

THE CRIMINAL CASE DATA EXCHANGE BOARD

UNIFORM STANDARDS
FOR THE CREATION AND TRANSMISSION
OF ELECTRONIC CRIMINAL HISTORY DATA



ADOPTED 11/16/2023

THE CRIMINAL CASE DATA EXCHANGE BOARD
UNIFORM STANDARDS FOR THE CREATION AND TRANSMISSION OF CRIMINAL HISTORY DATA

Table of Contents

Scope	1
Section 1. Authority for Adoption	2
Section 2. Adoption Date	2
Section 3. Effective Date	2
Section 4. Singular Includes the Plural and Gender References	2
Section 5. Board Office and Contacts	2
Section 6. Definitions	2
Section 7. Uniform Standards for the Creation and Transmission of Electronic Criminal History Data	7
7.1 General Provisions	7
7.1.1 Uniform Transmission and Timeliness Standard	7
7.1.2 Exceptions	7
7.1.3 Disposition Transmission	7
7.1.4 Rejection of Disposition Transmittal.....	7
7.2 Law Enforcement Agencies	8
7.2.1 Data Transmission	8
7.2.2 Transmission to GCIC.....	8
7.2.2.1 Maintenance of Singular OTN	8
7.2.2.2 Subsequent Booking Agency	8
7.2.3 Failure to Appear Warrant	8
7.2.4 Arrest on Out-of-State, Military, Tribal, or Federal Warrant.....	8
7.2.4.1 OTN Generation for Out-of-State Warrant	9
7.2.5 Probation Violation Warrant.....	9
7.2.6 Parole Violation Warrant	9
7.3 Courts - General Standards for All Classes of Court	9
7.3.1 OTN Creation for GCIC Reportable Offense	9
7.3.2 Transmittal Obligations.....	9
7.3.3 Transmission of Data	10
7.3.3.1 GCIC Reportable Offenses.....	10
7.3.3.2 DDS Reportable Offenses.....	10
7.3.4 Disposition of Probation Violation	10
7.3.5 Rejections	10
7.3.6 Local Compliance Protocol.....	11
7.3.6.1 Local Assistance MOU	11
7.3.7 Magistrate Courts.....	11

7.3.8	Superior and State Courts.....	11
7.3.9	Probate Courts.....	11
7.3.10	Juvenile Courts	11
7.3.11	Municipal, Recorders, and City Courts.....	11
7.4	<i>Prosecutors</i>	12
7.4.1	OTN Creation for GCIC Reportable Offense.....	12
7.4.2	Charging Decision - Indictment/Accusation	12
7.4.3	Superseding Indictment/Accusation.....	12
7.4.4	SC-10 Criminal Case Information Form	13
7.4.5	Transmittal Obligations.....	13
7.5	<i>Georgia Crime Information Center (GCIC)</i>	13
7.5.1	Acceptance of Court Dispositions.....	13
7.5.2	Data Transmission Specification.....	13
7.5.3	Acceptance of Transmitted Data	13
7.5.4	Rejection of Transmitted Data.....	13
7.5.5	Notification of Rejected Data.....	13
7.5.6	Reports and Metrics	14
7.5.7	CDX Compliance Report.....	14
7.6	<i>Georgia Department of Driver Services - RESERVED</i>	14
7.7	<i>Department of Community Supervision</i>	14
7.8	<i>Department of Corrections - RESERVED</i>	14
7.9	<i>Private Probation Officers - RESERVED</i>	14
7.10	<i>State Board of Pardons and Paroles</i>	14
7.11	<i>Judicial Council/Administrative Office of the Courts (JC/AOC)</i>	15
7.11.1	Case Data Standard	15
7.11.2	Standard Code and Statute Table	15
7.11.3	Maintain CDX Compliance Plan for Local Criminal Justice Agencies	15
Section 8.	<i>Requirement for Use of Standards and Penalties</i>	15
8.1	<i>General Provisions for all Criminal Justice Agencies</i>	15
8.1.1	Applicability of Standards.....	15
8.1.2	Requirement to Notify Board of Noncompliance	16
8.1.3	Establishment of Noncompliance Review Advisory Committee and Duties	16
8.1.4	Penalties for Noncompliance	16
Section 9.	<i>Training</i>	17
9.1	<i>General Guidelines</i>	17

CRIMINAL CASE DATA EXCHANGE BOARD
UNIFORM STANDARDS FOR THE CREATION AND TRANSMISSION OF CRIMINAL HISTORY DATA

Scope

These standards are adopted to establish requirements as authorized by the statutory provisions related to the re-establishment of the Criminal Case Data Exchange Board and to provide standards to establish a more uniform system and framework for handling criminal case data so that such data shall be accurately reported and accessible within the State of Georgia pursuant to the Criminal Records Responsibility Act of 2022, as revised in 2023.

These standards are not intended to conflict with the Constitution, substantive law, or any applicable rules of the Georgia Supreme Court, The Judicial Council of Georgia, The Council of Superior Court Judges, The Council of State Court Judges, The Council of Magistrate Court Judges, The Council of Probate Court Judges, The Council of Municipal Court Judges, or The Council of Juvenile Court Judges.

The intention of the Board is to disrupt as little as possible current local practices which result in the effective transmission of final dispositions of criminal charges. It is however the intention that these standards shall prevail over local inconsistent practices and procedures and shall be applied uniformly throughout the state with the goal to facilitate the reporting of dispositions and provide the criminal justice community with tools that enable better decision making.

These standards establish, or will establish, criminal reporting requirements for all entities reporting to GCIC, including but not limited to:

- All law enforcement agencies,
- All superior courts
- All state courts,
- All magistrate courts,
- All probate courts,
- All juvenile courts,
- All recorders' courts,
- All municipal courts,
- All city courts,
- The Department of Community Supervision,
- The Department of Corrections, Wardens, and persons in charge of detention or correctional facilities,
- The State Board of Pardons and Paroles,
- County probation entities, probation officers, and personnel,
- Community supervision entities and personnel,
- Department of Juvenile Justice and juvenile probation entities and personnel,
- Private probation entities and personnel.

This document does not address transmission of relevant data from the Court of Appeals or Supreme Court.

Section 1. Authority for Adoption

Statutory authorities for the promulgation of these standards by the Criminal Case Data Exchange Board are found at:

- a. Ga. Gen. Assembly 2022 Act 717; 2022 Ga. Act 717, 2022 Ga. SB 441, the Criminal Records Responsibility Act, effective July 1, 2022.

Revised by Ga. Gen. Assembly 2023 Act 88; 2023 Ga. Act 88, 2023 Ga. SB 272, the Criminal Records Responsibility Act, effective July 1, 2023.

- b. O.C.G.A. §15-6-50.3(h)(5) relating to standards for the creation and transmission of electronic criminal history data by and between local and state Criminal Justice Agencies.

Section 2. Adoption Date

These standards are adopted by official action of the Criminal Case Data Exchange Board at the meeting of the Board on November 16th, 2023.

Section 3. Effective Date

These standards become effective on November 16th, 2023.

Section 4. Singular Includes the Plural and Gender References

When required by context a singular term shall include the plural, and the plural shall include the singular. The use of any gender, be it masculine, feminine, or neuter, shall include all genders.

Section 5. Board Office and Contacts

The office and mailing address of the Board is:

Criminal Case Data Exchange Board
244 Washington Street, SW
Suite 300
Atlanta, GA 30334

Contact information for the Board: Email: cdx@georgiacourts.gov

Telephone: (404) 656-5171

Section 6. Definitions

Defined terms within these Standards shall include the following:

- (a) **Arrest** shall mean the detention of an individual by a law enforcement officer that results in a criminal charge being made against that individual. An “arrest” includes any action

made by a law enforcement officer wherein the officer takes an individual into custody pursuant to an arrest warrant (felony or misdemeanor), a bench warrant, a contempt citation, a probation revocation warrant, a parole violation warrant, an order for fingerprinting, a citation (UTC/UMC) or any combination of the foregoing which is a Reportable Offense.

- (b) **Arrest Cycle** shall mean a unique instance of arrest or the taking into custody in this state of a person on a specific date resulting in a report of same to GCIC.
- (c) **Arresting Agency** shall mean the law enforcement agency that effectuates an arrest, either on its own behalf or at the request of another agency.
- (d) **Board** shall mean the Criminal Case Data Exchange Board.
- (e) **Booking Agency** shall mean the Sheriff or other law enforcement agency that “books” an accused person into jail or other confinement facility following an arrest. The Booking Agency captures and successfully transmits the accused person’s fingerprints to GCIC, initiating the creation and issuance of an OTN. A Booking Agency may also include youth detention centers (YDCs) and regional youth detention centers (RYDCs). There may be instances where the Arresting Agency is also the Booking Agency.
- (f) **Charge** shall mean:
 - (1) A criminal offense which is a felony;
 - (2) A criminal offense which is a fingerprintable misdemeanor; or
 - (3) A violation of an ordinance for criminal offenses described in O.C.G.A §35-3-33(a)(1)(A)(ii).
- (g) **Charge Code** shall mean the current active four-digit criminal offense (CON) code assigned by GCIC corresponding to a specific criminal offense. Current charge codes may be found at: <http://gicweb.gbi.state.ga.us/content/cch-criminal-codes> or <https://gbi.georgia.gov/criminal-offenses-require-fingerprinting>.
- (h) **Charging Decision** shall mean:
 - (1) Any point in the process where a Prosecutor makes the decision to decline prosecution on any charge for which a CTN was assigned. This decision could be to dismiss a criminal arrest warrant, or in the exercise of prosecutorial discretion, that no further action is to be taken in the case;
 - (2) The time an accusation has been filed with the Clerk of Court;
 - (3) At the time when a defendant has been admitted to a pre-trial intervention program or an accountability court program in a pre-adjudication status;
 - (4) When a grand jury has returned a true bill, issued an indictment in any particular case, and the indictment has been filed with the Clerk of Court; or

(5) When a grand jury has returned a no bill on a proposed indictment and the Prosecutor has elected to forego further prosecution action on the case.

- (i) **Charging Instrument** shall mean an indictment, accusation, or UTC that the Prosecutor is proceeding upon when bringing charges against an accused person to court.
- (j) **Clerk** shall mean any applicable Clerks of superior courts, state courts, magistrate courts, juvenile courts, probate courts, municipal courts, recorders courts, city courts and any other administrative personnel of any court or tribunal of the state except the Court of Appeals and Supreme Court.
- (k) **Court** shall mean any superior court, state court, magistrate court, juvenile court, probate court, municipal court, recorders court, city court, or other tribunal of the State.
- (l) **Criminal Justice Agency** shall mean any governmental agency, unit, public official, or court that meets the following conditions:

To be considered a criminal justice agency, an entity must meet the definition of a criminal justice agency as contained in Title 28, C.F.R., Part 20, Subpart A. Title 28, C.F.R. § 20.3(g) defines a criminal justice agency as “(1) Courts; [or] (2) A governmental agency or any subunit thereof which performs the administration of criminal justice pursuant to a statute or executive order, and which allocates a substantial part (interpreted to mean at more than 50 percent) of its annual budget to the administration of criminal justice.”

The definition of a criminal justice agency and the administration of criminal justice must be considered together. Included as criminal justice agencies would be traditional police, courts, and corrections agencies, as well as subunits of noncriminal justice agencies performing a function of the administration of criminal justice. These subunits would include agencies which have as their principle function the investigation of criminal provisions of applicable state laws.

Such term shall include the following:

- (1) Law Enforcement Agencies at all levels of government;
 - (2) Courts as herein defined;
 - (3) Department of Community Supervision;
 - (4) Department of Corrections;
 - (5) Wardens or other persons in charge of penal and correctional institutions;
 - (6) The State Board of Pardons and Parole;
 - (7) County probation officers employed by a governing authority of a county, municipality, or consolidated government to supervise defendants placed on probation by a court for committing an ordinance violation or misdemeanor;
 - (8) Department of Juvenile Justice and juvenile probation officers;
 - (9) Community supervision officers;
 - (10) Probation officers.
- (m) **CTN** shall mean the GCIC Charge Tracking Number, the sequential number assigned to each unique offense within an arrest cycle event.

- (n) **Department of Driver Services (DDS)** shall mean the entity created by O.C.G.A. §40-16-2.
- (o) **Disposition** shall mean the result of a criminal charge culminating in the transmission of final disposition report to GCIC. Such term includes a law enforcement agency election not to refer the matter to a prosecutor or those charges where a prosecutor elects not to commence criminal proceedings.
- (p) **Georgia Crime Information Center (GCIC)** shall mean the entity within the Georgia Bureau of Investigation created by O.C.G.A. §35-3-31.
- (q) **Judicial Council/Administrative Office of the Courts (JC/AOC)** shall mean the Judicial Council of Georgia /Administrative Office of the Courts created by O.C.G.A. §15-5-22.
- (r) **Law Enforcement Agency** shall mean a governmental unit of one or more persons employed by the state, a state agency or department, or employed by or funded through a political subdivision of the state for the purpose of preventing and detecting crime and enforcing state laws or local ordinances whose employees of which unit are authorized to make arrests for crimes while acting within the scope of their authority and include each: (reference O.C.G.A. §35-3-30)
- 1) Sheriff,
 - 2) Police Department,
 - 3) The Department of Public Safety,
 - 4) Capitol Police,
 - 5) Georgia State Patrol,
 - 6) Motor Vehicle Compliance Division,
 - 7) Georgia Bureau of Investigation,
 - 8) Georgia Department of Corrections,
 - 9) Georgia Department of Natural Resources,
 - 10) County or city public safety department,
 - 11) Any Marshal,
 - 12) College or University Police,
 - 13) School system police or Public Safety Department,
 - 14) Transit Police,
 - 15) World Congress Center Police,
 - 16) Drug Enforcement Unit,
 - 17) Special police officers pursuant to O.C.G.A. §35-9-2,
 - 18) Arresting Agency or Booking Agency as described in 6(a) and 6(b) of these standards.
 - 19) Other office that has the power to arrest a person charged with a criminal offense or is authorized to issue any traffic citation.
- (s) **National Crime Information Center (NCIC)** shall mean the nationwide, computerized information system established as a service to all local, state, and federal Criminal Justice Agencies described in 28 U.S.C. § 534. The system includes wanted person information; missing person information; unidentified person information; stolen property information; criminal history information; information compiled in the course of

investigation of crimes that are known or believed on reasonable grounds to have occurred, including information on identifiable individuals; and information on identifiable individuals compiled in an effort to anticipate, prevent, or monitor possible criminal activity.

- (t) **ORI** shall mean the nine-character agency identifier containing both alpha and numeric characters assigned by the FBI which validates legal authorization to access criminal justice information and identifies the agency.
- (u) **OTN** shall mean the GCIC Offender Tracking Number as an eleven-digit number assigned to an arrest cycle. An OTN can only be created after an agency takes and successfully transmits fingerprints of an offender to GCIC.
- (v) **Out-of-State Warrant** shall mean a warrant originating from any foreign, or non-Georgia Criminal Justice Agency analogous to those agencies referenced in Section 6(l) above. This definition will include, but is not limited to, arrest warrants issued by an agency from another state, a federal agency, tribal agency, military agency, or another similar agency.
- (w) **Prosecutor** shall mean the Attorney General, a district attorney, a solicitor general, a municipal court solicitor, or any other official tasked with presenting a criminal or traffic case on behalf of a governmental body to a court. If the offense was a violation of a criminal law of this state which, by general law, may be tried by a municipal, magistrate, probate, juvenile, or other court that is not a court of record, the term “prosecuting attorney” shall include the prosecuting officer of such court or, in the absence of such prosecuting attorney, the district attorney of the judicial circuit in which such court is located. The term also includes the staff of the prosecutor.
- (x) **Receiving Agency** shall mean a Booking Agency that was not the initial Booking Agency which took custody of an individual following his/her arrest and to which the custody of that individual has been transferred.
- (y) **Reportable Offense** shall mean any charge that is reportable to GCIC under O.C.G.A. §35-3-33(a)(1) or any charge that is reportable to DDS as required under O.C.G.A. §40-5-53(b).
- (z) **Supervised Release File** shall mean the file within the NCIC consisting of information on subjects who are put under specific restrictions during their probation, parole, supervised release sentence, or pretrial sentencing.
- (aa) **UMC** shall mean the Uniform Misdemeanor Citation and Complaint Form described in O.C.G.A. §15-5-21.1.
- (bb) **UTC** shall mean a Uniform Traffic Citation described generally in Article 1 of Chapter 40, Georgia Code and specifically at O.C.G.A. § 40-13-1.
- (cc) **Warrant** shall mean an order which authorizes any law enforcement agency to apprehend or detain an individual issued by a judge of a superior, city, state, or magistrate court or any municipal officer clothed by law with the powers of a magistrate. This term shall

include both warrants for arrest and bench warrants for arrest (ref: O.C.G.A. §17-4-40 and O.C.G.A. §17-7-90).

(dd) **Warrant Number** shall mean the number which has been assigned to a warrant.

Section 7. Uniform Standards for the Creation and Transmission of Electronic Criminal History Data

The following uniform standards are adopted for the creation and transmission of electronic criminal history data by and between local and state criminal justice agencies in the State of Georgia.

7.1 General Provisions

7.1.1 Uniform Transmission and Timeliness Standard

Criminal Justice Agencies shall ensure the transmission of the information to GCIC as described in O.C.G.A. §35-3-33 within 30 days of the creation or receipt of such information, whichever is sooner. This obligation is required pursuant to O.C.G.A. §35-3-36.

7.1.2 Exceptions

The uniform transmission and timeliness standard provided in 7.1.1 is not without exceptions. Each Criminal Justice Agency shall ensure any statutory standard provided in O.C.G.A. §35-3-36 or elsewhere that requires an earlier transmission than the uniform transmission standard in 7.1.1 is met. The Board will continue to develop standards for accurate and timely transmission of data.

7.1.3 Disposition Transmission

Beginning with the effective date of these Standards, a disposition shall be transmitted to GCIC within 30 days of its creation, regardless of the Criminal Justice Agency that orders or otherwise creates the disposition.

For all charges made prior to the effective date of these Standards that lack a disposition due to a failure to timely transmit such disposition in the format required by GCIC, each Criminal Justice Agency shall work diligently to process and determine the disposition of each charge. Upon correction of any disposition that has not previously been reported to and accepted by GCIC, the applicable Criminal Justice Agency shall transmit such corrected disposition within 30 days of the necessary corrections being made.

7.1.4 Rejection of Disposition Transmittal

Any disposition transmission that is rejected by GCIC shall be reported to the party that transmitted it. Upon receipt of a rejection by GCIC, the submitting party shall attempt to remedy the cause of the rejection and resubmit the corrected submission within 30 days of the rejection notice. If the submitting party cannot resolve the rejection, despite

collaboration with relevant parties, the submitting party will comply with the provisions of 7.3.5.

7.2 Law Enforcement Agencies

7.2.1 Data Transmission

Each Law Enforcement Agency making an Arrest or otherwise taking a person into custody for offenses specified in O.C.G.A. §35-3-33(a)(1)(A) shall provide to GCIC the fingerprints, descriptions, photographs, and any other pertinent identifying data. An OTN will be generated for that Arrest.

7.2.2 Transmission to GCIC

The Booking Agency shall transmit fingerprints for all executed arrests by electronic means in the format required by GCIC. This transmission by the Booking Agency shall be entered within the time limitations set forth in O.C.G.A. § 35-3-36(d).

7.2.2.1 Maintenance of Singular OTN

An Arresting Agency that is not the Booking Agency shall not transmit data to GCIC in a manner that results in an OTN being generated. However, should an Arresting Agency inadvertently enter an arrest into GCIC for which an OTN is assigned, at the time of the accused person is booked, the OTN obtained by the Arresting Agency shall be updated to reflect that the OTN obtained by the Arresting Agency has been closed. This update of the OTN by the Arresting Agency shall be entered within 30 days of the arrest warrant being executed.

7.2.2.2 Subsequent Booking Agency

A Booking Agency that transfers a detainee to a second or subsequent Booking Agency shall advise the Receiving Agency of the existing OTN for this arrest cycle and enter a Disposition type of "Transfer to Other Agency" within 30 days of the detainee being transferred. The Receiving Agency has the duty to electronically transmit to GCIC any additional data concerning the detainee under the existing OTN.

7.2.3 Failure to Appear Warrant

At the time an accused person is arrested on a warrant issued due to the accused person's failure to appear for court for which an OTN has been assigned, GCIC shall update the record automatically in a manner that shows the OTN assigned to that arrest has been closed.

7.2.4 Arrest on Out-of-State, Military, Tribal, or Federal Warrant

When an Arresting Agency makes an arrest on behalf of another agency other than a Georgia agency, such as an out-of-state warrant, and the Arresting Agency has no recent

or added charges against that individual in their jurisdiction, an OTN shall be generated but upon receipt, GCIC should automatically update all charges within the OTN to show “disposed.”

7.2.4.1 OTN Generation for Out-of-State Warrant

When an OTN is generated based upon the execution of an out-of-state arrest warrant, the identity of the court, to include city and state, that originally issued the warrant shall be included in the data field in creation of the OTN. When GCIC receives this information, they will develop a process that will make the record automatically update the OTN to show that it is closed.

7.2.5 Probation Violation Warrant

When a probation violation warrant is issued for a reportable charge, the warrant shall be added to the NCIC Wanted Person File. When an arrest is made on a probation violation warrant, the Booking Agency shall provide the OTN to the Clerk for disposition.

7.2.6 Parole Violation Warrant

When a parole violation warrant is issued, the warrant shall be added to the NCIC Wanted Person File. When an arrest is made on a parole violation warrant, the Booking Agency shall provide the OTN to the State Board of Pardons and Paroles for disposition.

7.3 Courts- General Standards for All Classes of Court

The following section contains general standards that every Superior Court, State Court, Magistrate Court, Juvenile Court, Probate Court, Municipal Court, Records Court, and City Court shall follow.

7.3.1 OTN Creation for GCIC Reportable Offense

Whenever a hearing or trial is scheduled in any criminal case that includes GCIC reportable offenses under O.C.G.A. §35-3-33, all felonies and for the misdemeanors and violations designated in O.C.G.A. §35-3-33(a)(1)(A) and for persons in the categories enumerated in O.C.G.A. §35-3-33, subparagraphs (a)(1)(B), (a)(1)(C), and (a)(1)(E), the Clerk shall immediately notify the presiding judge if aware that no OTN(s) have been created for the defendant(s) associated with that hearing or trial. The Court should not proceed to dispose of the charge(s) until an OTN has been assigned or the court has ordered that process to be accomplished as a condition of the case moving forward. In rare occasions, a court may order that the defendant be fingerprinted as part of any sentence imposed.

7.3.2 Transmittal Obligations

The Clerk of each court shall be responsible for inputting final disposition information from the court for any charge finalized by court action. However, the prosecutor is

responsible for reporting dismissals, modifications, and amendments of charges before filing an indictment or accusation (see 7.4.2 below).

7.3.3 Transmission of Data

It is the duty of the Clerk of each court to electronically transmit all criminal data elements required pursuant to subsection (g) of Code Section 35-3-36. Each Clerk of Court shall transmit such data to the Georgia Crime Information Center, in a form and format required by and consistent with uniform standards approved by this Board, and which shall provide the data to the JC/AOC for use by the state judicial branch upon request. Public access to said data shall remain the sole responsibility of the Georgia Crime Information Center. Ref. OCGA § 15-6-61(a)(18).

7.3.3.1 GCIC Reportable Offenses

For all GCIC reportable offenses, each court shall electronically transmit to GCIC the court's disposition data, information, and records for each court charge as provided by O.C.G.A. §35-3-36 via direct entry or via electronic transmission through the court's case management system. Transmission to GCIC shall be by electronic means in the format required by GCIC.

7.3.3.2 DDS Reportable Offenses

For all DDS reportable offenses, each court shall provide to DDS the court's disposition data, information, and records as provided by O.C.G.A. §40-5-53(b) within 10 days of conviction. Convictions are still required to be submitted even if not submitted within the required 10-days. Convictions must be reported via the Georgia Electronic Citation Processing System (GECPS).

7.3.4 Disposition of Probation Violation

The Clerk of Court shall transmit to GCIC the disposition of any probation violation within 30 days of the disposition being made and the Clerk being supplied the relevant OTN number.

7.3.5 Rejections

If there is a rejection of a disposition submission that the Clerk cannot resolve based upon a review of his or her records, and after consultation with the previous contributing agency(ies) on that record, the Clerk may report the situation to the Chief Superior Court Judge and prosecutor, and the Chief Superior Court Judge shall take whatever action necessary to require any other party or person to produce whatever data necessary to correctly report the disposition.

7.3.6 Local Compliance Protocol

Each judicial circuit or all counties in each judicial circuit shall have an agreed-upon compliance protocol that outlines the timely production of criminal data to include provisions for the accuracy, completeness, uniformity, integration, accessibility, and security of said data and based on approved state standards and data elements. Such protocol shall be reviewed at least biennially and updated as needed. The Chief Judge of the Judicial Circuit shall be responsible for ensuring the above standards and protocols are established and maintained, consistent with Uniform Superior Court Rule (USCR) 36.13.

7.3.6.1 Local Assistance MOU

Each Criminal Justice Agency may reach an agreement with another Criminal Justice Agency to allow for the duties placed upon an Agency under these Standards to be assumed by another Agency. For example, a prosecutor may request that the appropriate Clerk of Court assume the duties normally assigned to the prosecutor under these standards.

Any agreement between Criminal Justice Agencies to allow for duties normally assigned to one such Agency to be assumed by another Agency shall be memorialized by a written and signed Memorandum of Understanding (MOU) which shall be attached to the Local Compliance Protocol.

The MOU shall be regularly reviewed and updated as necessary.

7.3.7 Magistrate Courts

Refer to Sections 7.3.1 – 7.3.6: Courts - General Standards for All Classes of Court

7.3.8 Superior and State Courts

Refer to Sections 7.3.1 – 7.3.6: Courts - General Standards for All Classes of Court

7.3.9 Probate Courts

Refer to Sections 7.3.1 – 7.3.6: Courts - General Standards for All Classes of Court

7.3.10 Juvenile Courts

Refer to Sections 7.3.1 – 7.3.6: Courts - General Standards for All Classes of Court

7.3.11 Municipal, Recorders, and City Courts

Refer to Sections 7.3.1 – 7.3.6: Courts - General Standards for All Classes of Court

7.4 Prosecutors

7.4.1 OTN Creation for GCIC Reportable Offense

Whenever a hearing or trial is scheduled in any criminal case that includes GCIC reportable charges, the Prosecutor shall immediately notify the presiding judge if aware that no OTN(s) have been created for the offense(s) associated with that hearing or trial. See also Rule 7.3.1

7.4.2 Charging Decision - Indictment/Accusation

At the time a Charging Decision has been made on any case for which an OTN has been assigned, the Prosecutor shall update the OTN to ensure that the OTN accurately reflects all charges (including the order or the amendment of the charges in the Charging Instrument or use of pre-indictment/accusation diversion) that the Prosecutor has elected to pursue or forego. This update by the Prosecutor shall be entered within 30 days of the Charging Decision being made.

If a prosecutor exercises their discretion to dismiss or modify a charge, recommends pre-trial diversion prior to filing an accusation, or prior to seeking an indictment, or if a grand jury acts in a manner that results in the dismissal or modification of charges, the prosecutor shall communicate such.

7.4.3 Superseding Indictment/Accusation

If an indictment/accusation has been superseded by another indictment/accusation in any case for which an OTN has been assigned, the Prosecutor shall update the record with GCIC to ensure that the accurate indictment/accusation number is reflected in the records of GCIC and that the charges connected with that OTN are correctly identified (both in terms of the actual charge being pursued and the order of the charges on the indictment or accusation). This update by the Prosecutor shall be entered within 30 days of the superseding Charging Instrument being filed with the of Court.

7.4.4 SC-10 Criminal Case Information Form

The Prosecutor shall use the SC-10 Criminal Case Information Form, as specified in the Uniform Rules of Superior Court, or a version substantially similar to the SC-10 form, such as the version generated by the *Tracker* system, to transmit data indicating modification, declination of prosecution, or other modification of charges to convey such changes to the appropriate Clerk of Court. Any notice from the prosecutor to the Clerk shall include the style of the case, defendant's name, State Identification Number (SID), date of birth, the OTN, warrant number, if any, and any other identifying numbers assigned to the case or defendant. Charge information transmitted from the prosecutor must include the O.C.G.A. section and subsection, whether the offense is a felony or misdemeanor, and the CTN originally associated with the charge.

7.4.5 Transmittal Obligations

The prosecutor is responsible for reporting all Charging Decisions to include dismissals, modifications, and amendments of charges before filing an indictment or accusation in the case, but the Clerk of each court shall be responsible for inputting final disposition information from the court for each charge.

7.5 Georgia Crime Information Center (GCIC)

7.5.1 Acceptance of Court Dispositions

GCIC shall accept submitted dispositions of court case charges which report a judge's actual disposition of a court charge that otherwise comply with section 7.5.2.

7.5.2 Data Transmission Specification

GCIC shall maintain a data specification document as standard procedure for data transmission to GCIC. Upon any revision or modification of the data specification document, GCIC will provide a copy of the updated document to JC/AOC.

7.5.3 Acceptance of Transmitted Data

GCIC shall accept data that is transmitted in accordance with the data specification document pursuant to standard 7.5.2.

7.5.4 Rejection of Transmitted Data

GCIC shall reject data that is not transmitted in accordance with the data specification document pursuant to standard 7.5.2.

7.5.5 Notification of Rejected Data

GCIC shall promptly notify the submitting agency of any rejected transmissions. Such notification shall be clear and concise as to the reason for rejection.

7.5.6 Reports and Metrics

GCIC shall compile a uniform report for transmissions sent by a specific agency. This report shall distinguish between the number of accepted transmissions and the number of rejected transmissions. Additionally, the uniform report should reflect if such rejected transmissions remain uncorrected after 20 days and after 40+ days.

7.5.7 CDX Compliance Report

GCIC shall provide JC/AOC metrics for each local court. GCIC shall work with JC/AOC to identify standard reporting elements and formats to help ensure compliance with CDX Board Standards.

7.6 Georgia Department of Driver Services- RESERVED

Reserved for future standards.

7.7 Department of Community Supervision

It is of vital importance that DCS updates the file promptly to show the date supervision begins and ends. For any defendant placed under DCS for supervision for a reportable offense, DCS shall be obligated to promptly update the NCIC Supervised Release File to include the date that supervision began, the date supervision ended, whether the defendant has a Fourth Amendment waiver, and whether the defendant has an order to have no contact with another individual as a result of their sentence.

7.8 Department of Corrections- RESERVED

Reserved for future standards.

7.9 Private Probation Officers- RESERVED

Reserved for future standards.

7.10 State Board of Pardons and Paroles

The DCS-Parole Division shall enter dispositions resulting from parole revocation hearings within 30 days of the date of disposition order. Whenever a hearing is scheduled for a parole violation, the applicable DCS-Parole Division Officer shall ensure an OTN has been assigned for the defendant. If no OTN is found, the officer shall diligently work to obtain fingerprints and obtain an OTN before the parolee is released. The State Board of Pardons and Paroles shall transmit disposition information in cases of pardons and/or restoration of rights within 30 days of issuance. GCIC shall work with DCS to establish a system to interface for disposition reporting, if desired by DCS.

7.11 Judicial Council/Administrative Office of the Courts (JC/AOC)

7.11.1 Case Data Standard

The JC/AOC shall maintain a data specification document as standard procedure for additional case data transmission. This document shall include code tables and required data fields.

7.11.2 Standard Code and Statute Table

The JC/AOC, in conjunction with the Board, will convene a Standard Code and Statute Table working group (the group). The group will consist of judges from the various classes of court and representatives from the other CDX member agencies. The JC/AOC, on behalf of the Board, shall maintain a comprehensive standard statute table and such code tables needed for effective categorization of case entities and characteristics. The group shall meet at scheduled times each year to update the tables, as necessary. Modifications to the table will occur no more than two times per year. The JC/AOC shall make those resources available to appropriate stakeholders upon request.

7.11.3 Maintain CDX Compliance Plan for Local Criminal Justice Agencies

The JC/AOC, on behalf of the Board, will maintain a copy of each local compliance plan, protocol documentation, and delegation of reporting duties, as evidenced by any MOU. Additionally, the JC/AOC may receive reports of submissions to and error reports from GCIC and DDS.

Section 8. Requirement for Use of Standards and Penalties

The following rules are adopted for instances in which the uniform standards are not followed.

8.1 General Provisions for all Criminal Justice Agencies

8.1.1 Applicability of Standards

All criminal justice entities described in Section 7 shall comply with all Standards stated therein. To facilitate the exchange of criminal case data, all criminal justice agencies, including, but not limited to, law and traffic enforcement agencies, arresting and booking agencies, prosecutors, courts, probation, pardon and parole, and corrections, shall use and maintain the Standard Codes and Statute Tables, described in Section 7.11.2, issued by the working group convened by JC/AOC, in any of its information systems, automated criminal case management systems, automated records management systems, or computerized record-keeping systems used for storage and processing of criminal case data.

8.1.2 Requirement to Notify Board of Noncompliance

It is the responsibility of all criminal justice agencies described in Section 7 to notify the Board of any entity they interact with of any recurring issues of noncompliance with these standards which are not resolved following collaboration.

8.1.3 Establishment of Noncompliance Review Advisory Committee and Duties

The Board shall create an advisory committee to review all reported instances of noncompliance. Said advisory committee shall:

- a) Immediately advise the person or responsible agency head of Criminal Justice Agency of the existence and nature of such violation.
- b) Promptly investigate any issues of noncompliance.
- c) Provide, or request that, technical assistance be provided to the noncompliant Criminal Justice Agency.
- d) Assist the noncompliant Criminal Justice Agency with development of a plan of correction or otherwise agree on a mutually satisfactory resolution, which is documented and signed.
- e) Communicate with the Chief Judge of the affected circuit the status and nature of the technical assistance provided and the noncompliant Criminal Justice Agency's plan of correction.
- f) Report the resolution, partial resolution, or lack of resolution to the Board.

8.1.4 Penalties for Noncompliance

The Board shall address any issues of noncompliance.

- a) If the Noncompliance Review Advisory Committee reports that a Criminal Justice Agency was unable to fully resolve its noncompliance, the Board shall provide any additional assistance, technical or otherwise, that it deems appropriate to assist said noncompliant Criminal Justice Agency followed by a date certain for issues of noncompliance to be resolved.
- b) If a Criminal Justice Agency remains noncompliant after all attempts for assistance have been made and the Board finds that the noncompliance is willful, the Board may order any or all the following:
 - 1) The matter may be referred to the GCIC Council with a recommendation that the Director of GCIC restrict or suspend services rendered by GCIC to the noncompliant Criminal Justice Agency until such time as the noncompliance is resolved; and/or
 - 2) Other action as the Board deems appropriate and is empowered to do.

Section 9. Training

9.1 General Guidelines

The Board will work with all Criminal Justice Agencies to develop and improve training for individuals who are authorized to transmit data addressed within these Standards. Training manuals and Compliance Plan Protocol documentation for Court, Law Enforcement, and Prosecutor personnel will be created and disseminated by the Board.