
Senior DEMO - SG-7 (1)	9,130	
Principal DEMO - SG-11 (.5)	6,304	
Sub-Total	89,898	
Total Personal Services	167,876	$167,876
Fringe Benefits @ 29.67%	49,809	49,809
Grand Total Personal Services	217,685	217,685
Other Than Personal Services		
Supplies and Materials - Data entry/clerical mailing - envelopes	1,600	
Contractual Services - EDP		
MP 168	36,000	
CRT C & L Unit	1,860	
CRT	9,000	
3350 Disc	6,900	
Sub-Total	53,760	
Total Other Than Personal Services	55,360	55,360
Total Personal Services	217,685	217,685
Grand Total	273,045	$ 273,045

*Costs reflect actual salaries of incumbents in these positions.

The proposed T. L. E. and A. Data Subsystem would include in it the data generated by the above-mentioned Department of Motor Vehicles staff and expenditures. Since these expenditures would no longer be necessary if the proposed system is adopted, it would be appropriate to consider that they offset the same amount of expenditures in the annual maintenance costs of the T. L. E. & A. Data Subsystem.

Cost to the Division of State Police of the Present Traffic Ticket Processing System

The Division of State Police presently maintains a traffic ticket monitoring system which monitors all tickets written by its members from distribution to the officer through disposition by the courts. (A total of 519,860 tickets were issued by members of the Division in 1976) The system costs are enumerated below:

	Costs*	Total
Personal Services		
Data Preparation		
Clerks - SG-3 (4)	$ 25,684	
Data Entry		
Data Entry Machine Operators - SG-4 (14)	94,192	
Data Processing		
Senior Computer Programmer - SG-18 (1)	15,730	
Traffic Section		
Technical Sergeant (.5)	9,200	
Total Personal Services	144,806	$144,806
Fringe Benefits:		
$135,606 @ 29.67%	40,234	40,234
$ 9,200 @ 60%	5,520	5,520
Grand Total Personal Services	190,560	190,560
Other Than Personal Services		
Printing of:		
Tickets	16,962	
Receipts	673	
Sub-Total	17,635	
Postage:		
Arrest & Disposition copies to Division Headquarters	10,000	
Blue copies to Department of Audit and Control	4,000	
Sub-Total	14,000	
Total Other Than Personal Services	31,635	31,635
Total Personal Services	190,560	190,560
GRAND TOTAL	$222,195	222,195

*Costs reflect mid-level salaries for these positions.

The proposed T. L. E. and A. Data Subsystem would include in it either most or all of the data generated by the Division of State Police staff and expenditures, depending upon which of the two alternative processing methods is selected. If the Central Entry Processing System is selected, the Department of Motor Vehicles will perform all processing functions at a central location. This processing system monitors tickets down to the level of the police agency only; monitoring of tickets by officer is left up to the individual police agency. In this case, the Division of State Police would be required to maintain a small staff for this purpose. The staff and cost requirements for this are estimated to be as follows:

	Cost
Personal Services	
Data Prep and Data Entry	
Data Entry Machine Operator - SG-4 (One clerk to do data prep and data entry)	$ 6,728
Data Processing	
Senior Computer Programmer - SG-18 (.5)	8,288
Traffic Section	
Technical Sergeant (.5)	9,200
Total Personal Services	$24,216
Fringe Benefits:	
$15,016 @ 29.67%	$ 4,455
$ 9,200 @ 60%	5,520
Grand Total Personal Services	$34,191
Other Than Personal Services	
EDP:	
Interface between DMV and DSP computers to permit ticket follow-up	$ 3,600
Total Personal Services	$34,191
Total Other Than Personal Services	3,600
GRAND TOTAL	$37,791

The remainder of the costs of the State Police ticket monitoring system after the cost of the supplemental system has been subtracted could appropriately be considered as offsetting part of the cost of the T. L. E. and A. Data Subsystem. This would amount to approximately $184,400.

If the decision is made to go with the Field Entry Processing System, which provides for processing to be done cooperatively by the Department of Motor Vehicles and the Division of State Police, minor programming adjustments would allow for inclusion and processing of the needed information by State Police at no extra cost. In this case, it would be appropriate to consider that the now unnecessary expenditures for the State Police ticket monitoring system totalling $222,195 would offset the same amount in expenditures for the annual maintenance cost of the T. L. E. and A. Data Subsystem.