

# National Center for State Courts

## Workshop 3 - Ideation

### Felony CDL Reporting

Event Date: November 8, 2023



In this workshop, we reviewed the valuable information gained from the previous events and moved forward with an ideation process. This report contains the summary of the workshop.


## Personas

The development of “personas” allows the attendees to have a perspective for the problem. Below are the different personas from the workshop.

### **Law Enforcement Officer: Jason Brown**

Frustrations:

- Old tools, because of lack of funding and lack of priorities (legislature). Disconnect between legislature (no lobbying entity). Education should also include legislature.
- Need for working relationships.
- LE frustrated that they never hear the result of the citation.
- Officer safety and more efficient stop- Heavy traffic areas and stopping at night (screen lights up officer’s face but makes it difficult for officer to see).
  - Dark mode in software may be able to help.
- Paper citations (most LEAs across US still using), lack of mandatory fields (CDL yes or no, was CMV involved).
- NLETS- will give a CDL status (valid) or driving record (would need to contact home state). Won’t return medical cert or DAC information. Won’t have all the info needed.



**Officer Jason Brown**

#### Goals

Provide quality detail in the traffic citation, vehicle inspection, and criminal complaint forms.

Make the work count especially on serious crashes with fatalities.

Work with administration and tech staff to find and test ways to automate processes to reduce errors and collect information more easily.

#### Frustrations

Driver license data can be difficult to read electronically (or physically) depending on how the state has designed their license, so information must be entered manually.

Inability to easily check information about out of state drivers.

Being stuck in the dark ages - old tools that are not effective.

A lot of work is being done, but the results are not seen at the end of the case (sanctions). Don't hear back about what the results are when done.

#### General info

<b>Age</b>	43
<b>Location</b>	Houston, TX
<b>Occupation</b>	MCSAP Officer - CMV Safety
<b>Family</b>	Married, 2 kids
<b>Income</b>	62,000
<b>Education</b>	Bachelors, Criminal Justice

#### Personality

Extrovert	Introvert
Sensing	Intuition
Thinking	Feeling
Judging	Perceiving

#### Motivations

Efficient	Progress bar
Organization/Low clutter	Progress bar
Being a motivator/mentor	Progress bar
Clarity	Progress bar

#### Bio

Likes to have family time and coaching the kids sports teams.

Grilling outside with friends.

Run 5ks and Marathons.

#### Problem Statement:


Collecting relevant information roadside is too complicated.

#### 5 Whys:

1. DL Information varies by state.
2. Citation and criminal complaint lacks clarity (some fields should be mandatory).
3. Old tech or no tech, automation tools needed.
4. Criminal Charge Codes can be subjective.
5. Courts look at CDL enforcement as a low priority.

## Prosecutor, Robert Atkinson

- Lack of access to CDLIS (prohibited by statute).
- High caseloads and pressure to dispose quickly (anything traffic based is difficult to prioritize).
- Prosecutors felt like CDL cases take their prosecutorial discretion away (first responsibility is to client- let judge/court determine if plea shouldn't be accepted).
- Personal connections/experience is what often opens eyes or gets the legislature to move on issues.
- Masking prohibitions are complicated and burdensome- cases with lots of charges, really can't plead any because that would be masking, but that's just not how it works in court. Need to be able to plea to lesser offenses, even when those are serious (and therefore masking).
  - Not filing citation at all with criminal complaints.
- Moonlighting prosecutors, also serving as defense attorneys- struggle with masking, could prosecute one day, defend another. They wear many hats, lessens their inspiration, regulation is not law.
- Need to have information incorporated into CMS, and available to prosecutors as they do their current work.



**Robert Atkinson,**  
**Assistant State Attorney**

### Goals

Receive complete information to easily verify all relevant facts of the case.

Have all relevant information about state and federal regulations impacting the case.

Ability to review information related to the case from disparate sources, but brought into a single dashboard.

Have ability to track the case as it moves through court.

### Frustrations

Missing information creates additional work to track down. (CDLIS access and other systems).

Inappropriate plea bargains offered when relevant facts are incomplete or missing.

Lack of ability or access to track cases once they enter the court system.

Need continuous education as prosecutors turn over quickly.

Caseloads are challenging with backlogs.

Masking rules are complicated.

### General info

<b>Age</b>	47
<b>Location</b>	Orlando, FL 9th Judicial Circuit
<b>Occupation</b>	Prosecutor, Felony
<b>Family</b>	Married, 1 kid
<b>Income</b>	120,000
<b>Education</b>	Juris Doctorate

### Personality

Extrovert	Introvert
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Sensing	Intuition
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Thinking	Feeling
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Judging	Perceiving
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### Motivations

Efficient	<div style="width: 70%; background-color: teal; height: 10px;"></div>
Organization/Low clutter	<div style="width: 60%; background-color: teal; height: 10px;"></div>
Having quiet time/meditation/reflection	<div style="width: 40%; background-color: teal; height: 10px;"></div>
Clarity	<div style="width: 75%; background-color: teal; height: 10px;"></div>

### Bio

Lacrosse Coach

Musician - Base Guitar

Writes articles for local bar association.

### Problem Statement:


Difficult to get information when it is in disparate systems.

#### 5 Whys:

1. Inability to access other stakeholder systems. (View)
2. Inability to electronically exchange information between systems. (share)
3. Charges and details in complaint may be lacking and it is difficult to capture details after the fact.
4. Motor Vehicle aspect of the case may be lost leading to challenges with masking.
5. Technology disparities between systems makes innovation choices limited. (legacy systems)

## Judge: Dorthea Hawkins

- Felony criminal complaints may not tie in with traffic (preliminary jurisdiction has to transfer the criminal case), need a link in the system.
- Criminal judges would need to get on the record that they are looking at driver history (ex parte information). Need this information for bond decision.
- Antiquated CMS, very hard to update, very little interest in updating.
- Pressure/stress that is somewhat invisible (esp. in Traffic courts) to generate revenue. The longer-term consequences (federal highway funds) aren't as pressing or viewed as important.
- When a state is audited, they'll look at original charges and ding the state for diversion and delayed reporting.



**Judge Dorthea Hawkins,**  
Circuit Court Judge

### Goals

Have each case heard timely and within time standards.

Have all relevant information about state and federal regulations impacting the case.

Ability to review information related to the case from disparate sources, but brought into a single dashboard.

Ensure that all post disposition processes including reporting to other stakeholder agencies is completed timely.

### Frustrations

Missing information makes decision making difficult. (not tied to the traffic citation or information comes from another court)

Difficult to ascertain if plea bargains or charge reductions were on factual basis.

Charge information can be muddled making compliance with regulations challenging.

The case management system is not configured to flag CDL cases for monitoring and reporting, so some steps might get missed.

### General info

<b>Age</b>	62
<b>Location</b>	Houston County, GA
<b>Occupation</b>	Circuit Court Judge, Felony
<b>Family</b>	Married, 3 kids, 4 grandkids
<b>Income</b>	165,000
<b>Education</b>	Juris Doctorate

### Personality

Extrovert	Introvert
Sensing	Intuition
Thinking	Feeling
Judging	Perceiving

### Motivations

Efficient	██████████
Making a difference to the community	██████████
Mentoring the next generation	██████████
Fairness	██████████

### Bio

Loves spending time with grandkids.

Adjunct Professor - Law School

Competitive Barbeque Competitions (amateur division)


### Problem Statement: Missing information makes CDL compliance challenging.

**5 Whys:**

1. Missing Data
2. CMS does not flag CDL Felony Cases (legacy systems with limited capabilities).
3. Charges and details in criminal complaint may be lacking to see if it qualifies for reporting.
4. Motor Vehicle aspect of the case may be lost.
5. Vital information lives in other systems that the court cannot access. (when is it okay to look at other system's data? i.e. when making a bond decision)

## SDLA: Debra Jenkins

- Out-of-state data is a challenge, when bad information comes in, hard to send that through CDLIS to state of record.
- Many human hops- LE officer, court technician, DMV rep- three chances for human error (in CA). “S” and “5,” “B” and “8”- likely errors. Both on licenses and license plates.
- Mapping ACD codes to state laws- who is responsible, how do they get updated. State mapping not always maintained when ACD codes get updated.
- Charging data doesn’t always match the offense specifics (e.g., ACD codes S15 and S93).



**Debra Jenkins,**  
**SDLA CDL Case Manager**

**Goals**

Improve the quality of data coming from the court so it is easier for me to process.

Differentiate CDL cases from other cases being reported from the traffic division court data exchange.

Automate certain processes to identify errors, queue cases for out of state reporting, and create a summary report of how cases were processed to get back to the court.

**Frustrations**

Bad data quality means a lot of time chasing down information that could be better spent doing other tasks.

Lack of good communication with the court.

Unclear ACD code table information or choices. Some felonies are not getting tagged properly.

Being stuck in the dark ages - old tools that are not effective - i.e. unable to separate CDL cases from other case types in traffic or felony.

**General info**

<b>Age</b>	57
<b>Location</b>	Seattle, WA
<b>Occupation</b>	Case Manager, CDL Division
<b>Family</b>	Married, no kids
<b>Income</b>	62,000
<b>Education</b>	Bachelors, Criminal Justice

**Personality**

Extrovert	Introvert
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Sensing	Intuition
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Thinking	Feeling
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Judging	Perceiving
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**Motivations**

Work life balance	<div style="width: 70%; background-color: #00c853; border: 1px solid #00c853;"></div>
Efficient process/simplicity	<div style="width: 80%; background-color: #00c853; border: 1px solid #00c853;"></div>
Feeling connected to others	<div style="width: 40%; background-color: #00c853; border: 1px solid #00c853;"></div>
Positive work environment	<div style="width: 60%; background-color: #00c853; border: 1px solid #00c853;"></div>

**Bio**

Likes to spend time at home with a great book.

Music is a passion, plays violin

Has two cats which are spoiled.

Gardening and cooking.

Loves to hike and enjoy the outdoors.

Yoga

**Problem Statement:** Accurately updating CDL driving data is not easy.

**5 Whys:**

1. Missing Data to determine qualifying felony cases for reporting.
2. Illegible writing on paper tickets and criminal complaints.
3. Old tech or no tech
4. ACD codes can be subjective or unclear for mapping to state laws.
5. Courts look at this as a low priority - data not reported

## Ideation

After considering all personas and solutions, the attendees voted to help Officer Jason Brown. At this point we focused on Officer Brown's issues and potential solutions, grouping them by impact and implementation costs.

### Solutions For Officer Jason Brown

#### **How (High Impact, High Implementation Costs):**

- Build new CMS (AR- funded through ARPA, Amazon Cloud. Incorporating AI to help maintain system and have opportunity to leverage new technologies as well as other states' experiences).
- Next generation of electronic citation- not just replicating paper tickets, assume electronic information flow.
- NODS implementation, use CSP to advertise or promote CDL.
- National Driver License
- National portal for DL queries (access to CDLIS or CDLIS-like repository)

#### **Wow (High Impact, Low Implementation Costs):**

- Standardize citation and long-form criminal complaint on data elements, and the questions language (around CMV box, and does CMV need to be proven)
- AAMVA recommended best (uniform) questions for citations and criminal complaints.

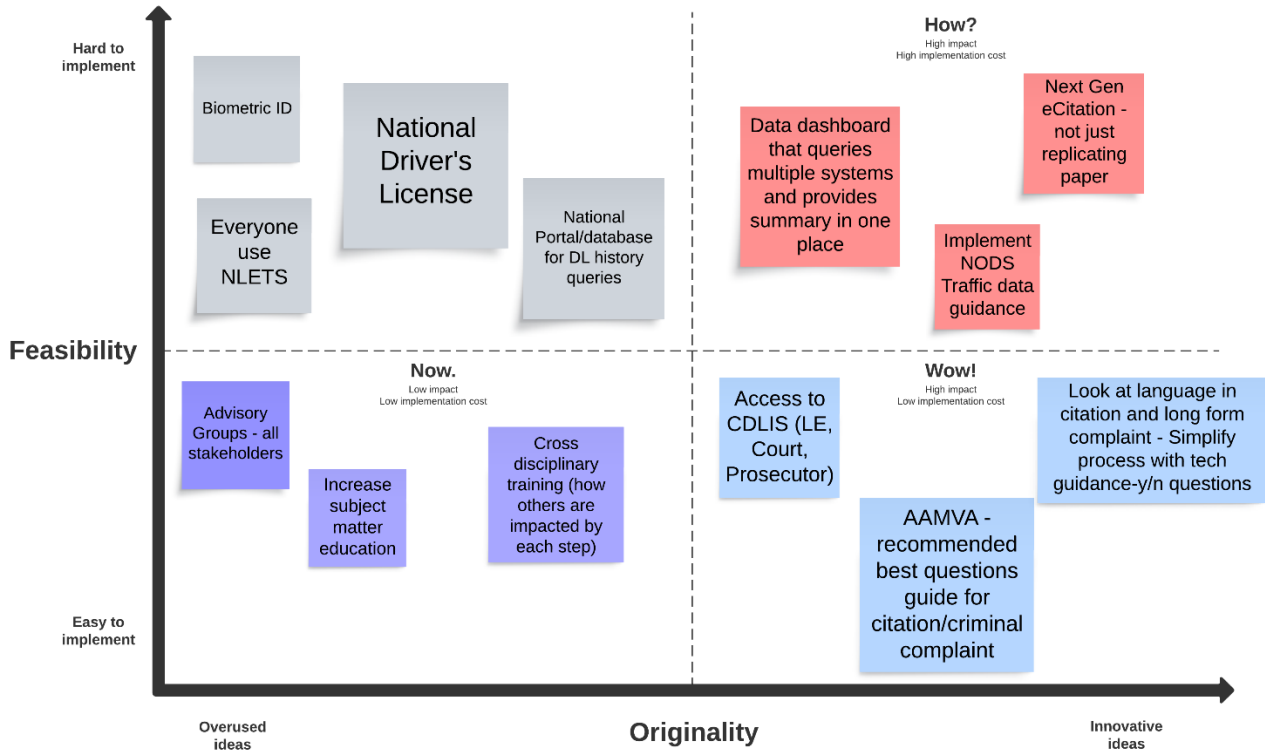
#### **Now (Low Impact, Low Implementation Costs):**

- Leverage current initiatives- programmers, CIOs, Analysts- (30 states, 100 attendees) Code for Justice- building a community of tech solutions for courts.
- Increase education – enhance subject matter education. In-service, 1-hr trainings.
  - Officers issuing warnings (not citations)- is that masking?
- Cross disciplinary training- how officers' work impacts the full adjudication of case. Understand how prosecutors, judges, etc. are impacted. Put everyone in the room when training, don't train in silos.
- CDL Advisory Group (like KY)- having stakeholders gather- from all branches of state government.



Officer Jason Brown, MCSAP

**Problem Statement:**  
 Collecting relevant information roadside is too complicated. 5 Whys:  
 1. DL Information varies by state.  
 2. Citation and criminal complaint lacks clarity (some fields should be mandatory).  
 3. Old tech or no tech, automation tools needed.  
 4. Criminal Charge Codes can be subjective  
 5. Courts look at CDL enforcement as a low priority



# Prototyping

After this ideation phase, the attendees of the workshop then voted on which solution we would prototype. In this instance, prototype means to storyboard out the solution to consider what would be needed to support the prototype if it were to be built. The attendees voted to work on the National Digital Driver's License solution.

## Prototype National Digital Driver's License

### Starting Considerations

- Legislative authority – MOU or enabling legislation to allow for cross-state collaboration.
- Sponsor- thinking about funding.
- Constant line for stakeholder communication.
- AAMVA licensing standards

### Pilot- identify few states or jurisdictions to study data. Pro/cons

- Involve adjacent states.
  - International scope?
- Outcomes from training that is already happening.
  - Goal 100% accurate data, flowing smoothly and timely.
  - AAMVA timeliness reports
- Coordinate with auditing agencies and their reporting
- Build a data repository.

### Design

- Make sure federal rules and regs are met (AAMVA standards)
- Digital wallet
- Incorporate biometrics.
- Usable in low tech and high-tech environments
- LE readers would need to be updated to read new license; readers to incorporate alerts for CDL such as flashing, color-coding. Digital licensing is all about the readers.
- Ability to challenge/correct problems by individuals.

### Other considerations

- Unified process to link citation and criminal complaint.
- Cybersecurity and method to detect fraud (e.g., MX digital licensing issues).
- National ID number to track these licenses.
- Technology- AI, machine learning, cloud-based are emerging- going to change the landscape (5-10 years).

### FMCSA- licensing authority discussion

- Issue with multiple licenses (DL and CDL).
- Interstate commerce- like flights, RR completely separate from DL.
- Delay if two licenses aren't connected.
- Getting convictions to federal level- more databases- data connections needed.





Persona: Jason Brown, Law Enforcement Officer

Scenario: National Digital Driver's License

**START**

Legislative Authority - MOU  
Enabling legislation

Constant line of stakeholder communication

License Standards

Pilot states - study the data

Funding

- Biometrics
- Digital
- National

Use Adjacent States in the Pilot


Measure outcomes: training, other factors, accuracy, data flow, errors

Coordinate with auditing agencies

Build repository with data exchange connections

Reciprocity with other countries (international scope)

Limit to CDL Interstate Commerce



- Pilot
- Performance Metrics

Federal rules alignment


One license/one driver

Can be put into a digital wallet

Digital license synced with biometrics

Low tech and high tech usability

Managed by SDLA/issuance and capture of biometrics



- Design standards
- FMCSA become admin of repository and data exchange

Law enforcement and other agencies access to digital license


Tech standards

Biometrics readers needed (standard)

Method to challenge license information or biometrics

Links to State DL License Agency

Recording court disposition results and providing history to LE and stakeholders



- Usability - Design
- Hardware
- Data Exchanges

Unified procedure to link felony to a criminal complaint and traffic citation

Vendor Capability Review - collaboration


Standardized data collection process

Stakeholder Communication

Portal

Other automated process - guidance through criminal complaint and traffic citation


Driving history collection/retention

- Other considerations
- 

Method to detect fraudulent licenses

National ID Number tied to biometrics for tracking purposes

Rules on access (LE, Court, Prosecutor, Gov Agencies, DL owner)



- Cybersecurity/fraud



**Officer Jason Brown**

## National Digital Driver's License

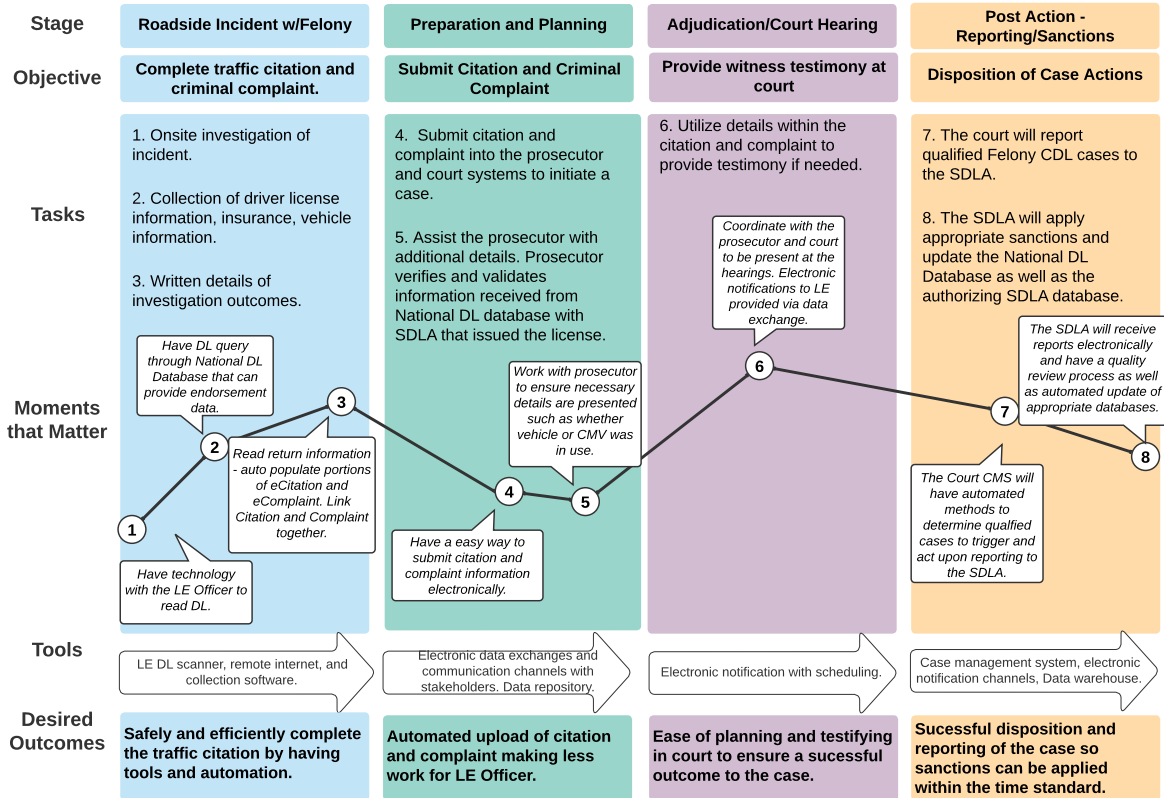
Janet Okazaki | December 14, 2023

### Scenario

National Digital Driver's License, lookup and information for **out of state drivers**.

### Expectations

- Ability to confirm out of State DL information and driver history.
- Access to a standard set of information about the driver (DL Standard data).
- Verification of CDL endorsements



To close the workshop, attendees listed in the chat the innovation they felt would make the most impact in improving the reporting of CDL convictions. The answers, and number of times referenced, are listed below.

**Innovation that would make the most difference:**

- eCitation (x4)
  - standards for all LE
  - clarifying language (complaints too)
- National Driver license (x3)
- Improved Case Management Systems (x3)
  - State-of-the-art CMS, integrated eCitations, NDLs, CDLS
  - Business rules in CMS with collaboration with SDLA to transmit the dispositions.
  - improved integration with case management systems
- Education (x2)
- Other
  - Exchange platform that disparate agencies could feed to and pull data from so that all data is available to all who need it.
  - Uniform transfers identifying felonies.
  - Computerized processing for integration of citations
  - Legislative changes to state laws making more felony convictions reportable to the DMV.
  - Get all LE officers to build app to aid officer's roadside.