

**Transitioning from Pen to Digital Ink
Nineteenth Judicial Circuit, Lake County, Illinois**

Institute for Court Management
Court Executive Development Program
2009 – 2010 Phase III Project

May 2010

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Acknowledgements

This research study would not be possible without the help of the Nineteenth Judicial Circuit's Executive Director, Robert A. Zastany. His leadership, enthusiasm and commitment to Court Management Administration gave me the persistence and ability to pursue this path in completing the Court Executive Development Program through the Institute of Court Management, National Center for State Courts.

I am indebted to the Honorable Raymond D. Collins, Bond Court Judge, Victor K. Geib, Assistant Director of Pretrial Services, Keith Cooprider, Senior Pretrial Bond Officer for their assistance in making this a meaningful and learning process of applied technology in the Courts. My gratitude extends to all the members of the court community who willingly and enthusiastically shared their time and effort in filling out the surveys.

These contributions are reflected in the content of this study and demonstrate the value of their input and collaboration to support the mission and vision of the Circuit Court of Lake County.

I would also like to acknowledge my husband, Robert J. Webber for his understanding; willingness and continued support to my participation and completion of this program.

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Abstract

The Nineteenth Judicial Circuit is a general jurisdiction court serving the third largest county in the State of Illinois by population. About twenty-five years ago, the Court implemented the Pretrial Services program in Lake County, Illinois. The basic function of this program is to prepare bond reports to provide information of the defendant to help the Court with its decision of whether or not to release or detain an individual. The bond report includes a criminal background check and a risk assessment evaluation. Three years later after the Pretrial Services started, a Pretrial Bond Supervision (PTBS) program was implemented where a defendant can be released to PTBS rather than posting cash, personal recognizance or any combination of the available types of releases.

For many years, the Courts have been looking for a solution to help the Pretrial Bond Officers in the bond interview process with the defendant in jail to a clear and concise bond report. The officer is to reduce the redundancy of filling out the forms with the same data such as the name, case number, date of birth, and other repeated information required all through out the forms. This is done by using a regular pen and the bond report form. When the interview and verification of the information is completed, the same report is submitted to the Court in the original handwritten format. Each Officer has its own style of handwriting; some are more neat than others. Some of the solutions that have been tried and tested were the use of a laptop with the electronic bond report form and the use of voice recognition. Both of these solutions did not work due to the limited space in the jail for the Officer to use their laptop and the noise level found inside the jail is not conducive to the voice recognition technology. All through the years it created a lot of issues and problems such as hard to read reports due to handwriting styles of each

pretrial bond officer, lack of adequate space to store the copies of bond reports, lack of a digital record of the report for future reference, and difficulty in referencing a document except to go through the hard copy files.

The other solution discovered is the use of the digital ink pen technology. This is the same concept as the traditional method, however a digital ink pen is used with a well-formatted paper form to handwrite the information. The digital pen will then be docked with a computer where the application will read what is on the digital pen then transfer it to the computer. Then it will display the original handwriting on the screen and convert the information into a readable text format. The officer can then make changes and updates to the form when necessary. After all the changes and the approval process takes place, the official report will then be a readable digital format and the bond report is then printed and submitted to the Court. The final format is then placed in a Portable Document Format (PDF) and all data entries and original handwritten reports are saved into a Structured Query Language (SQL) backend database. The reductions of the data entry, readability of the information, possible content reusability and the use of other technologies are the added value to this solution.

A comparative analysis of both the traditional method and the new digital ink workflow and business process was performed. There were no significant changes in the workflow except where the pen is docked with a computer and provides the ability to edit the data in front of the computer screen.

Another method used in this study was the use of survey instruments to targeted groups; bond officers, judges and lawyers. The results have shown that the recipients of the reports highly favored the new digital ink method due to the clarity of the report while it promotes the efficiency of case processing in the courtroom. However, when it came to the surveys targeting

the bond officers, there were mixed results which may be due to several factors: length of time on the job as a bond officer, inability to accept change in the new process or the length of time to complete a bond report. Most of them stated that they use white out, an all purpose liquid to correct or erase the information on the paper.

In addition, this study also utilized data collected from the Court's case management systems and the Pretrial Services⁵ document imaging system using a time frame before and after implementing the new digital ink method. It was determined that there was a noticeable drop in the error rates using the new method. It is not clear if there was an impact in the rate of dispositions in the Court.

The transition from pen to digital ink research will focus on clarity, accuracy, and reusability of the data while measuring the efficiency and effectiveness of the newly applied method in support of the functions of the Pretrial Services unit. This study is to see if the new technology will support the court in making custody release decisions based on clarity of the information and will help promote a more rapid process towards the readability of the bond report.

Pretrial Services Program from other jurisdictions uses a manual or automated system or a combination of both. To my knowledge there are no known jurisdictions that have explored the use of the digital ink pen technology.

The transition from pen to digital ink as applied to the Pretrial bond reports results in the following:

- The percent rate of errors made using the new digital ink was reduced.

- The survey results based on the Judge's and Lawyer's responses are suggesting that the report is easy to read, consistent and therefore they prefer the new digital method.
- The survey results based on the respond of the Bond writers have a split opinion between the traditional and the new digital ink methods.
- Since the data is saved in a SQL database, the data is reusable with the use of new technologies and promotes data sharing through integration.
- The digital ink method opens up a discussion regarding the records retention policy and document rights management.
- The digital ink technology can also be implemented to other areas as well.

I. Introduction:

The Nineteenth Judicial Circuit Court of Lake County is a general jurisdiction court serving the citizens of Lake County, third largest in the State of Illinois with an estimated population of 712,453 as of July 2008.¹ Lake County Circuit Court hears a wide variety of civil and criminal cases, ranging from small claim actions, domestic relations to criminal felonies. The total number of Judges serving is 36 in which 12 are elected Circuit Judges and 24 appointed Associate Judges.

“The vision of the Lake County Judicial System is to be one truly independent and empowered branch of government providing a fair and responsive system of justice to lead Lake County into the 21st Century. This includes an effectively managed Judiciary and Judicial System that fully utilizes technological advancement and alternative dispute resolution to best serve the public, while seeking the highest possible understanding, trust and confidence.”²

Based on this statement, the courts are looking for ways to improve any system using technology to leverage the requirements that supports the mission and vision of the 19th Judicial Circuit.

This report will focus on the Pretrial Services Unit specifically in the creation of bond reports. Due to jail overcrowding, the Pretrial Services unit was first created in October 1983 with four Pretrial officers. Since its inception, the Pretrial Services unit prepares bond reports on arrestees from local municipalities prior to their first appearance before the judge. This has been

¹ <http://quickfacts.census.gov/qfd/states/17/17097.html>, July 10, 2009 13:33:12 EDT, page 1

² <http://www.19thcircuitcourt.state.il.us/visionstatement.htm>, March 13, 2009, page 1

accomplished by on-site interviews at various police lock-ups. Those remanded to jail without the bond report are interviewed within 48 hours. In less than two years, some changes were made to the process and then implemented. The Pretrial Services Unit is located within the county jail, and they provide information to the bond court judge that aids in the decision to hold or release a defendant. The bond report provides a complete criminal records check, employment and resident status and a recommendation of the type of bond, cash or recognizance, the Judge may wish to consider. Each defendant is interviewed while in custody in the Lake County jail and all information is verified as complete as possible before bond court. Bond court is held 363 days a year and Pretrial Services functions accordingly. Bond reports are completed only on felons or persons remanded to the jail for traffic and misdemeanor cases. The methods that they use to conduct the interviews are paper forms and a pen. By hand is the traditional way of recording all information. The bond officers write the information down on the form and the form itself becomes the official document submitted in court. Since the report is in a handwritten format, Bond officers who write the information down on paper can and do make errors. The officers may choose to erase the errors by using white out or re-doing the information on another form. This process can be awkward and time-consuming.

In February, 1986, the division began a Pretrial Bond Supervision program. The Pretrial bond officers supervise the arrestees released on bond while awaiting disposition of their pending criminal cases. Supervision of defendants on the Pretrial Bond Supervision program includes home visits and curfew calls. Not all defendants placed in the Pretrial Bond Supervision program requires a bond report. The bond supervision program was designed to alleviate jail overcrowding. Since then, the Pretrial Services Unit continues to improve on systems to gather information on each defendant appearing in Bond Court. Written screening and

criteria were developed and implemented to aid officers in making recommendations to the judge in bond court. Since that time, the bond report paper form is still the acceptable report format. The bond report information provides the court information about the defendant relevant to the purposes of the bond decision such as the type of bond to set (personal recognizance, cash bond, pretrial bond supervision or lower cash bond). In addition, the Pretrial Bond Officers uses a risk assessment tool to assess the pretrial risk level essential for bond recommendation and pretrial bond supervision classification.

The request for a pretrial bond report can come from several sources: bond court judge, criminal/felony judge, public defender, private attorneys and even pretrial staff. For those who are in custody, the Pretrial Services Office is conveniently located adjacent to the county jail. The bond officer conducts interviews in the jail using the traditional pen and paper form on a clipboard. The jail interview area is approximately 4 ft. x 5 ft. booths with no available desks or work area. Note taking is a normal process to the officers but there is no adequate and convenient space to use to write the information down except with the use of a clipboard.

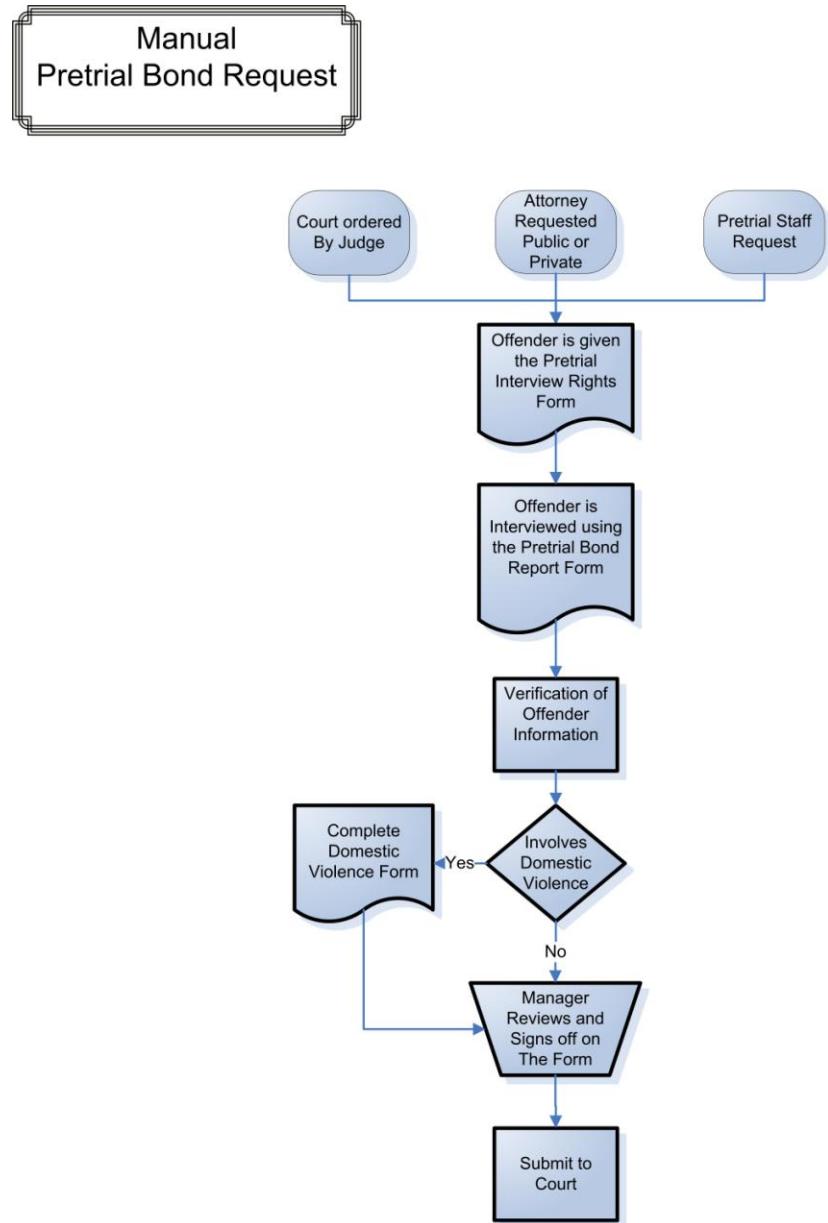


Chart 1: Pretrial Bond Report Process - Traditional

About ten years ago, the Pretrial Services unit has tried different innovative ways to conduct the interview process using technology. They piloted the interview process using a laptop and an electronic format of the bond report form. The electronic form was developed in a word processor with data fields for ease of entry. The unit was issued four laptops to use by the

Pretrial Bond officers. After completing the pilot test, the results were not favorable. The jail interview area does not have a desk to place the laptop on or an electrical outlet to plug the laptop in when necessary. The officers end up placing the unit on their lap. Since the device is a bit large, it is cumbersome and awkward to perform the interview using this device. Another contributing factor is the fact that not all officers know how to use the laptop efficiently.

Another device piloted was the use of the digital voice recorder. This audio device records the data in the recorder and when docked in the computer, the data automatically converts the data into readable text. The concept was good but due to the noise level in the jail, the audio was not very clear and therefore the recorded information was unintelligible. This prevented the Pretrial Bond Officer from understanding the transformed data.

Since the inception of the pretrial bond reports, data shows that the demand for bond reports are still the norm prior to the initial appearance of the defendant in Court or when the Judge or the attorneys find it necessary to request a report prior to such hearing. The average annual rate of change is 11.6 percent for defendants ordered on Pretrial Bond Supervision (PTBS) program that may or may not have a Pretrial bond report done. (see Appendix A.) Each bond officer is averaging about 35 bond reports a month or an average of 159 bond reports per month from 2008 through 2009. (see Appendix B.)

In late 2007, the actual paper storage of closed files such as bond reports became an issue in the Pretrial Services unit office. There is a lack of adequate storage space to archive the documents within the cabinets that surrounds the pretrial office and lack of adequate work space for Pretrial officers. With the increase of defendants being released to Pretrial Bond Supervision (PTBS), the unit has acquired additional pretrial officers to support this continuing demand.

There was no additional office space added for the increase in personnel and the increase in paper documents. In the latter part of that year, a third party scanning service imaged all the old case files from 2005 through 2007 using the existing document imaging software that is currently available in the Adult Probation Services division. The day to day operation using the traditional pen and paper format is still in use and therefore the documents and files will continue to grow over time. The trend to request pretrial bond reports and the number of defendants being placed in the pretrial bond supervision program will continue to grow. The notion of jail overcrowding is a large problem today and even since the inception of the Pretrial Services Unit back in 1983. Almost twenty five years has passed, the pretrial services unit still uses the traditional handwritten bond reports.

In summary, the problems and issues that face the Pretrial Services unit are the following:

- inadequate paper storage due to lack of office space
- hard to read reports due to handwriting styles of each pretrial bond officer
- lack of digital record of report for future reference
- no easy way to reference a document except to go through the hard copy files
- use of technology such as laptop, tablet pc, other electronic devices to capture information to generate the report is not conducive in the interview area due to lack of resources such as desk, power supply and adequate work space
- redundancy of creating a new bond report when a completed report was previously done

The Circuit Court of Lake County made a decision to look for a new and efficient method, a more streamlined and reliable system than the traditional way of submitting bond reports to the court. The goal for the new technology initiative is to reduce the time, volume of

paperwork and decrease the potential for error involved in recording, storing and transferring pretrial information with minimal disruption to the working habits of the existing pretrial bond officers.

II. Literature Review:

This literature review is focused on the different operational practices of Pretrial Services programs and its objectives and goals in promoting fairness, equality and integrity. It includes some background of Pretrial Services in the U.S. as well as the use of technology and/or manual based systems in some jurisdictions. In addition, the literature review will also discuss the trends in technology that relates to this study.

The Pretrial services program collects, verifies information and makes recommendations relevant to the pretrial release or detention decision. It is a valuable resource in helping the court makes a decision in the early stages of the criminal case process. How this is obtained is in the business practices and procedure of the individual agency within the guidelines of pretrial services standards. As noted in the literature preface section of the National Institute of Justice, the authors said that "...well-designed and well-managed pretrial services programs have the potential to help justice systems function more fairly and more effectively for all citizens."³

Background and history of Pretrial Services programs:

There are about 3,140 counties or county equivalent administrative units⁴ in the United States. Illinois has 102 counties of which 36 have an active pretrial services program. In a recent

³ Barry Mahoney, Bruce D. Beaudin, John A. Carver III, Daniel B. Ryan, Richard B. Hoffman, National Institute of Justice, Pretrial Services Programs: Responsibilities and Potential, March 2001, page vi

⁴ [http://en.wikipedia.org/wiki/County_\(United_States\)](http://en.wikipedia.org/wiki/County_(United_States)), August 10, 2009 at 03:47

email, an interview with the Pretrial Justice Institute, Chief Operating Officer, Cherise Fanno Burdeen, she wrote:

"While no national census has been done to identify the actual number of pretrial services programs, we estimate there are approximately 350 programs of various shape and size. In our recent national survey of pretrial programs, about 70% of the respondents (n=140) indicate they use a combination of manual and automated information systems. Less than one in five rely exclusively on a manual, paper-based system."⁵

According to the National Justice Institute:

Pretrial services programs were developed initially, in the 1960s and 1970s, to make our justice system fairer and to reduce the extent to which persons were held in detention solely because they could not afford to post bail. As the volume of arrests grew in the 1980s and jail overcrowding became an increasingly serious issue in many communities, criminal justice policymakers began to recognize that pretrial services programs could help alleviate the crowded conditions and—with appropriate supervision techniques—help minimize the risks of pretrial crime. But the fact that many recently established programs have been developed in response to jail crowding—and are appropriately focused on helping to identify those in detention who may be safely released from custody before trial—should not obscure the basic issues of fairness that lie at the heart of pretrial decision making...⁶

The Vera Institute of Justice established in 1961 marked the beginning of the pretrial services program. They created the first pretrial screening program in the country called the

⁵ Cherise Fanno Burdeen, Chief Operating Officer, Pretrial Justice Institute, email, July 13, 2009

⁶ See note 3, *supra*

Manhattan Bail Project. This project assisted judges in making decisions that considered the defendant's release recommendations. The findings on this research from the Vera Institute showed that people accused of committing crimes waiting for a disposition stayed in custody only because they could not afford bail in comparison to those people released on personal recognizance were likely to appear for their next court proceedings. By 1965, it was reported that there were 56 operational bail projects. In 1968, in Washington D.C., Bail Agency developed and pioneered the pretrial release programs. As it is now, the defendant's information is gathered, verified, and assessed and this determined the likelihood for the defendant's failure to appear at court proceedings or their re-arrest while on release. This information is then presented to the judge.⁷

The American Bar Association (ABA) published the first set of standards regarding pretrial decisions in 1968 and in 1973; the National Association of Pretrial Services Agencies (NAPSA) was incorporated. In 1977, a clearinghouse for pretrial services information was established under the name of Pretrial Services Resource Center (PSRC) and later became the Pretrial Justice Institute. In 1978, NAPSA developed "Performance Standards and Goals for Pretrial Release" through grants from the Department of Justice and PSRC conducted the study and the evaluation of the pretrial field.⁸

A. Surveys from Past and Present

The first survey conducted by the PSRC was released in 1979 and a second in 1989 funded by the Bureau of Justice Assistance. The results of these two surveys have shown how their practices and services compared with other agencies around the country and how county

⁷ <http://www.pretrial.org/PretrialServices/HistoryOfPretrialRelease/Pages/default.aspx>, July 29, 2009

⁸ ibid

boards and other funding agencies are looking to expand the services of the program. The results and findings of the third survey conducted in 2001 described and supported the results from the past two surveys. In addition, the results have shown where services provided by the agencies stand as far as the ABA standards and the NAPSA guidelines are concerned. The report also examined what pretrial services were doing to meet the challenges in the criminal justice system such as defendants with mental illness, juveniles charged as adults, people accused with domestic violence offenses. The survey also collected information on important issues such as the latest technology used by pretrial programs in conducting investigations, risk assessments and processes the officers do to complete a report. The survey also looked into other factors that may have an impact in the services and operation of the program.⁹

In May 2006, a survey conducted by the Pretrial Services Committee of the Illinois Probation & Court Services Association (IPCSA) obtained information regarding pretrial services programs within the state. Out of 35 probation and court services departments, 28 departments responded with an 80% response rate. Some of the major findings in services and functions in the survey are:

Survey reported (N = 28)	%
Bond Investigation Reports to the Court	64.3
Supervision and monitoring	82.1
Drug Testing	85.7
Treatment Referrals	78.6

Chart 2: Survey Findings by Pretrial Services Committee (IPCSA)

⁹ US DOJ, Pretrial Services Programming at the Start of the 21st Century, A survey of Pretrial Services Program, July 2003, page vii

Some other services and functions they provide are: diversion, court date reminders, electronic monitoring, failure to appear, criminal history and monitoring of jail population.

In August 2009, Pretrial Justice Institute (PJI) released the findings of the fourth survey of pretrial services programs with funding from the JEHT Foundation and the Bureau of Justice Assistance (BJA).¹⁰ Over a period of 30 years, PJI completed 4 surveys with prior studies in 1979, 1989, and 2001. The findings describe in the survey compared the services and programs in relation with previous surveys and compared the survey in relation to the standards of the American Bar Association (ABA) and the National Association of Pretrial Services Agencies (NAPSA).¹¹ There were about 300 jurisdictions identified that have or may have pretrial services programs and 171 jurisdictions responded.

According to the PJI's findings for the current practices of pretrial services programs: "With respect to current practices of pretrial services programs, there have been several improvements, some incremental, others more significant, in how these programs are functioning in relation to standards put forth by the ABA and NAPSA."¹²

This report is focused on the technology use in the preparation and collection of data being presented in court. According to the 2009 Survey of Pretrial Services Programs: Executive Summary published by the Pretrial Justice Institute of Justice:

"...with respect to management and evaluation practices of pretrial programs, seven out of every ten pretrial programs use a combination of manual and

¹⁰ Pretrial Justice Institute, Executive Summary: 2009 Survey of Pretrial Services Programs, August 11, 2009

¹¹ Ibid, page 1

¹² Ibid, page 2

automated information systems to manage their data, with less than one in five relying exclusively on a manual system."¹³

B. How Information is Collected and Presented in Court?

NAPSA standards state that the report should be presented to the court "concisely in writing" with copies to the prosecution and the defense. According to ABA standards (Standard 10-4.2(h)), "the results of the pretrial services investigation and recommendations of release options should be promptly transmitted to relevant first appearance participants before the hearing".¹⁴

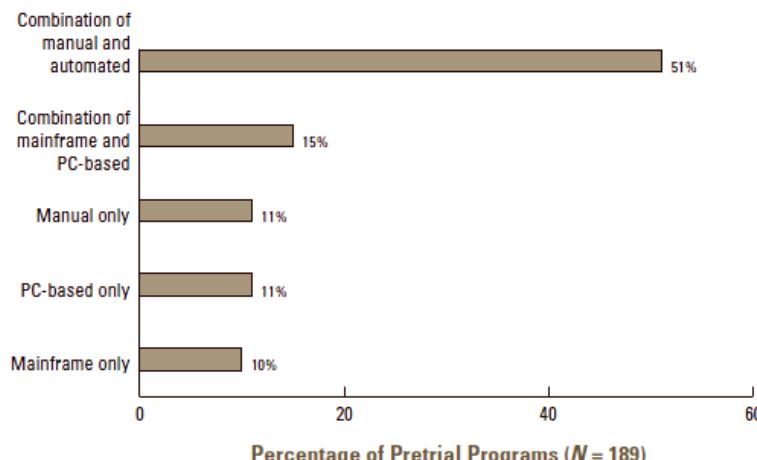
Based on the results of the survey in 2001 prepared by PSRC, information systems used by the pretrial programs is one of the major criteria used in the survey instrument. Eleven percent of pretrial programs rely exclusively on a manual system to gather, store, and retrieve information. Almost half of the respondents use a combination of manual and automated system (Chart 3.).¹⁵

¹³ Ibid, page 3

¹⁴ See note 7, supra, page 15

¹⁵ Ibid, Appendix A, page 80

Figure 26. Information Systems Used by Pretrial Programs



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Chart 3: Information Systems Used by Pretrial Programs (2001)

The 2009 survey results in the areas of information systems used by Pretrial programs indicates that about 70% is using a combination of manual and automated information systems and fewer than one in five rely exclusively on a manual, paper-based system.¹⁷ (Table 1).

Table 53: Information Systems Used by Pretrial Programs

Type of Information System	(N = 140)	%
Manual/paper based	19	
Mainframe	38	
Client service	52	
Web-based Intranet	18	
Web-based Internet	24	
Mobile device	6	
Combine manual and automated systems	69	

18

Table 1: Information Systems Used by Pretrial Programs (2009)

¹⁶ See Note 9, *supra*, page 44

¹⁷ Pretrial Justice Institute, 2009 Survey of Pretrial Services Programs, August 11, 2009, page 61

¹⁸ *Ibid*

The survey of 2001 and 2009 differ in the types of methods used in collecting the data. Historically technology trends are making a shift change in the dynamics of automating process and/or collecting data to generate reports.

"Over the past two surveys, pretrial programs that have automated systems have most commonly used them to prepare reports and for information management.

The percentage of programs that use automated systems to prepare risk assessments has increased significantly from about 15% in 2001 to 50% in 2009. Programs that use automated systems to record interview information have also increased from one third in 2001 to one half in 2009 (Chart 4)."¹⁹

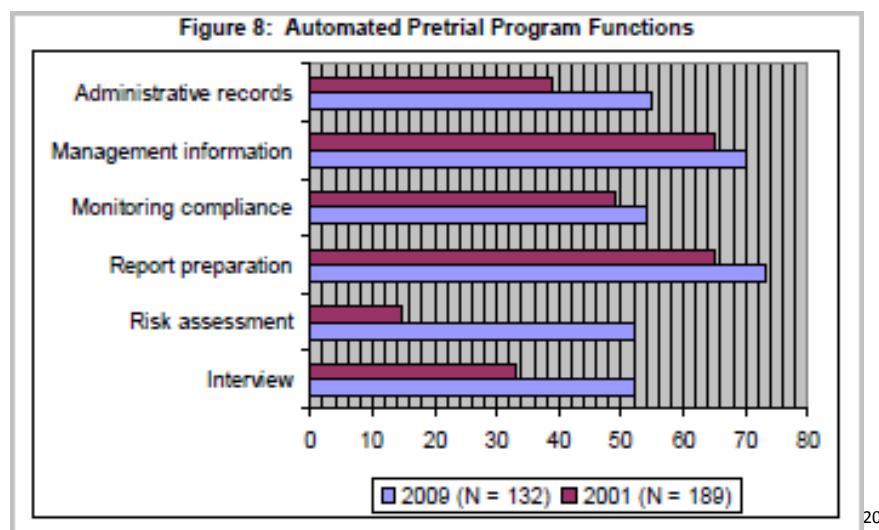


Chart 4: Automated Pretrial Program Functions (2009)

"Four out of 10 pretrial programs that use automated systems report having developed their systems in-house, using their own resources or their jurisdiction's information technology staff. Thirty-seven percent report having had their

¹⁹ See Note 16, page 62

²⁰ See note 17, supra page 62

systems customized by an outside vendor, and 16% report using a statewide system (Table 2).²¹

Table 54: Origin of Automated Information System	
Origination of Information System	(N = 129) %
Software developed by in-house or county IT staff	40
Customized off the shelf by outside vendor	37
Statewide system	16
Other	7

²²

Table 2: Origin of Automated Information System

In summary, based on the 2001 survey, "... a large majority of programs automate at least some portion of their information systems. No clear patterns emerged regarding characteristics shared by programs that tend to make use of automated technologies."²³

Although different pretrial services agencies vary in degrees of services and functions in both large and small jurisdictions, there are two critical functions they share in the effective administration of the criminal justice systems. They gather, verify and present information of arrested defendants and make recommendations about available release options for use by the judicial officer. They also supervise the defendants released from custody during the pretrial period by monitoring their compliance with release conditions and other criteria to ensure that they appear for their scheduled court proceedings.

Moreover, some examples of how the information is gathered and presented in other courts around the country are as follows:

²¹ Ibid

²² Ibid

²³ See Note 9, *supra*, page 42

- Maricopa County, Arizona - pretrial officers' conduct interviews using a laptop computer. The officer provides a printout of the completed automated form and presents it to court.²⁴
- Philadelphia, Pennsylvania - about 60% of the officers conducting interviews use video teleconferencing between the central location and the satellite police lock-ups. The other 40 percent of the interviews is done in the police headquarters. The information obtained is entered directly into the program's computer system. Once the charging information is entered by the district attorney, the computer system is programmed to analyze the defendant's information, the specific charge and then place the defendant in one of the 40 categories in a matrix of pretrial release guidelines. With the use of the same computer system, the report is printed out and presented in court.²⁵
- Pima County, Arizona provides pretrial investigation reports by utilizing an internal automated system to produce the reports.²⁶

C. Self Surveys from other Pretrial Services Agencies in Illinois:

On February, 2009, Kane County started its pretrial program began after a three year battle to get it implemented.²⁷ Their pretrial investigations are done manually and paper based and the same form is submitted in Court.²⁸

²⁴ See Note 3, supra, page 16

²⁵ Ibid, page 17

²⁶ Pima County, AZ, Pretrial Services, Jessie Marquez, August 4, 2009

²⁷ <http://www.napsa.org/publications/napsanewsspring09.pdf>, page 5

²⁸ Kane County, Pretrial Trial Services, Lisa Tarquinio, August 3, 2009

In Cook County, Skokie IL Branch, the bond reports are completed by hand and then the handwritten reports are submitted to court.²⁹

In JoDavies County, the gathering of information is done in the jail by hand and re-entered into a computer system which then generates the report for court.³⁰

Kankakee County is a manual based system and is in the process of being automated.³¹

McHenry County is still using a manual based system.³²

Madison County used to produce bond reports but due to lack of staffing the pretrial office only provides the criminal background and it is paper based.³³

Macon County uses an automated system that allows them to enter all the information including the criminal history and then it generates the bond report for submission to court.³⁴

D. Technology Trends, Past, Present and the Future:

The literature review will touch on technologies in the past, present and the future which has significance in this research. The transitioning from pen to digital ink applied to Pretrial bond reports are a combination of the past and the present digital age and enhancements towards the future. This sets the tone to discuss the different stages of information technology perspectives.

In the early 1980's there has been a discussion on the concept of going paperless in the courts or how to minimize the amount of paper with the use of technology. During this time, microfilming was popular and the notion of going paperless would use less storage. On April 20,

²⁹ Cook County, Skokie Court, Pretrial Office, Mary Stapleton, August 3, 2009

³⁰ JoDavies County, Pretrial Office, Tim Stephenson, August 3, 2009

³¹ Kankakee County, Probation Department, Randy Turner, August 3, 2009

³² McHenry County, Pretrial Services Program, Roger Bacon, August 3, 2009

³³ Madison County, Pretrial Services, Glenda Wendle, August 3, 2009

³⁴ Macon County, Pretrial Program, Anita Maxey, August 4, 2009

1981, an evaluation was performed under a contract between the National Center for State Courts and the Supreme Court of New Hampshire with funding from the U.S. Department of Justice. This evaluation titled "An Idea whose time is Still to come: The New Hampshire 'Paperless Court' Project: Final Evaluation Report", ³⁵ is focused on records management and how to minimized the volume of paper that Courts produced. This particular subject matter is to show us that even back then, storage space was an issue. Some states or jurisdictions have mandates on the retention of paper records. This research will not focus on the outcome of the paperless court project but to reiterate that even in earlier times, storage space was consider an issue.

In 1996, a Court Executive Development Program research paper was submitted with a title "County Court, The Long Road to a Paperless Courtroom".³⁶ This research was focused on the imaging technology to promote efficiency, access to data, expand resources and the ability to spend more time in customer service. Paperless courts with the use of more advanced technologies have been evolving since then and it is not an easy task.

In an article from the Washington State Bar Association, titled, "The Road to a Paperless Court" written by Paul L. Sherfey, he quote:

"This is not to say that the transition process is easy. Numerous challenges exist to implement e-filing, including assuring that the XML markup language is useable by law offices that issues of access are fully understood and debated, and that members of the Bar come to understand and embrace its advantages. Yet given

³⁵ http://contentdm.ncsconline.org/cdm4/item_viewer.php?CISOROOT=/tech&CISOPT=144&REC=5, Thomas G Dibble, 1983

³⁶ <http://contentdm.ncsconline.org/cgi-bin/showfile.exe?CISOROOT=/tech&CISOPT=144>, Jo Anne Holman, 1996

the benefits of e-filing and working with electronic documents, we are well positioned to address the challenges and begin the dialogue."³⁷

The first commercial laptops or the so-called notebook computers first came to surface in the early 1980's as well.³⁸ As the advancement in the engineering of the microprocessor, computers became smaller; laptops gained more popularity and then came the Tablet PC. In an article written by James E. McMillan, "Tablet Computers and the Courts 2006, it says "... *New portable Tablet computers with pen, speech, or keyboard input can change the way that judges and court staff work.*"³⁹ In this article, The Honorable O. John Kuenhold commented that there were about 300 judges equipped with tablet PCs and used the capability of handwriting recognition for signing orders, review emails, delete emails using the pen and other features and software that came with the tablet PC.⁴⁰ This technology can be compared with the digital pen. The tablet PC is a normal size laptop equipped with a screen that inputs data using hand writing recognition while the digital pen is a standalone digital gadget the size of a normal ball point pen that uses a well-formatted paper form. The digital pen has a tiny built-in camera that captures the keystrokes of the handwritten information. The data then gets uploaded from the digital pen to a computer using a USB cable attached to the computer. Either technology captures data and information from a handwriting recognition engine.

³⁷ <http://www.wsba.org/media/publications/barnews/archives/2000/may-00-road.htm>, May 2000

³⁸ http://en.wikipedia.org/wiki/History_of_laptops, July 10, 2009, page 1

³⁹ <http://contentdm.ncsconline.org/cgi-bin/showfile.exe?CISOROOT=/tech&CISOPTR=579>, 2006, page 53

⁴⁰ *Ibid*, page 54

On June 3, 2004, in an article titled "The Pen is Mightier than?" published in the Court Technology Bulletin by James E. McMillan, he discovered a new technology, the digital pen. For the past twenty five years, he only seen a few WOW and the digital pen really hit him. ⁴¹

The article goes on to state:

"... So what am I talking about? It is a new digital pen and forms system that has been developed by HP. The reason I am excited is that we in court automation have been searching for a long time for the answer to the in-courtroom data capture problem. Keyboard data entry has been too slow. We have even tried to install multiple PCs and courtroom clerks to keep up with the work. We have also tried touching screens and even bar-code technologies. Nothing has been satisfactory except for fast moving paper. I think this has great promise because it marries paper and the computer, so let me explain what it is. ⁴²

There are quite a few manufacturers of the digital pen and a few developers of the engine itself. The digital pen has a lot of potential and can be used in certain areas where space is limited for a laptop to use. There is no training required on how to use the digital pen because it is used like a regular pen.

The development of the Extensible Markup Language (XML) paved the way in the advancement of sharing information since 1997 including the legal communities. Information sharing among law enforcement agencies and the courts were made possible through the use of this technology. Without getting too technical the benefits of this technology are phenomenal.

⁴¹ https://www.ncsconline.org/D_TECH/CTB2/view_cs_cont.asp?NCSC_CMS_CONTENT_ID=2158, June 03, 2004, page 1

⁴² See Note 41, supra

Independent legacy systems and other newly developed applications are able to interface and use XML data dictionary to share information. In an article by Robin Gibson, she wrote:

“... **Reusability.** Once the data dictionary and schema have been produced, they can be reused for many different exchanges. For example, Missouri developed a dictionary and schema package (known as an IEPD—Information Exchange Package Documentation) for case conversion into the statewide Justice Information System (JIS) case management application. Since this encompassed all of the data elements in JIS, it has enabled the intake of information from the prosecuting attorneys’ Dialog application. This development involved selecting the appropriate elements from the schema and providing them, with their contextual definitions, to the prosecutors. This is an endeavor that had been considered impractical before the use of XML. When Missouri prepares for electronic case filing, a similar process will take place with the selected electronic filing vendor...”⁴³

In this study, integrated justice will not be discussed in detail but it should be noted that Pretrial Services is part of the Lake County integrated justice initiative. One thing that will be stressed in this study is the reusability of the data captured in the backend database. Reusability will be used in two ways. Reusing data within the system is when a new request for a bond report investigation is required where the person arrested has an existing pretrial bond report. There will be time saving in collecting and gathering the same information where the investigating officer can modify the information from the defendant. Since the information is captured in a

⁴³ <http://www.ncsconline.org/WC/Publications/Trends/2006/GJXMLTrends2006.pdf>, 2006, page 61

SQL backend database, using a scripting code or XML based technologies, the information can be shared with another database, in this case the Adult Probation case management system.

The reports generated using the digital pen is in a standard PDF format and the report can be sent electronically to the judge and to other parties involved via electronic mail. Lake County is not currently accepting electronic filing but when it does, the Pretrial Services unit is ready to embrace it.

Electronic filing has been around and that started the discussion as early as 1993 when **Judicial Electronic Document and Data Interchange (JEDDI)** was introduced and explained at the Fifth Court technology Conference in Detroit, Michigan. Several pilot projects were being conducted and tested using the technology.⁴⁴

The author, Clyde R. Christofferson wrote:

"Consequently, there is still time to anticipate and address a number of practical issues that will face lawyers, judges, clerks, and administrators as courts move toward electronic filing in the years ahead. A consortium of judges, lawyers, court administrators, and vendors--now a nonprofit foundation incorporated under the name JEDDI--is providing a forum and vehicle for this effort at the cross-jurisdictional level. Anyone concerned with these questions can help within their own jurisdictions by making sure that all the players--lawyers, judges, and clerks as well as court staff charged with responsibility for making the computers work--are involved and engaged..."⁴⁵

⁴⁴ <http://contentdm.ncsconline.org/cgi-bin/showfile.exe?CISOROOT=/tech&CISOPT=669>, September 1997, page1

⁴⁵ Ibid, page 1

The evolution of electronic filing started where many vendor supported solutions and architecture were being developed and where enhancements are being applied up to the present day. For a more detailed reference regarding electronic filing, attending the Court Technology conference held every two years sponsored by the National Center for State Courts has interesting presentations regarding electronic filing.⁴⁶

As the advancement in technologies is unfolding, advanced innovative ideas of protecting digital information should be considered. In the early stage of this research, the Circuit Court of Lake County are still miles away from having electronic signature or using digital signature but having knowledge of how to protect digital information is of equal importance as to controlling the content. That means the authentication and validation of electronic information should be highly considered in the judicial process.⁴⁷ So what is digital rights management?

James McMillan wrote:

Digital Rights Management (DRM) is technically the use of encryption¹ (coding) of electronic data so that the creator has control over its use. In a court, a document can be encrypted with DRM control code to:

- Restrict who can read the document (or at least who has rights to log into to that user's account to read the document).
- Restrict how long a document can be read.
- Restrict whether a document can be printed.
- Restrict whether a person must be logged onto a specific network to read the document.

⁴⁶ http://www.ncsconline.org/WC/Publications/Summary/Kis_ElFileCTCSum.htm, July 16, 2009, page 1

⁴⁷ <http://contentdm.ncsconline.org/cgi-bin/showfile.exe?CISOROOT=/tech&CISOPTR=585>, 2005, page 1

- Restrict whether an e-mail can be forwarded.⁴⁸

As we archive records, other policies or rules to consider are retention and destruction policies. As the data are collected, gathered, verified and then submitted, the size of storage space increases in the system. Do we need to be concerned with the record retention and destruction as we have been with the paper based documents? This is something that the Courts in general will need to ponder and if possible create the policies that surround it.

The future of the digital pen can expand the capabilities to other areas of the Pretrial Services process such as field officers that supervises and monitors defendant releases on supervision. The field officers will use the digital pen to take notes. The digital pen is Bluetooth capable and the data captured out in the field can easily be transfer to a phone then emailed back to the office systems.

There is an abundance of published literature available regarding Pretrial Services programs and the underlying technologies discussed in this research. One can only imagine those that have an impact to this study. The operational process of creating the pretrial bond report to help the judge in making a good decision for release or detention of an individual through the mechanics on how it is produced, one can only say that there's a lot to consider promoting efficiency, accuracy, reusability of information and the effectiveness of the new method.

Information technology makes things happen by increasing accuracy and efficiency.

An excerpt from the book, edited by S Jaya Krishna and Naveen Kumar, states:

⁴⁸ Ibid

"...The application of information technology into the process of government functioning to bring simple, moral, accountable, responsive and transparent governance is the concept of electronic governance. Government across the globe with the help of IT experts, are intercepting the concepts, formulating policies and transforming them into real-time visions and missions to leap into the new dimensions of paperless government..."⁴⁹

At the tenth court technology conference (CTC10)⁵⁰ sponsored by the National Center for State Courts held in Tampa, Florida this past October 2007, a new and innovative piece of technology has emerged that gave new ideas and a solution to the problems and issues of the Pretrial Services unit. The potential solution is the digital ink. The digital ink is comprised of a digital pen with the use of a well-formatted form to identify the data fields. The form is just a placed holder and identifier of the data fields. All data are captured in the digital pen and when completed the pen is docked to load the information on to the computer. The original handwritten format is saved in its original form and then converts the handwritten data into a readable text which is editable for additional information. When it is completed, the report is produced in a PDF format and gets routed via a workflow for Supervisor's approval. (see Appendix K).

How does it work?

- The forms are filled out with the digital pen. The pen looks and feels like a normal ballpoint pen, but contains a tiny infrared camera and processor which enables it to read and digitize words as they are written down.

⁴⁹ S Jaya Krishna and Naveen Kumar, E-Justice Perspectives and Experiences, A V Narsimha Rao, Section 1, E-Justice- The Concept of the day, 2008, page 3

⁵⁰ Court Technology Conference 10, sponsored by the National Center for State Courts, October 2007

- After the interview, the information is transferred from pen to computer via Bluetooth®, or by docking the pen to the computer via a USB-cable.
- The completed form is stored in a SQL database, where the information can be made available either as raw data or as an identical image of the original paper document.
- Reports can be sent electronically to the appropriate recipient in a standard format, without the need for copies or transcriptions.

The new method or solution was applied to the Pretrial Bond report process:

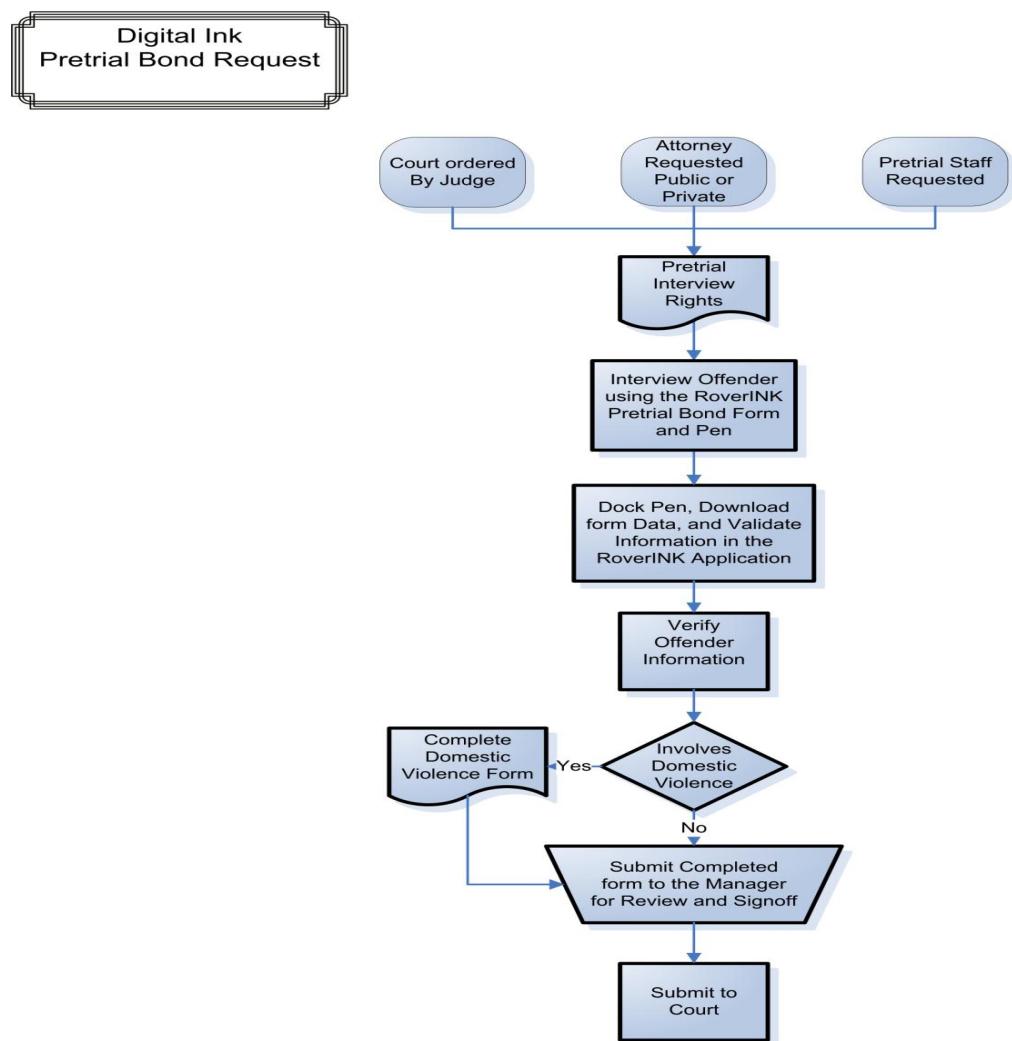


Chart 5: Pretrial Bond Report Process - Digital Ink

The same concept can be applied using a tablet PC but the tablet PC is more costly. The size of the tablet PC is the same size of a standard laptop. Based on the description of the problems and issues in this study, space is an issue in the interview area in the jail where the Pretrial Officers use the traditional pen and paper to gather information.

The transition from pen to digital ink study will focus on accuracy, efficiency and reusability of the data while measuring the effectiveness of the newly applied method in support of the function of the Pretrial Services unit. This study is to see if the new technology will support the court in making custody release decisions based on clarity of the information such as background information of the defendant, other related critical data and bond recommendations by the Pretrial Officer.

This study is referencing the Trial Court Performance Standards and Measurement System under, ***Performance Area 3: Equality, Fairness, and Integrity, Standard 3.4: Clarity***, published by the National Center State Courts that states:

"The trial court renders decisions that unambiguously address the issues presented to it and clearly indicate how compliance can be achieved.

Commentary. An order or decision that sets forth consequences or articulates rights but fails to tie the actual consequences resulting from the decision to the antecedent issues breaks the connection required for reliable review and enforcement. A decision that is not clearly communicated poses problems both for the parties and for judges who may be called upon to interpret or apply it.

Standard 3.4 requires that it be clear how compliance with court orders and judgments is to be achieved. Dispositions for each charge or count in a criminal complaint, for example, should be easy to discern, and terms of punishment and sentence should be associated clearly with each count upon which a conviction is returned. Noncompliance with court pronouncements and subsequent difficulties of enforcement sometimes occur because orders are not stated in terms that are readily understood and capable of being monitored..."⁵¹

The standard is clearly stated that there should be clear communications on both parties. The information provided by pretrial services is often the basis for decisions made by the judge to determine whether the defendant can be safely released under certain circumstances or whether the person should be detained without bail. The transition from pen to digital ink supports the TCPS standard in some respect to equality, fairness and integrity.

The goals of the new solution are the following:

- To produce a clear and concise pretrial bond report
- To reduce redundancy of entering the same information in multiple pages of the same form
- To prepare a bond report accurately and in timely fashion.
- To reduce the percentage of error by having the capability of editing and review of data prior to final submission of the report
- To re-use the data captured in the backend database when necessary to produce another updated bond report of a particular individual using the "print on demand" feature

⁵¹ http://www.ncsconline.org/D_Research/tcps/Standards/stan_3.4.htm, January 23, 2005

- To re-use the data captured in the backend database to share information to other justice agencies such as Courts, Adult Probation, State's Attorney's, Public Defender, private attorneys and other justice partners in collaboration to the integrated justice systems initiative in Lake County

III. METHODOLOGY:

In November 2008, the Lake County Pretrial Services piloted the use of the new digital ink pen. The original Pretrial Intake form (see Appendix G) was transformed to a usable format where the digital pen was able to recognize the handwritten characters (see Appendix J and Appendix K). The creation of the form uses a unique software process that can be printed onto an ordinary piece of paper or card stock that prints a series of faint dot patterns that act as a map or coordinates to pinpoint the location of each pen stroke.⁵² The application is a client-server based system and the PC requirements are minimal. The new Pretrial Intake form was designed with minor modifications to some data fields to accommodate the ease of use by the Pretrial Bond Officer and to standardize data captured in the SQL backend database. At the time of the pilot testing of the system, the Pretrial Services units were using both the traditional method and the new digital system. This went on for a period of six months and soon thereafter they slowly transitioned to only using the digital ink method.

The focus of this project is in the innovative approach in promoting accuracy, efficiency, and reusability of captured data. The purpose of this research is to determine if the technology implemented will improve the business process resulting in a well formatted and concise Pretrial Bond Report. The study should determine if the captured data is reusable within the application

⁵² <http://www.roverink.com/technology/penpaper.asp>, page 2, December 1, 2009

and the backend databases which eliminate redundancy of entering data. In addition, this research will determine if the applied technology is applicable to other areas as part of the Court business process.

A. Workflow and Business Process

To support the goals of this research study, the following methods and steps are taken to collect the data for analysis, verification and conclusion.

- 1) First consideration is to understand the Pretrial bond reporting process. The business process needs to be identified on how it was done before and after the implementation of the system.
 - a) Review and analyze business process flow using the traditional way of preparing, verifying and submission of the bond report using the pen and paper format.
 - i) accomplished by interviewing the Pretrial Bond Officers and the Assistant Director of the Pretrial Services Unit
 - ii) interpret and create the business process flow chart - see Appendix L
 - b) Review and analyze the business process flow using the new digital ink in preparing, verifying and submission of the bond report using the digital pen and formatted paper format.
 - i) accomplished by interviewing the Pretrial Bond Officers and the Assistant Director
 - ii) interpret and create the business process flow chart - see Appendix M

B. Bond Report Statistics

- 1) The overall view of the total number of bond reports ordered will be helpful information when analyzing the data and trends.

- a) Obtained the number of bond reports ordered and submitted to Court since the inception of the Pretrial Services program from 1986 through 2009.
- b) The numbers were provided by the Pretrial Senior Staff that manages the Pretrial statistics. The data provided is a regular frequency report that is made readily available on a monthly basis.

2) Obtained the average number of bond reports ordered and submitted to Court by Pretrial Bond Officer per month from 2007 through 2009.

- (a) The numbers were provided by the Pretrial Senior Staff that manages the Pretrial statistics.

C. Data Collection

1) Analyzed both traditional and the new digital ink bond report formats that were submitted in Court. Based on the formats, a data form was developed collecting data from two different sources with different date ranges. (Table 3 & Table 4).

Table 3: Sampling data using the Traditional Method

Table 4: Sampling Data using the Digital Method

- 2) The sources were from the traditional method of preparing the report and the other source was from the use of the digital ink. This data collection will provide information regarding the clarity of the report and the percent of error or changes made to the report prior to submission to the Court. The other data collected will be analyzed to determine if the new method has created an impact in the decision making of the court through the disposition and bond officer's recommendations. This may not be the best way of measuring or gauging the impact but the statistics may provide for some other factors which will be discuss in the next section.
- 3) Collected data in the traditional method using three different systems. One of the systems is by using the probation case management system used by the Pretrial Services program. With the help of the IT Staff, the system was queried to get a list of cases where a bond report was created and submitted from November 2007 through October 2008. At the same time that this research study was underway, a project of the Pretrial Services Unit was in progress. The scope of the project is to scan all closed case file folders from 2005 through 2008 into the document imaging system to eliminate the hard copy paper files and to create more storage space within the

Pretrial Services offices. The intended date range to collect data for this study is from November 2007 through October 2008 but unfortunately the hard copy files were at the vendor site where document scanning is taking place. With further investigation, the 2006 closed file cases were completed and uploaded using the document imaging system. Therefore, the query was modified to get a list of cases from January 2006 through December 2006. This particular scanning project was timely to this research and was very helpful in looking at the different closed case files listed on the queried data within the document imaging system through a personal computer. It would have been cumbersome to look into each actual physical hard copy files to obtain the data requested in the data form. With the list of queried cases, the case number served as the index key in identifying and collecting the necessary data fields. There were exactly 1,000 records identified during this time period from January 2006 through December 2006. The other system that was used to complete the data collection was the Court Records Information Management System (CRIMS) for the disposition data field.

- 4) Collected data for the new digital ink method using three different systems. One of the systems is by using the probation case management system used by the Pretrial Services program to query the cases that a bond report was created and submitted from November 2008 through October 2009. With the list of queried cases, the case number served as the index key in identifying and collection of the necessary data fields using the digital ink pen application. This new system captured the original handwritten form as an image, the transformed digital data into the form, and the final edited form in PDF with the electronic signature of the Supervisor's approval. There

were 457 records identified during this time period from November 2008 through October 2009. The number of records that were identified was lower than that of the traditional method. In the previous description, the traditional and the new methods were used simultaneously for a period of six months and some of the cases were in hard copy paper files. In this second data collection, we do not need another sampling because we already had 1,000 records collected in the traditional method. The other system that was used to complete the data collection was the Court Records Information Management System (CRIMS) for the disposition data field.

D. Survey Instruments

1) Developed survey questionnaires for the targeted groups namely Pretrial Bond Officers, Bond Court Judge(s), Criminal/Felony/Misdemeanor/Traffic Judges, Private Attorneys, Assistant State's Attorneys and any other court personnel who are a recipient of the bond report. The survey for the bond officer's instrument was pre-tested by Keith Cooprider, Principal Pretrial Bond Office and clarified that the bond officers do not conduct interviews on the relatives of the defendant *per se*, but as a source of verification and collateral information. The survey question was modified accordingly. The survey instrument for the Judges, the Lawyers and the Prosecutors was pre-tested by the Bond Court Judge, the Honorable Raymond D. Collins. In his voice mail response:

“...I went over the surveys, I think the surveys that most important is the one for the Probation Officers, for the Pretrial Officers and as far as the as the lawyers, Judge and the prosecutor, are concerned and hopefully they'd agree with me on this that everything on those bond report is about speed

and being able to read them quickly, the accuracy is obviously is the most important but we are in bond court as you know it moves quite quickly so the attorney grab the report, the prosecutor grab the report, I grab the report and you need to be able to read it. The problem with the handwritten is if you couldn't figure out the handwriting, there's some mistakes could be made and number one in the digital form is much better and I think the surveys are great for the lawyers, the judges and for the prosecutors. As far as the pretrial bond officers, they are the ones whose going to tell you what's most important with that format, I know that the lawyers, the prosecutors and the Judges as far as I am concerned loved it that way it's just so much easier to read, the speed of the court cases down here would necessitate something that you could read quickly if you get the information and if you're struggling with the handwriting that affects how quickly you can move so I would be very interested to hear what the Pretrial Bond Officers have to say but as far as the surveys look, they looked great, I think you got basically what you need to know which format is better and what you need in a format if there's anything else you need in it...”⁵³

The survey instruments will verify one of the goals of this research which is clarity and accuracy of the report.

- a) Survey for Bond Officer (see Appendix C)
- b) Survey for Judges (see Appendix D)

⁵³ Honorable Raymond D. Collins, voice mail transcription, October 8, 2009, 10:42 AM

- c) Survey for Lawyers (see Appendix E & Appendix F)
- 2) With the help of a point of contact from each group, paper surveys were sent out and distributed to each area. The targeted groups were given two weeks to complete and submit the surveys back to the researcher.
 - a) After two weeks, another reminder was sent to those that have not completed the survey and extended the submission to another week.
- 3) Collected and compiled all surveys based on targeted groups
 - a) The response rates from the following targeted groups were 83.33% from the Lawyers, 60% from the Judges and 100% from the Bond Officers.
 - b) The plan was to repeat the survey after three months but based on the responses from the surveys, it was not necessary to conduct another survey because the probabilities of having the same results were very likely. While this research study is in progress, there were no enhancements made to the system and no additional training performed on the new method.

IV. FINDINGS:

A. Workflow and Business Process

In comparison, the process flowchart of both the traditional method and the new digital ink method are very much similar with the exception of downloading the data captured in the digital ink through a personal computer or workstation. Here are some comparative differences between the traditional method and the new digital ink method:

<p>1. HOW ARE CORRECTIONS MADE TO THE REPORT?</p>	
<p>Traditional Method (regular pen & manual paper form)</p>	<p>New Digital Ink Method (digital ink pen & formatted paper format)</p>
<ul style="list-style-type: none"> In the traditional method, once you write on the paper format, the way to correct or edit the information is by erasing the information with a pen, erasing the information using white out or transposing it again onto a new form which can take longer. 	<ul style="list-style-type: none"> In the new digital ink method, you use the application software to correct or edit information soon after the data is downloaded from the digital pen to the personal computer. Editing features of the system is like editing any data screen using a keyboard.
<p>2. HOW ARE THE FILES STORED OR ARCHIVED?</p>	
<ul style="list-style-type: none"> Storage in the traditional method is by actual filing of hard copy files and organized accordingly in a filing cabinet. The files can be scanned using the document imaging system but the file is not editable. 	<ul style="list-style-type: none"> On the other hand, the digital ink method captures the original handwritten document using the digital pen and saves it in a PDF file. The handwritten data is then converted into a readable, editable text and is saved in a PDF file format. In addition, all data in the data fields are captured into a SQL database backend.
<p>3. HOW ARE THE FILES ACCESSED FOR REFERENCE?</p>	
<ul style="list-style-type: none"> If you need to go back to the file for reference using the traditional way, it may take some time to go through all the hard copy files to find the case file you are looking for. 	<ul style="list-style-type: none"> Whereas, in the digital ink way, you can search the case file by case number, by last name and first name using the application.
<p>4. HOW IS THE BOND REPORT PRESENTED TO COURT?</p>	
<ul style="list-style-type: none"> Before it is presented to Court, in the traditional method, the Supervisor or his designee reviews the report and sign the report. The same paper report is submitted to Court. 	<ul style="list-style-type: none"> Likewise before it is presented to Court, in the new digital ink method, there's a workflow established that once the report is confirmed by the officer, the Supervisor or his designee reviews and verifies the report on screen and approves the report using a digital signature pad. The report is printed in its final digital format and then submitted to Court.

Table 5: Workflow and business process

B. Bond Report Statistics

The total number of bond reports completed by year from 1986 through 2008 varies from year to year. Notice that the percent change from 1988 and 1989 is twenty-four percent; 1993 and 1994 is thirty-one percent; from 2007 and 2008 is twenty percent and certain other factors may be contributing to those fluctuations. Those factors are not part of the scope of this study and it was mentioned as an observation only. The average number of bond reports completed per month is about 159 and the average number of bond report by officer is about 51.

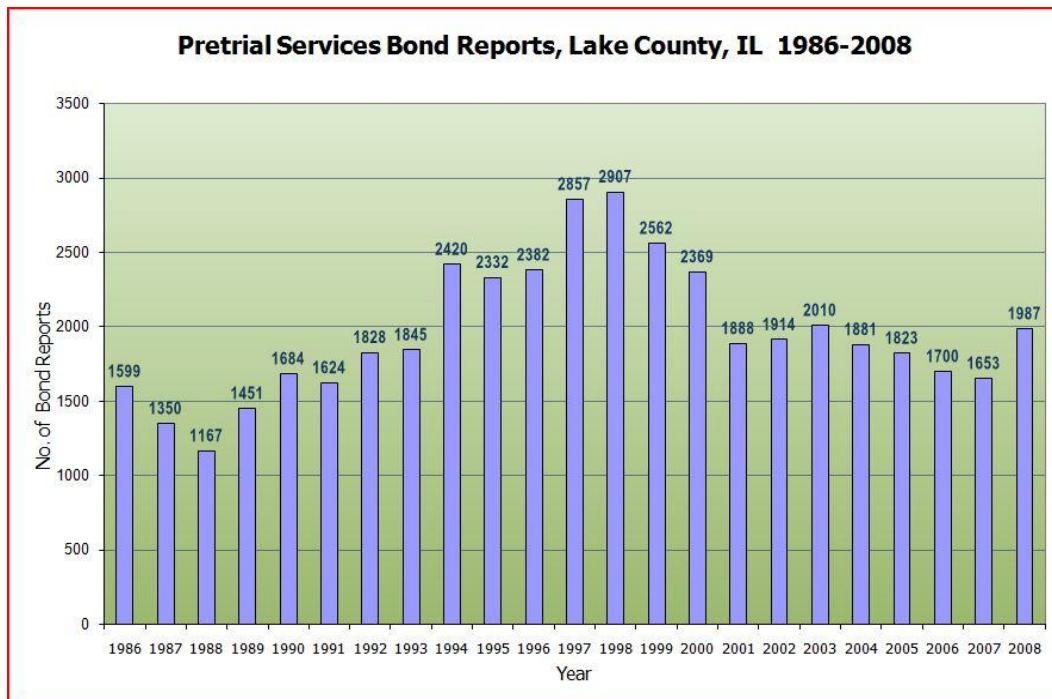


Chart 6: Number of Total Bond Reports

In addition, the chart reveals that defendants being released to Pretrial Bond Supervision (PTBS) are continuing to grow since the start of the program in 1986.

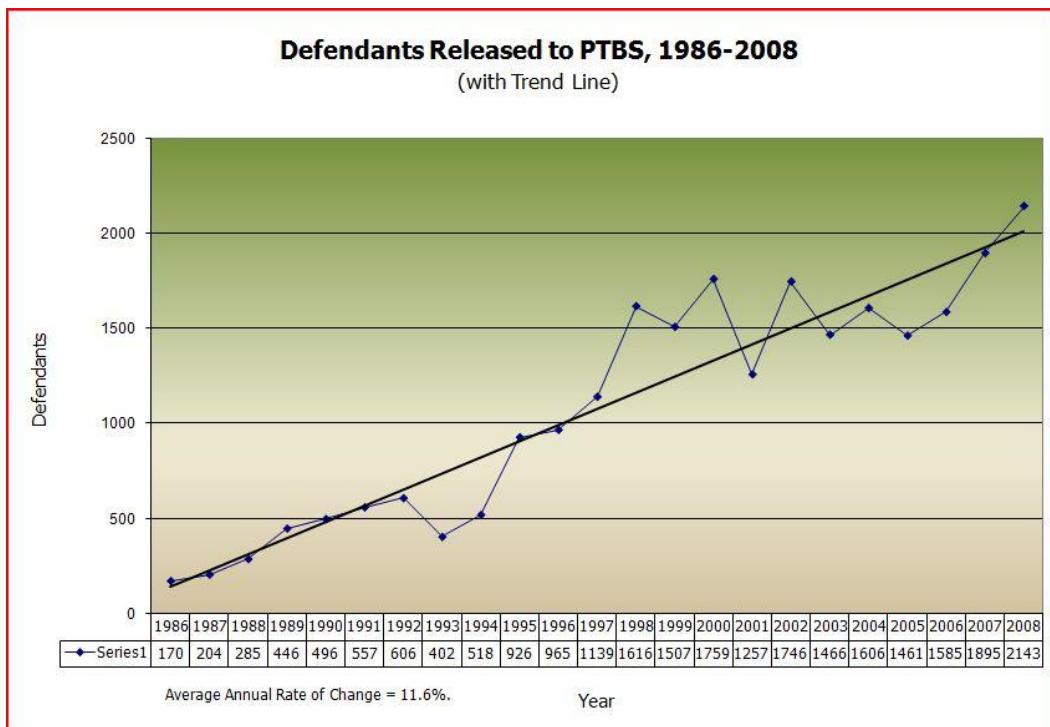


Chart 7: Number of Defendants Released to PTBS

C. Data Collection

The following data fields were collected from both methods:

- a. Month/Year
- b. Case Number
- c. Defendant's Name
- d. Charges
- e. Ordering Judge
- f. Order Date
- g. Required Completion Date
- h. Bond Officer's name
- i. Actual Completion Date
- j. Officer's Recommendation
- k. Attorney
- l. Disposition
- m. Errors (Y/N)

Traditional Method - From January 2006 through December 2006

There were 1,000 records that were reviewed for this sampling data. The type of cases varies from felony, misdemeanor and misdemeanor/traffic cases. Eleven bond officers investigated and submitted these bond reports to Court. The review of each bond report record was through the document imaging system. The way the errors or corrections were identified was through the white out or correction tape that displayed on the computer screen while viewing each page of the report. Here are the compiled results:

Errors (Y/N): (n=1,000)	Yes = 90.6% No = 9.4%
Types of Cases: (n=1,000)	Felony = 77.89% Misdemeanor = 18.30% Misdemeanor/Traffic = 3.81%
Officer's Bond Recommendation: (n=1,000)	None = 39.30% NOR = 26.10% PTBS = 16.70% Recognizance = 1.50% Recognizance with PTBS = .10% Cash = 10.90% Nothing selected = 5.40%
Disposition: (n=1,000)	PTBS w/ Personal Recognizance = 57.50% PTBS w/10% Bond = 37.30% 10% bond = 1.80% PTBS Only = 1.50% No Bond Info = 0.03% Personal Recognizance = 1.10% Not Authorized - 0.05%

Table 6: Data Collections Results - Traditional Method

New Digital Ink Method -From November 2008 through October 2009

The review of each bond report record was through the digital ink system software application. The way the errors or corrections were identified was by comparing the original handwriting captured and the final converted report. Corrections or possibly errors were identified by reviewing each page of the record to see if some fields were blank or different from the original in the final report. Here are the compiled results:

Errors (Y/N): (n=453)	Yes = 58.72% No = 41.28%
Types of Cases: (n=453)	Felony = 67.33% Misdemeanor = 31.12% Misdemeanor/Traffic = 1.55%
Officer's Bond Recommendation: (n=453)	Cash Bond = 41.28% Lower Cash Bond = 2.87% Nothing Selected = 1.55% Personal Recognizance = 2.65% Supervise PT Release = 46.80% Supervise PT Release w/Cash Bond = 1.10% Supervise PT Release w/ lower Cash Bond = 3.75%
Disposition: (n=453)	PTBS w/ Personal Recognizance = 43.05% PTBS w/ 10% Bond = 47.68% 10% bond = 8.17% Personal Recognizance = 1.10%

Table 7: Data Collection Results - Digital Ink Method

The Officer's bond recommendation is more defined in the new digital method than that with the traditional method. The difference may be due to one factor and that is, the formatting and structure of the new paper form. There was also a noticeable drop in the percentage rate of errors between the traditional versus the new digital ink method. Regarding the disposition

results, it is a bit hard to say that the new digital format did have an impact in the decision making of the Court. Though notice that in the traditional method, there were additional disposition types in addition to the regular types that are listed on both data collection.

D. Survey Instruments

1) Survey results from Pretrial Bond Officers

There were 11 respondents to the survey, four of the officers are full-time regular Pretrial Bond Officers and seven are full-time regular Pretrial Field Officers. On certain occasions, the Pretrial Field officers helped in complying with a bond report ordered by the Court or requested from other sources. Their normal hours are usually second shift which is from 2:00 PM until 10:00 PM. Some of the requests come through during their scheduled time and they do the bond report to be prepared for the next morning's court call if it is necessary. The field officers were not trained in the new digital ink system at the time of this survey and they use the traditional manual method. The regular Bond Officers were trained and currently using the new digital ink method. When the survey was distributed, the Supervisor of the unit grouped the distribution accordingly and submitted it back to the researcher by Bond Officer's group and Field Officer's group. Here are the compiled results:

Average # of years on the job:	Pretrial Bond Officers = 15.75 years Pretrial Field Officers = 3.65 years
TRADITIONAL PEN AND PAPER FORMAT	
Use the traditional pen and paper format (Y/N)	Pretrial Bond Officers = Yes (n=4) Pretrial Field Officers = Yes (n=7)
Verify information provided by defendant (Y/N)	Pretrial Bond Officers = Yes (n=4) Pretrial Field Officers = Yes (n=7)
Using the traditional pen and paper format, the length of time to complete a	Between 5 to 15 minutes = 0 Between 16 to 30 minutes = 3

report (n=11)	Between 31 to 45 minutes = 4 Between 46 to 60 minutes = 3 Between 61 to 75 minutes = 0 Between 76 to 90 minutes = 1 Over 90 minutes = 0
Ability to make corrections (Y/N)	Pretrial Bond Officers = Yes (n=4) Pretrial Field Officers = Yes (n=7)
If so, how?	By using white-out or correction tape
NEW DIGITAL INK PEN AND PAPER FORMAT	
Use the new digital ink pen and paper format (Y/N)	Pretrial Bond Officers = Yes (n=4) Pretrial Field Officers = Yes (n=1)
Verify information provided by defendant (Y/N)	Pretrial Bond Officers = Yes (n=4) Pretrial Field Officers = Yes (n=1)
Using the new digital ink pen and paper format, the length of time to complete a report (n=5)	Between 5 to 15 minutes = 0 Between 16 to 30 minutes = 0 Between 31 to 45 minutes = 0 Between 46 to 60 minutes = 2 Between 61 to 75 minutes = 2 Between 76 to 90 minutes = 0 Over 90 minutes = 1
Ability to make corrections (Y/N) (n=5)	Pretrial Bond Officers = Yes (n=4) Pretrial Field Officers = Yes (n=1)
If so, how?	By using the application on a personal computer to edit, add
Preference between the two formats	Pretrial Bond Officers = 2 (Yes); 2 = (No) (n=4) Pretrial Field Officers = 1 (Yes); 6 = (No) (n=7)

Table 8: Survey Results from Bond Officers

The highest number of the years on the job as a Pretrial Bond Officer was 26 years and the calculated average is 15.75 years per Bond Officer. The majority of the bond officers have been using the traditional method since they started working here. In practice, they acquired the speed, the process and expectations of the program. On the other hand, the Pretrial Field Officers have not been exposed to the new digital ink system. The average number of years on the job as a Pretrial Field officer is 3.65 years, the pilot testing and implementation of the new method started after all field officers have been exposed, trained in the old method. In the survey, a field officer have been using the new method when he is requested to do so and commented that he would prefer the new method because it is neater. There were mixed comments about the use of the new system. A Pretrial Bond Officer wrote: "...presentation - it look a whole lot better; editing/review function - ultimately a much better product...the old method sometimes looked like a bunch of scribbles and was hard to revise and edit..".⁵⁴ Another comment, the Bond Officer wrote: "...the new method is neater but the process takes longer...".⁵⁵ The compiled results regarding the length of time to complete a bond report using the new method takes longer than in the traditional method. Using the traditional method, all respondents stated that they use whiteout as a means to erase the information and correct it.

One thing to note that a complete bond report is comprised of the Bond report, list of prior records if one exists, and risk assessment reports. The implementation of the digital ink system is only with the Bond report as this study is being done.

1) Survey results from Judges

There were ten surveys sent to the criminal/felony/misdemeanor/traffic judges that have or somewhat have knowledge of a bond report whether in the traditional method or the new

⁵⁴ Survey from Bond Officers, August 2009

⁵⁵ See Note 53, *supra*

digital ink system. Out of ten judges, six responded. All of the six judges have seen both the old and the new bond report formats and were recipients of the reports. The comments were all positive. The comments stated that they were clear, easy to read and it is in a standard format and consistent with the old form except it is much better.

2) Survey results from Lawyers

The surveys for this targeted group came from private attorneys, public defenders and the prosecutor's office. A total of 42 surveys were sent and 35 responded. The respondents (n=35) identified that they all have seen the traditional and the new paper formats. Almost 70% of the respondents have ordered pretrial bond reports from the public defender and private attorneys. Out of the total respondents, 29 preferred the new digital format and six preferred the traditional form. The majority of the comments made were; easier to read, clear, uniform content, more room for comments, handwritten reports can be difficult to read. Some other comments do not pertain to the bond reports but it can be useful for future enhancements of the pretrial services program such as the list of prior report and the risk assessment instrument clarification.

V. CONCLUSIONS & RECOMMENDATIONS:

The Pretrial Services conducts the initial investigation to provide information and options in making pretrial release decisions by the Judge. The verification of the information obtained from the defendant during the pretrial interview is an important part of the process before submission of the bond report and recommendation. In addition, a criminal background history is completed if one exists and a risk assessment is done. The risk assessment instrument is in a PDF format and has some built-in calculations to get the final scores and identify the level of risk. (see

Appendix H). In a closer look, the focus is more in the methods on how a bond report is presented to Court and how it is accomplished to be as clear, concise and timely as possible. (see Appendix K).

CONCLUSION ONE: THE FINAL PRETRIAL BOND REPORT PRODUCED USING THE NEW DIGITAL INK METHOD WHICH IS CLEAR AND CONCISE.

The overall findings of the survey from the recipient of the bond report suggest that the report is clear and easier to read. The report structure is consistent and it is not difficult to find the sections of the report where one has to go back for review or further reference. Therefore, the preference of the recipients resulted in a higher percentage of those favoring the new digital ink method. The results of the survey from the Bond Officers were a combination of both, the traditional and the digital ink methods. Some of the comments mentioned were, at times the workstation or the application will have errors and cannot find the report during upload. Do the users of the system require additional training about the process? Or does the application have some bugs in the system that needs to be addressed? The majority of the Bond Officers have been working in this unit for quite some time using the old method. Is this due to their hesitation to accept or make a shift change in the way they process and produce the report? Or is it due to the fact that when a defendant who previously had a bond report done using the new method and another request or court ordered bond report is required for the same person that the bond officer does not have the capability of re-using the same bond report? Having the capability of re-using an existing bond report which requires less writing of information will that eliminate the redundancy and reduce the time to complete the report? There is a level of frustration from the Pretrial Bond Officer if any of the above questions is true.

RECOMMENDATION ONE: THE JUDICIAL INFORMATION TECHNOLOGY & SERVICES DIVISION WILL CONTINUE TO WORK WITH THE PRETRIAL SERVICES UNIT TO FIND WAYS ON HOW TO SIMPLIFY THE PROCESS AND ENSURE THE STABILITY OF THE SYSTEM.

Since this is about producing a bond report using technology as a tool, the system will be closely monitored for errors and inadequacies. In addition to the bond report, the researcher recommends to review and consider automating the other reports submitted to the court either using the new digital ink method or other ways to integrate it with the bond report. Some of the reports submitted are the list of priors (see Appendix I), and the domestic violence form when one is required (see Appendix N). At the same time of this research, an enhancement to the new system is in the development stage. The enhancements or which is referred to as "print on demand" constitutes the ability to re-use data in an existing record to produce another instance of the bond report for easier updating and verification. Another update to the system is the addition of the digital ink version of the domestic violence form and links it to the bond report itself (see Appendix O). This will promote the ease of use and lessen the time to complete a bond report request. In addition, a review if a bond report can be sent electronically to the court will also be considered.

CONCLUSION TWO: WITH THE USE OF THE NEW DIGITAL INK METHOD, DATA CAPTURED IN THE SQL BACKEND CAN BE RE-USABLE, INTEGRATE WITH OTHER SYSTEM OR VICE-VERSA.

When a bond report is uploaded to the system for viewing, editing and preparing for final reporting, each data field is captured and saved into a SQL backend database. The content within the database is re-usable. This allows the capability to create another bond report for a new case or for an updated bond report by using the data on an existing record. Since the data is captured

in a standard SQL database, the re-usability of the content can be interfaced, shared or pushed to other systems by using web services or any scripting language to capture the data. It can also be used for information sharing with the Probation department, with the court and other agencies that are authorized to view the data for their purpose.

RECOMMENDATION TWO: WHEN CERTAIN ENHANCEMENTS TO THE NEW DIGITAL INK SYSTEM IS COMPLETED, A COLLABORATIVE DISCUSSION REGARDING INTEGRATION WITH OTHER SPECIFIC SYSTEMS NEEDS TO BE IDENTIFIED AND IMPLEMENTED.

The Adult Probation Services works collaboratively with Pretrial Services Unit to share information regarding a defendant who's been through Pretrial and had an investigation report completed. This is always the case when a Probation Officer or a Pre-Sentence Investigator is in need of additional information about the defendant in which Pretrial Services already completed a report. There is a new case management system soon to be implemented for the use of Adult Probation and Pretrial Services. The data capture in the new digital ink method can be re-used to populate data fields in the new case management system using the XML technology and web services. This will reduce the redundancy of entering the same data from system to system.

Another project that is in its development stage is the integrated justice system. One of the goals is to be able to share the information and push court ordered information to the recipients of the court order. In which case, when bond court or any other felony, misdemeanor and traffic court submits a court order for a bond report, it will send an alert and a packet of information electronically via web services to the receiving agency or services. Information such as case number, defendant's name, date of birth, ordering judge, order date and other critical information that goes with the court order, can populate a bond report using the SQL backend database. This will be a tremendous help to the Bond Officers because they do not need to wait

for the court order form to get to their office and there is less data entry for the bond report header information. The system will automatically update it accordingly.

CONCLUSION THREE: SINCE THE PRETRIAL SERVICES IS GOING DIGITAL, POLICIES ON RECORD RETENTION, DOCUMENT RIGHTS MANAGEMENT NEEDS TO BE ADDRESSED.

As the court proceeds to the digital age and a paperless system, there are certain policies on record retention and document rights management that need to be fully addressed. There may be statutes and rules that applies and needs to be revisited. Even though this area is not in the scope of this project, it is safer to be well informed about it and provide the division or the court with information for future action.

RECOMMENDATION THREE: RESEARCH THE RETENTION POLICIES ON DIGITAL RECORDS TO INCLUDE BACKUPS AND THE DOCUMENT RIGHTS MANAGEMENT (DRM)

Research or explore the information on record retention on both the hard copy files and digital records by contacting the Records Management division of the State or locate any statute that pertains to these records and look into which ones applies to what record if any or none at all. On another note, Document Rights Management (DRM) is an awareness regarding the protection of digital information to include digital signature, control, and validation of electronic information. This task should be given to staff that will do the research not only to a particular data record but to consider other areas as well.

CONCLUSION FOUR: THE DIGITAL INK PEN TECHNOLOGY CAN BE EXPLORED TO OTHER AREAS WHERE IT IS DEEMED FITTING.

The first pilot testing of the digital ink pen system was implemented at the Pretrial Services in producing the bond report. Having tested the system, it was determined that the

process and product works. The same concept can be implemented where other means of technology is found awkward to use such as laptops, inadequate space, and lack of connectivity to a network within a given area. The system is not perfect and the digital ink method will not work in every scenario. One can think of several ways on how and where to use the digital ink method. Here are factors for consideration, budgetary implications, effectiveness and efficiency and resources.

RECOMMENDATION FOUR: REVIEW AND EXPAND THE USE OF THE DIGITAL INK IN OTHER AREAS.

The digital ink has a lot of potential in the Court System. The results of this project may promote other areas to reach the same achievable outcomes. Some examples of possible application of the digital ink systems are:

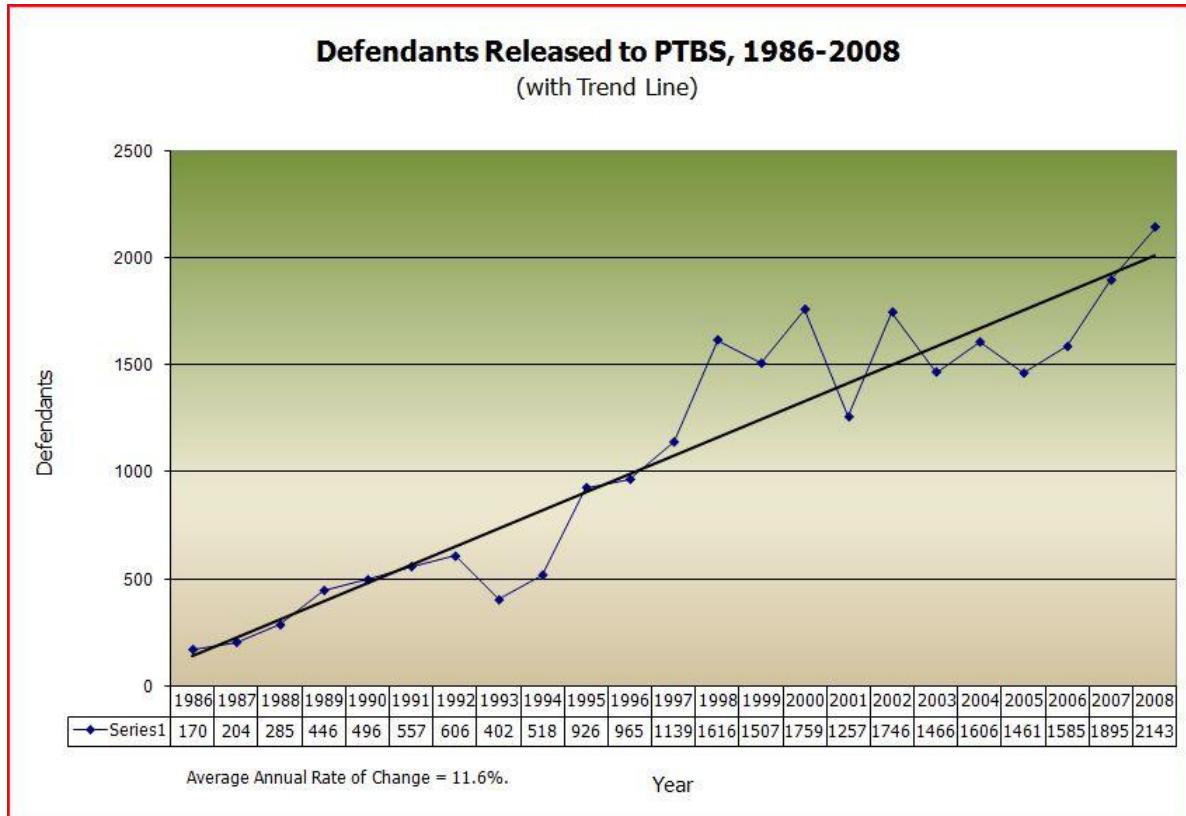
- Surveillance Officers, Pretrial Field Officers and Probation Field Officers – to use the digital ink system to make contact notes out in the field. Officers can send information directly from the digital pen (with the use of the Bluetooth and cell phone technology) directly to the case management system, or via email for notification or used simply for filing reference.
- New Intake Process (both Adult Probation & Juvenile Probation & Detention Services) - this is almost the same concept as the Pretrial Bond Report process.
- Kid's Korner Clients – this is a service program that the courts provide to our citizens when the parents or guardians are to appear in court thus having a place to drop-off their children. Every time clients drop-off their children, they have to fill out the same form for emergency contact information, client demographics and children information. Some of the clients are repeat customers. This concept is in review for consideration and implementation using the digital ink.

- Visitation Logs – for security purposes, a visitation log is required at the Juvenile Detention Center. The digital ink method can be implemented so data can be captured and populate a backend database for future reference.
- Judges Case notes - using the digital ink pen the case notes is then converted to a readable text and saved for future reference; it can also be connected to a backend database.

By implementing the digital ink system, this new method supports the vision of the Lake County Judicial System by utilizing technological advancement in promoting public trust and confidence. The clarity of the bond report and the speed on how they can process the cases in bond court contribute to the effectiveness and efficiency of the judicial system. Overtime, this process will continue to support and improve case processing and actual court proceedings much more in the future.

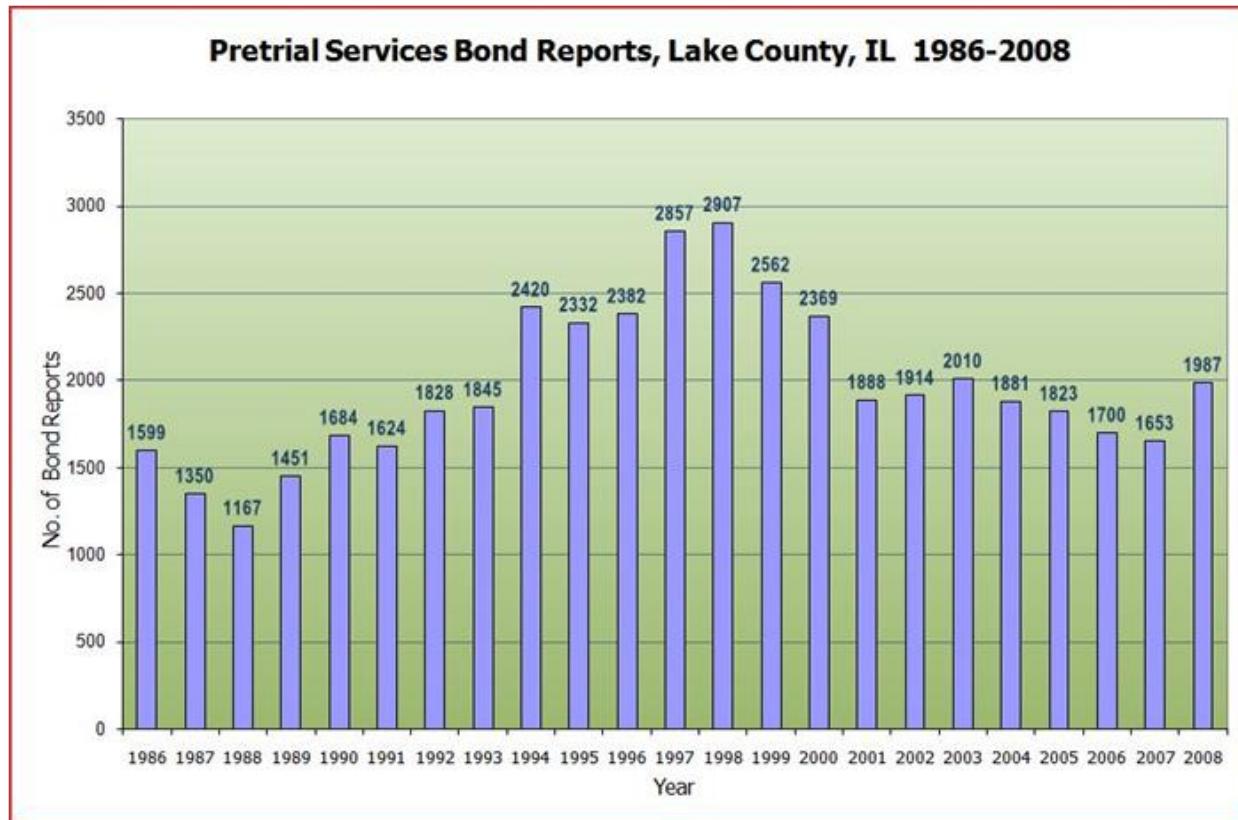
VI. APPENDICES:

APPENDIX A: Defendants Released to PTBS



PTBS refers to Pretrial Bond Supervision

APPENDIX B: Pretrial Services Bond Reports



APPENDIX C: Survey for Bond Officer

Survey for Bond Officer

The Pretrial Services Unit recently switched from using the traditional pen and paper to a digital pen and formatted paper when conducting an interview with the defendants. As a Pretrial Bond Officer we are conducting a survey to find out if this new technology made a difference in the interview process and in court.

Please take a few minutes to fill out this survey:

Using the traditional process using pen and paper form:

How long have you been a Pretrial Bond Officer? _____

Have you use the traditional pen and paper format when interviewing the defendant?
Yes _____ No _____

Using the traditional pen and paper format, do you always conduct the interview of the defendant in the jail?

Yes _____ No _____ if not, where? _____

Did you verify the information provided to you by the defendant?

Yes _____ No _____ if so, where? _____

Using the traditional pen and paper format, how long does it take to complete a bond report from start to finish?

Between 5 to 15 minutes	_____	Between 16 to 30 minutes	_____
Between 31 to 45 minutes	_____	Between 46 to 60 minutes	_____
Between 61 to 75 minutes	_____	Between 76 to 90 minutes	_____
Over 90 minutes	_____		

Do you have the ability to correct the data in the form? Yes _____ No _____

If so, how? _____

Is the design of the traditional paper format adequate for the requirements in Court?
Yes _____ No _____

Using the traditional pen and paper form, did it capture all the information needed to complete the bond report?
Yes _____ No _____

Using the new digital ink pen and new paper form format:

Have you used the new digital ink pen and new form format when interviewing the defendant?
Yes _____ No _____

Using the new digital ink pen and new paper format, do you always conduct the interview of the defendant in the jail?

Yes No if not, where? _____

Did you conduct interviews on the relatives of the defendant?

Yes No if so, where? _____

Using the new digital ink pen and new paper format, how long does it take to complete a bond report from start to finish?

Between 5 to 15 minutes	_____	Between 16 to 30 minutes	_____
Between 31 to 45 minutes	_____	Between 46 to 60 minutes	_____
Between 61 to 75 minutes	_____	Between 76 to 90 minutes	_____
Over 90 minutes	_____		

Do you have the ability to correct the data in the form? Yes No

If so, how? _____

Is the design of the new digital form adequate for the requirements in Court?

Yes No

Using the new digital ink pen and new paper format, does it capture all the information needed to complete the bond report?

Yes No

If you have a preference between the two formats, which would you prefer to use?

Traditional pen and paper format New digital Ink Pen and new paper format

Why?

APPENDIX D: Survey for Judges

Survey for Judges

The Pretrial Services Unit recently switched from using the traditional pen and paper to a digital pen and formatted paper when conducting an interview with the defendant in custody for a court ordered pretrial bond report. As a judge that ordered a pretrial bond report, we would like to find out if the new format of the report is concise, clear and well formatted that enables you to read the report quicker and helps you in making your pretrial release or detention decision making.

Please take a few minutes to fill out this survey:

Have you order a Pretrial Bond Report?
Yes No

Using the traditional process using pen and paper form:

During your term as a judge in the Criminal division, have you seen and use the bond report submitted by Pretrial Services in handwritten format?
Yes No

Is the design of the traditional paper format adequate for the requirements in Court?
Yes No

In the handwritten Bond report, did you get all the information required to complete your decision making?

Yes No if not, why? _____

Using the new digital ink pen and new paper form format:

During your term as a judge in the Criminal division, have you seen the bond report submitted by Pretrial Services in a computer generated report format?
Yes No

Is the design of the new digital paper format adequate for the requirements in Court?
Yes No

In the new digital paper report format, did you get all the information required to complete your decision making?

Yes No if not, why? _____

If you have a preference between the two formats, which would you prefer to use?

Handwritten paper format New digital paper format

Why? _____

APPENDIX E: Survey for Lawyers

Survey for Lawyers

The Pretrial Services Unit recently switched from using the traditional pen and paper to a digital pen and formatted paper when conducting an interview with the defendant in custody as part of completing a bond report. As the recipient of the pretrial bond report, we would like to find out if the new format of the report is concise, clear and well formatted that enables you to read the report quicker and helps you in whatever the bond report is intended for.

Please take a few minutes to fill out this survey:

Have you order a Pretrial Bond Report?
Yes No

Using the traditional process using pen and paper form:

During your career as the defense lawyer that appears in bond court, have you seen and use the bond report submitted by Pretrial Services in handwritten format?
Yes No

Is the design of the traditional paper format adequate for the requirements in Court?
Yes No

In the handwritten Bond report, did you get all the information required to complete your decision making?

Yes No if not, why? _____

Using the new digital ink pen and new paper form format:

During your career as a defense lawyer that appears in bond court, have you seen the bond report submitted by Pretrial Services in a computer generated report format?
Yes No

Is the design of the new digital paper format adequate for the requirements in Court?
Yes No

In the new digital paper report format, did you get all the information required to complete your decision making?

Yes No if not, why? _____

If you have a preference between the two formats, which would you prefer to use?

Handwritten paper format New digital paper format

Why? _____

APPENDIX F: Survey for Prosecutors

Survey for Prosecutors

The Pretrial Services Unit recently switched from using the traditional pen and paper to a digital pen and formatted paper when conducting an interview with the defendant in custody as part of the process in completing a bond report. As a recipient of the pretrial bond report, we would like to find out if the new format of the report is concise, clear and well formatted that enables you to read the report quicker and helps you in whatever the bond report is intended for.

Please take a few minutes to fill out this survey:

Have you order a Pretrial Bond Report?

Yes No

Using the traditional process using pen and paper form:

During your career as a Prosecutor that appears in bond court, have you seen and use the bond report submitted by Pretrial Services in handwritten format?

Yes No

Is the design of the traditional paper format adequate for the requirements in Court?

Yes No

In the handwritten Bond report, did you get all the information required to complete your decision making?

Yes No if not, why? _____

Using the new digital ink pen and new paper form format:

During your career as a Prosecutor that appears in bond court, have you seen the bond report submitted by Pretrial Services in a computer generated report format?

Yes No

Is the design of the new digital paper format adequate for the requirements in Court?

Yes No

In the new digital paper report format, did you get all the information required to complete your decision making?

Yes No if not, why? _____

If you have a preference between the two formats, which would you prefer to use?

Handwritten paper format New digital paper format

Why? _____

APPENDIX G: Sample of Bond Report - Traditional Method

Bond #: 33,000 The Circuit Court of The 19th Judicial Court Date: 6/7/07
 Attorney: P.D. Gossman Lake County, Illinois
 Pretrial Services Bond Report Court Room: 405 Time: 9 AM

LAST NAME: ██████████ FIRST NAME: ██████████ M.I.: M
 AKA: ██████████ MAIDEN: ██████████
 DOB: 4-30-84 AGE: 23 POB: Morelia, Mexico SEX: M RACE: H
 DATE OF REPORT: 6/6/07 FBI #: 6154 HCO IL #: 0490636
 DATE OF ARREST: 6/1/07 ARRESTING AGENCY: WKGH
 CASE #: 06 CM 3168 CHARGE: POSS. Cannabis / 100g CLASS: C
 CASE #: 06 CM 4674 CHARGE: Resist. Po. / 1908F CLASS: A
 Information verified by: Unable to verify, information wrong & given

Verified
Yes/No

RESIDENCE/FAMILY

Present Address: 1405 ██████████ Apt # House
 City: Waukegan State: IL Zip: 60085
 Length at Residence: 1 year Living with: ██████████ Sister
 Land Line Phone #: Don't know (Name / Relationship)
 Cell # ██████████
 Former Address: 12 Fulton avenue Apt #:
 City: Waukegan State: IL Zip: 60085
 Length at Residence: 4-5 mo. Living with: Brother-in-Law (Name / Relationship)
 Land Line Phone #: Cell #
 Geographical Movement: only lived in waukegan, last 4 years in wkgan

Marital Status: Single No. of Children: 0 Family in Area: yes
 Other Contacts: Marcello Ochoa Friend ██████████
 Name: ██████████ Relationship / Age: ██████████ Phone: ██████████
 Name: ██████████ Relationship / Age: ██████████ Phone: ██████████

EMPLOYMENT/INCOME

Present Employer: Landscaping Supervisor: Independent
 City: Work days: Work hours: Phone:
 Dates of Employment: Salary: \$ Position: Landscaper
 Have you been employed continuously for the past two years?
 Previous Employer: Dates of Employment:
 City: Reason for Leaving: Position:
 OTHER SOURCES OF INCOME:

EDUCATION BACKGROUND

Last School Attended: Mexico Highest Grade Completed: 3rd
 Special Education: NONE Other Education: NONE
 (Specify LD / DD) (Specify GED / Continuing Education)

CURRENTLY ON PROBATION/PAROLE: Yes No Charge(s): _____

County: _____ Probation/Parole Officer's Name: _____

Comments: _____

PERSONAL/SOCIAL BACKGROUND

	ALCOHOL	CANNABIS	COCAINE	OPIATE	OTHER
AGE OF FIRST USE	15	20			
LAST USED	3/20/07	6/2/07	NONE	None	NONE
FREQUENCY / \$ AMOUNT	liquor/beer	daily			
METHOD OF USE	drink	smoke			

Treatment History / School Schedule: mother tried to get him into rehab, but he didn't comply.

Gang Affiliation: Yes No Mental Health Issues: Yes No Medical: Yes No

Comments: _____

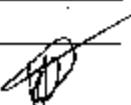
BOND RECOMMENDATION

Personal Recognizance: _____ Supervised Pretrial Release: _____ Cash Bond:

Comments and Recommendation: Cash Bond. Defendant is an FTA risk, O has prior history of FTA's. D provided wrong telephone number, therefore no information could be verified. D also has at least 3 JBF's.

****RECORD CHECK IS ATTACHED****

Distribution: Court
 State's Attorney
 Defense Attorney

Signed: Christine Moss [REDACTED]
 Probation Officer 
ACC-4-41-01-R-0806

APPENDIX H: Risk Assessment Instrument

Lake County Pretrial Risk Assessment Instrument

Completion Date: 06/06/2007 Arrest Date: 06/01/2007 Next Ct. Date: 06/07/2007

Defendant Name: [REDACTED] _____

SSN: n/a Sex: Male Race: Hispanic DOB: 04/20/1984

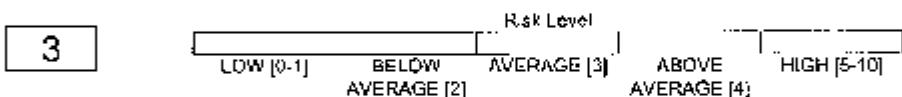
Case Number: 06CM3168, 06CM4624 Bond Report Bond Supervision

Charges: Poss. Cannabis/ J.O.B.F, Resist PO/ J.O.B.F

Strategic Focus: Customer Experience, Retailer Loyalty, and Product Innovation

Risk Factors:

- [1] The defendant is currently under active criminal justice supervision
- [1] Pending charges existed at the time of arrest
- [1] Outstanding warrants existed in another locality at the time of arrest
- [1] Adult criminal history includes at least one misdemeanor or felony conviction
- [1] Two or more failures to appear
- [1] Two or more violent convictions
- [2] Length of current residence less than one year
- [1] Not employed continuously for the past two years and was not a primary caregiver at the time of arrest
- [1] History of drug abuse



Additional Risk Considerations:

One or more current charge is violent

One or more of the current charge is First Degree Murder, a class X Felony or a class I Felony

The most serious charge is a felony

The defendant has a juvenile criminal record

The defendant has a significant mental health concern

The defendant is affiliated with a gang

Other(s): _____

Maturing Factors:

The defendant self-surrendered
 Other(s):

Comments and Recommendations:

Cash Bond. Defendant is an FTK risk, he has a history of at least 3 JCBF'S. The defendant's information could not be verified, therefore his residence is unknown. Defendant supplied wrong telephone number for his contact to verify any information.

APPENDIX I: Criminal Background History

DATE	PLACE	MTC 4-26-84	PRIOR RECORD	DATE: <u>6-6-07</u>
			CHARGE	DISPOSITION
7-11-01	WKGN		04TR 105959 Unlicensed 105958 Lights Vis 105953 Uninsured	10-19-01 JOSR " " "
8-25-04	WKGN		04TR 135300 Nitroge Scooter Violations	11-19-04 JOSR
6-26-04	WKGN		04TR 101230 Fail Surrender Regs 101229 Unlicensed 101227 Uninsured 101226 Susp Regs 101224 Regs Susp	9-20-04 JOSR " " " " " " " " "
12-22-04	WKGN		05CM 25 OH. Off. Just (JOSR)	6-2-05 No P.R.
4-25-05	WKGN		05TR 157870 Unlicensed 157869 Uninsured 157868 Unsafe Back 157867 Leave Scene	12-23-05 JOSR " " " " " " " " "
Sources:	<input checked="" type="checkbox"/> Clerk <input checked="" type="checkbox"/> FBI <input type="checkbox"/> Probation <input type="checkbox"/> DOC <input checked="" type="checkbox"/> FBI <input checked="" type="checkbox"/> NCIC <input checked="" type="checkbox"/> LEADS <input type="checkbox"/> Warrants <input type="checkbox"/> SOS			ACC-4-41-04-R-1202

APPENDIX J: Digital Ink Method - Handwritten Sample Bond Report

Check to Start

The Circuit Court of The 19th Judicial - Lake County, Illinois
Pretrial Services Bond Report

693281 
www.coverlink.com

Bond Amount \$: No Bond Set Court Date: Court Room: Time: AM
20000 09/17/08 C-120 6:30 PM

Attorney: PD Priv CT Appt Status Of

Last Name:

Mi:

First Name:

AKA:

P

Maiden:

Date of Birth:

Age:

Sex:

Race:

NA

06/23/85 23

B

Date of Report:

09/17/08

POB:

WAUKOGAN

FBI #:

683613VC4 53109660

IL #:

Date of Arrest:

09/14/08 2101

Arresting Agency:

Case #:

08CF3848

Charge:

Class:

1

Case #:

08CM437

Charge:

Class:

A

Information Verified By:

Verified RESIDENCE/FAMILY

Y N Present Address: 2308 _____ Apt. #: C

City: _____

State: IL Zip: 60001

Y N

Length at Residence:

Living With: (Name)

1 Mth Yrs

Relationship:

FATHER

Y N

Contact Phone Number:

Cell #:

Y N

Former Address:

Apt. #:

40342 KENOSHA RD

Y N

City: BEACH PARK

State: IL Zip: 60001

Y N

Length at Residence:

Living With: (Name)

4 Mth Yrs

Relationship:

SISTER

EDUCATION BACKGROUND

Verified Yes No Last School Attended: WILKESBARRE HS

Highest Grade Completed: 11 Special Education: YES Specify: GED BD

Other Education: None Specify: GED Continuing Education

Currently on Probation: Yes No Currently on Parole: Yes No IDOC#: None

Charge(s): None

County: None Probation/Parole Officer's Last Name: None

Comments: None

PERSONAL/SOCIAL BACKGROUND

	ALCOHOL	CANNABIS	COCAINE	OPIATE	OTHER
AGE OF FIRST USE		<u>NONE</u>	<u>NONE</u>	<u>NONE</u>	
LAST USED	<u>2-3 DAYS AGO</u>				
FREQUENCY/ \$ AMOUNT	<u>1-2 DRINKS</u>				
METHOD OF USE	<u>BY MOUTH</u>				

Treatment History:

Gang Affiliation: Yes No Mental Health Issues: Yes No Medical: Yes No Military Service? Yes No

Comments: Anger Issues; reports at times being
depressed.

BOND RECOMMENDATION Personal Recognizance Supervised Pretrial Release Cash Bond

Comments:

Sign:

Probation Officer

Approved:

Supervisor:

APPENDIX K: Digital Ink Method - Sample Converted Bond Report

Check to Start

The Circuit Court of The 19th Judicial - Lake County, Illinois
Pretrial Services Bond Report

693281 
www.covrlink.com

Bond Amount \$: No Bond Set Court Date: Court Room: Time: AM
2,000.0 09 / 17 / 08 C - 120 1 : 30 PM

Attorney: PD Priv CT Appt Status Of

Last Name: Mi: P

First Name: AKA:

Maiden: Date of Birth: Age: Sex: Race:
N.A. / / F B

POB: Date of Report:

W.A.U.K.E.G.A.N. 09 / 17 / 08

FBI #: IL#:

683613V.C.4 53109660

Date of Arrest: Arresting Agency:

09 / 14 / 08 ZION

Case #: Charge: Class:

08.C.F.3.8.4.8 U.D.C.S. 1

Case #: Charge: Class:

08.C.M.4.3.7 R.E.S.I.S.T. P.O. F.T.A. A

Information Verified By:

Verified RESIDENCE/FAMILY
 Y N Present Address: Apt #
2208 HEBRON C

City: State: Zip:
 Y N Length at Residence: Living With: (Name)
1 Mth Yrs

Relationship: FATHER
 Y N Contact Phone Number: Cell #:

Y N Former Address: Apt #
40342 KENOSHA RD

City: BEACH PARK State: IL Zip:
 Y N Length at Residence: Living With: (Name)
4 Mth Yrs

Relationship: SISTER

BOND RECOMMENDATION Personal Recognizance Supervised Pretrial Release Cash Bond Lower Cash Bond

Initials

C.H.

Comments:

PAROLE HOLD. REARREST RISK. THE DEFENDANT WAS PREVIOUSLY ON PTBS IN 2006 AND PERFORMED UNSATISFACTORY DUE TO NUMEROUS VIOLATIONS AND ULTIMATLEY FAILING TO APPEAR.

THE DEFENDANT IS ASSESSED AT THE HIGH RISK LEVEL BASED ON THE LAKE COUNTY PRETRIAL RISK ASSESSMENT INSTRUMENT.

Sign: Christie Fahr

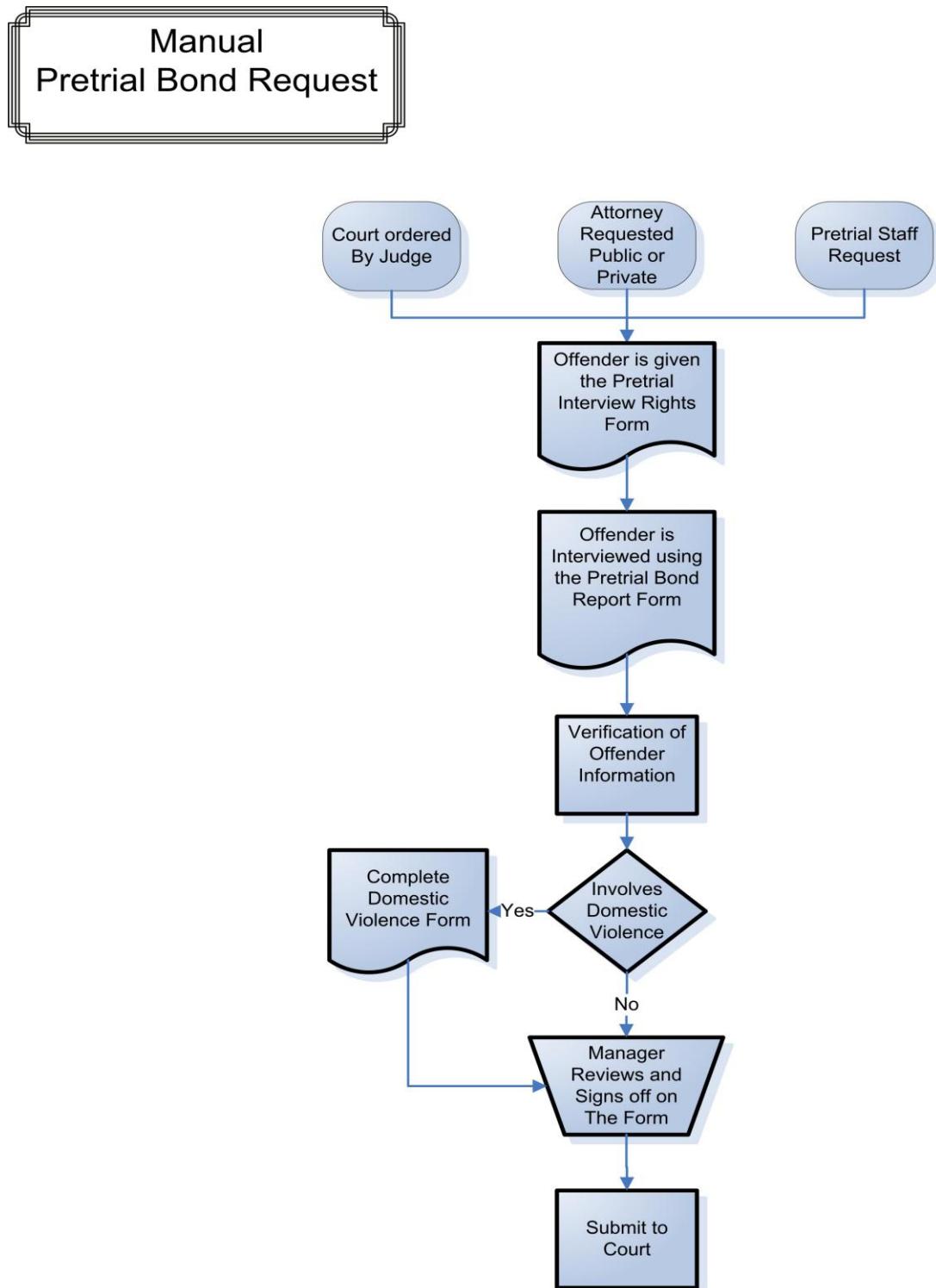
Probation Officer

Approved:

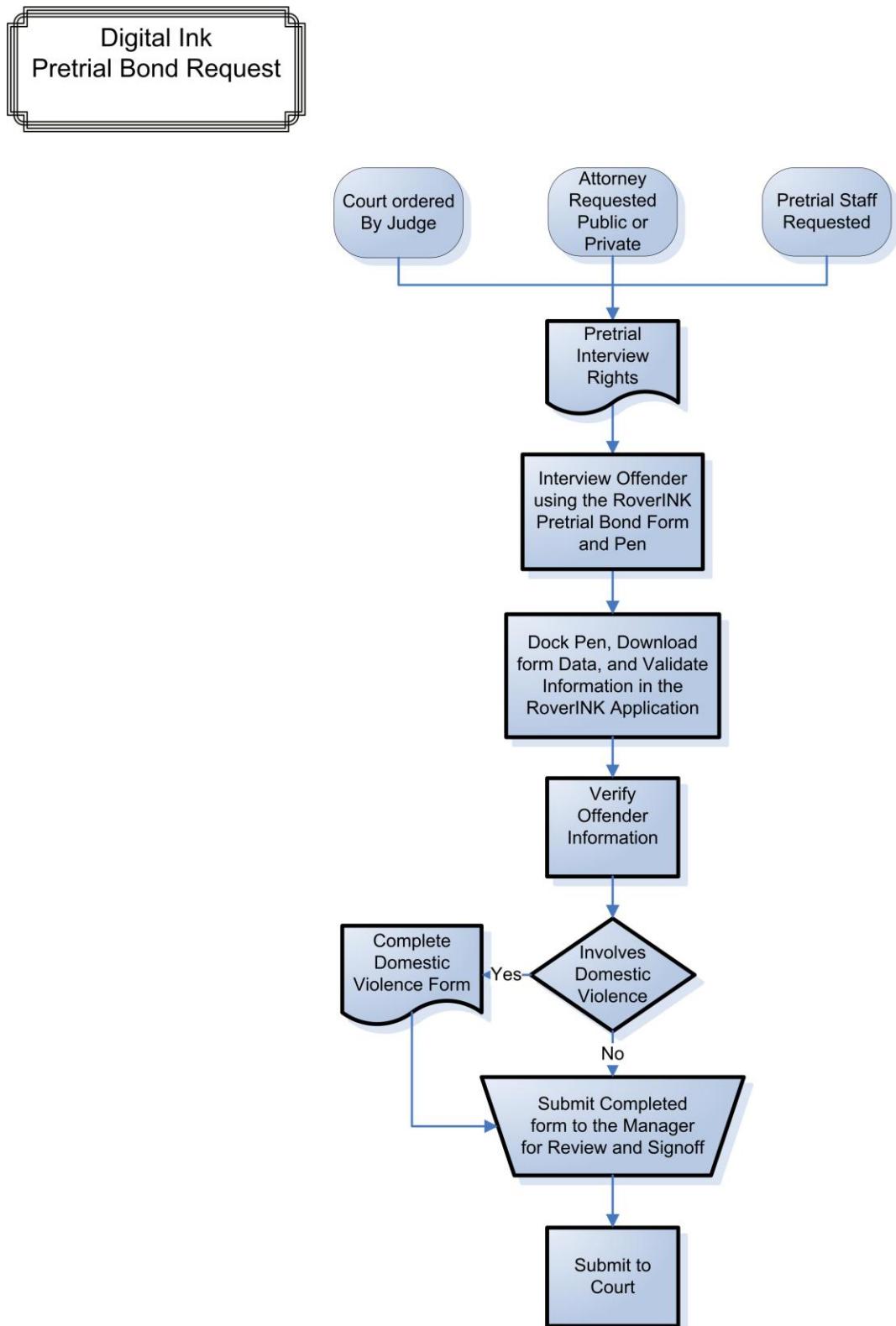
Walter K. Muth

Supervisor:

APPENDIX L: Pretrial Bond Report Process - Traditional



APPENDIX M: Pretrial Bond Report Process - Digital Ink



APPENDIX N: Domestic Violence Form

Client: _____

725 ILCS 5/110-5.1 (b)

To the extent that information about any of the following is available to the court, the court shall consider all of the following, in addition to any other circumstances considered by the court, before setting bail for a person who appears before the court pursuant to subsection (a):

- (1) History of domestic violence or violent acts?: _____

- (2) Mental health of the person?: _____

- (3) History of violating the orders of any court or governmental entity?: _____

- (4) Is defendant potentially a threat to any other person?: _____

- (5) Does defendant have access to deadly weapons or a history of using deadly weapons?*: _____

- (6) History of drug or alcohol abuse?: _____

- (7) Severity of alleged violence that is the basis of alleged offense, including but limited to the duration to the alleged violent incident and whether it involved serious injury, sexual assault, strangulation, abuse during alleged victim's pregnancy, abuse of pets, or forcible entry to gain access to alleged victim?: _____

- (8) Whether separation between defendant and alleged victim or termination of their relationship has recently occurred or is pending?: _____

- (9) Has the defendant exhibited obsessive or controlling behaviors toward the alleged victim, including but not limited to stalking surveillance or isolation of alleged victim?: _____

- (10) Has the defendant expressed suicide or homicidal ideations?: _____

- (11) Any information contained in the complaint, any police reports, affidavits, or other documents accompanying the complaint?: _____

*If arrested for forcible felony, stalking or aggravated stalking, domestic battery, armed violence or certain drug offenses the court shall order the defendant to surrender all his/her firearms to a law enforcement agency at a designated date and time and surrender his/her FOID card to the Circuit Clerk.

AOC-4-41-06-O-0307

APPENDIX O: Domestic Violence Form - Digital method

Check to Start

✓

lawtrink.com
www.lawtrink.com

Case Number 0 9 C F 4 0 6 0 □ □ □ □ □ □

Date 1 2 / 2 4 / 0 9

725 ILCS 5/110-5.1 (b)

To the extent that information about any of the following is available to the court, the court shall consider all of the following, in addition to any other circumstances considered by the court, before setting bail for a person who appears before the court pursuant to subsection (a):

History of domestic violence or violent acts?

Previous arrests for Battery, UUW, Atpt. Dom Battery,---- all Stricken on Leave.

Mental health of the person?

None reported

History of violating the orders of any court or governmental entity?

None found

Is defendant potentially a threat to any other person?

Instant offense

Does defendant have access to deadly weapons or a history of using deadly weapons?*

Defendant reports no access to firearms.

History of drug or alcohol abuse?

None reported

Severity of alleged violence that is the basis of alleged offense, including but limited to the duration to the alleged violent incident and whether it involved serious injury, sexual assault, strangulation, abuse during alleged victim's pregnancy, abuse of pets, or forcible entry to gain access to alleged victim.

Unknown- Pretrial was unable to reach alleged victim for comment.

Whether separation between defendant and alleged victim or termination of their relationship has recently occurred or is pending?
Defendant reports alleged victim is his "baby's mother" and they are not together.

Has the defendant exhibited obsessive or controlling behaviors toward the alleged victim, including but not limited to stalking surveillance or isolation of alleged victim?

Unknown

Has the defendant expressed suicide or homicidal ideations?
None reported

Any information contained in the complaint, any police reports, affidavits, or other documents accompanying the complaint?
Unknown, Pretrial has no access to Police reports.

* If arrested for forcible felony, stalking or aggravated stalking, domestic battery, armed violence or certain drug offenses the court shall order the defendant to surrender all his/her firearms to a law enforcement agency at a designated date and time and surrender his/her FOID card to the Circuit

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