



Chambers County

Data Reporting Improvement Plan

Section I - Legislative Requirement

Chapter 60.10, Code of Criminal Procedure (CCP) creates provisions regarding a data reporting improvement plan applicable to a county that has an average disposition completeness percentage, including both juvenile and adult dispositions, of less than 90 percent. The statute requires the Commissioners Court of such a county to establish a local data advisory board, as described by state law, not later than November 1, 2009. The bill sets forth the persons authorized and required to be included in such a local data advisory board. The statute requires a local data advisory board to prepare a data reporting improvement plan, in addition to other duties prescribed by law, and requires the plan to describe the manner in which the county intends to improve the county's disposition completeness percentage; ensure that the county takes the steps necessary for the county's average disposition completeness percentage to be equal to or greater than 90 percent in the first report DPS submits to certain state officers and agencies regarding local jurisdiction reporting on or after January 1, 2013; and include a comprehensive strategy by which the county will permanently maintain the county's disposition completeness percentage at or above 90 percent. The statute requires a local data advisory board established under the bill's provisions, not later than June 1, 2010, to submit to DPS the data reporting improvement plan prepared for the county. DPS, on receipt of a data reporting improvement plan, is required to post the plan on the DPS Internet website. The statute authorizes the public safety director of DPS to adopt rules concerning the contents and form of a data reporting improvement plan.

In compliance with this statute, the Chambers County Commissioners Court established a local data advisory board on September 08, 2009.

It is the goal of this advisory board to develop and implement procedures to ensure accurate and complete reporting of all reportable arrests, prosecutor actions, and court dispositions that occur in the county.

Section II - Composition of the Local Advisory Board Members

The Board consists of the following members, selected using the requirements of Chapter 60.10, CCP. The Commissioners Court chose to create the board using the position titles outlined in Chapter 60, rather than appointing specific individuals to the board. These positions and the individuals filling them are listed below.

Required Members

The Chambers County CJIS Advisory Board shall consist of :

1. Sheriff Joe LaRive
2. District Attorney Cheryl Lieck
3. County Attorney Scott Peal
4. District Clerk Patti Henry
5. County Clerk Heather Hawthorne
6. Mont Belvieu Police Chief Virgil Blasdel
7. Net Data Corp representative

Additional input was contributed from the following persons responsible for collecting, storing, reporting, and using data; however, they were not appointed as board members by the Commissioners Court.

Bea Blue, Juvenile Probation
Gloria Turner, Juvenile Probation
Jeanette Rhame, District Clerk's Office
Sheri Hemphill, County Clerk's Office
Robin Edmonds, County Clerk's Office
Amy Tapp, District Attorney's Office
Captain Larry Cook, Sheriff's Office
Shari Phelps, Adult Probation
Tammy Yarter, Chambers County IT Director
Marangely Barrett, County Attorney's Office

Any vacancies occurring on the board will be replaced by nomination and popular vote of the remaining members of the board.

The first meeting of the board took place on October 6, 2009 where members were educated on the issue and problems were discussed in order to complete the plan and bring the county into compliance. Subsequent meetings and discussions were held and the plan was created.

Section III - Current Process Supporting the Chapter 60 Reporting Requirements

Whenever a reportable arrest takes place in Chambers County, the jail fingerprints the arrestee on an electronic fingerprint system which creates a tracking number (TRN). This tracking number is used by the prosecutor of the case to submit whether the case is accepted or rejected, and by the court to submit the final case disposition to the Department of Public Safety Computerized Criminal History system (DPS CCH). Certain key functions have been identified by DPS and are examined below along with a more detailed description of the reporting process.

How the DPS Incident Tracking Number (TRN) and Tracking Number Suffix (TRS) are introduced into and maintained throughout the flow of information

All Class B Misdemeanor, Class A Misdemeanor, and Felony arrests for offenses identified by DPS as reportable offenses and made in Chambers County on local warrants or on-view arrests are reported to DPS so they may be included in the person's computerized criminal history (CCH). The officer making the arrest completes a Probable Cause sheet which lists the specific DPS offense code for the charge on which the individual is arrested. This sheet is given to the jailer who uses this form to enter the charge information into Menatlix, a computerized fingerprint system which creates the initial tracking number (TRN) for the arrest and electronically transmits the arrest data to DPS. This tracking number is passed to each department that deals with the case in paper format, either on the original CR43 printed out at the jail or by a screen print from the DPS Electronic Data Reporting (EDR) website. The TRN is also entered into Chambers County's case management system (Net Data) and attached to the arrest, so any department can verify this number even if the paper copy is not readily available.

How persons arrested on out of county warrants are processed

Since the agency issuing the warrant is responsible for submitting the arrest information to DPS, no information is sent to DPS by Chambers County when an out of county warrant is served. Individuals arrested on warrants from other counties are ink fingerprinted, and these fingerprints are picked up by the Jail Captain, who starts a carbon copy CR43. This CR43 is sent to the warrant holder along with the fingerprints and the defendant or bond paperwork. This allows the warrant holder to complete the CR43 and submit the information by mail to DPS.

How persons arrested out of county on in-county warrants are processed

If an individual is arrested out of county on a local warrant, one of two cases may occur. If the arrestee does not bond out and Chambers County picks the subject up, he is booked in to the Chambers County jail when he arrives and the arrest is submitted to DPS through Menatlix just as someone arrested on a local warrant. If, however, the arrestee bonds out before being transferred to Chambers County, the Jail Captain will receive the paperwork from the arresting agency. This paperwork should, but seldom does contain a fingerprint card and partially completed CR43. Due to fact that the CR43 is rarely received with this paperwork and the fingerprints, if received, are usually poor quality, no information is submitted to DPS by our county from this paperwork. In addition, this paperwork would have to be mailed in, which causes lengthy delays and no tracking ability to verify the information has been submitted until it appears in DPS records, which may take in excess of 45 days.

If the defendant was arrested out of county on a local warrant, there is generally no paperwork delivered to the prosecutor's office. The only notice received by the prosecutor comes from the court that the arrest was made and the case needs to be set for a hearing. Law enforcement does not send any information to the prosecutor. These arrests are not in DPS records until the defendant is fingerprinted and the arrest transmitted to DPS on the first court appearance. For misdemeanor County Court cases the case is flagged in our County Attorney's office case management system and the person is fingerprinted and the arrest submitted to DPS through the Menatlix system the first time the person appears in court. Currently felony case arrestees do not get fingerprinted until they are indicted or placed on probation. Once indicted, they will usually be fingerprinted and the

arrest information will be transmitted to DPS through Menatlix. If the individual is placed on probation and no arrest information can be found in DPS records, the probation department will have the person fingerprinted and will fill out a CR43P paper form and mail that in to DPS.

How added charges are dealt with so that they receive an appropriate TRS and reported to the next county entity and to the DPS

If there are multiple charges at the time of arrest, these are all entered on the same arrest TRN with different tracking suffixes (TRS), then the fingerprints are taken and the charges are transmitted to DPS. The TRS's are created by the fingerprinting software. If charges are added by the officers at a later time, these are submitted to the prosecutor as a separate case, and the prosecutor is responsible for submitting the new charge, if accepted, to DPS. If a new charge arises out of the same incident, it will be added to the TRN already created during the arrest. If a charge is added by the prosecutor's office to an existing arrest, that charge is submitted to the local case management system by the prosecutor's CJIS entry person just before the case is sent to the County or District Clerk's Office. Two paper copies of the CJIS record are printed from the website after submission. One copy is placed in the case file in the prosecutor's office, and the other copy is forwarded to the County or District Clerk's Office. The TRN information for added charges is put in the local case management system by the County Clerk for County cases, if possible.

How charges disposed by the arresting agency or prosecutor are reported to the next county agency and to the DPS

Chambers County policy is that any on-view arrest will be submitted to the appropriate prosecutor as a case for review. If the arresting agency does not wish to pursue the case, they will still submit it to the prosecutor with that information attached. The prosecutor is then responsible for submitting the arrest disposition through the DPS EDR website. These cases may be reported as dropped by arresting agency or rejected by prosecutor, but will be submitted to DPS by the prosecutor's office.

Non-reportable arrests that are submitted to DPS in error are sent to the County Attorney's CJIS Administrator to have the arrest closed out as charges dropped, submitted in error.

How each agency ensures that all charges are reported to the next county department and to the DPS

On each arrest made and transmitted through Menatlix, three paper copies of the arrest record (CR43) were printed, and these copies were placed in the defendant's jail folder. The jailer also manually entered the booking information into Chambers County's case management system, Net Data.

The County Attorney's Office receives notice of arrest on a new case by paper form (CR43/CR44) that is delivered with the new case from law enforcement. For any cases that arrive without a CJIS form or the bond, the local case management system can be reviewed to verify if a local arrest took place. TRN information entered in the jail in the case management software (Net Data) by the law enforcement can be viewed by the County Attorney's Office.

The paper CJIS form is kept with the case as it is reviewed in the County Attorney's Office. When the case is accepted or rejected it is, by recently established procedure, given to the CJIS entry person in the County Attorney's Office and the prosecutor action is submitted the case management system. If the case is rejected, no notification of the County Court occurs; however, the County Clerk's office is notified by email for bond and case management purposes. If the case is filed (accepted), two paper copies of the CJIS record are printed from the case management system after submission. One copy is kept in the case file in the prosecutor's office, and the other copy is attached as a cover page on the paperwork delivered to the County Clerk's Office.

Both the County Clerk and District Clerk in Chambers County receive TRN information by paper screen print from the case management system printed out by the prosecutor's office. For on-view arrests, these paper forms are delivered with

the case after it has been accepted on County Court cases, or after indictment on District Court cases. For arrests on local warrants, the Clerk receives the DPS EDR website screen print from the prosecutor as soon as the prosecutor receives the CR43 and accepts the charge on the DPS EDR website. TRN information entered on the jailing in the case management software by the law enforcement administrative assistant can be viewed by the County and District Clerk's Offices to verify this information. Both the County and District Clerks submit the final disposition of their cases to DPS using the DPS EDR website. Any amendments to probation terms or deferrals are also submitted by this website, allowing dispositions to appear almost instantly in the person's CCH.

Juvenile cases are forwarded by paper form (CR-43J) from one Sergeant with the Chambers County Sheriff's Office or one officer with the Mont Belvieu Police Department to the Chambers County Juvenile Probation Officer. The probation officer then fills in the intake, prosecutor and court sections of the CR-43J. This paperwork is held until the case has been disposed. The probation officer then forwards the paper copy with the court disposition to the County Clerk's office where the information is submitted electronically to DPS.

Section IV Identify problem areas associated with compliance to Chapter 60 reporting requirements

The statute places responsibility on specific local agencies to be compliant with Chapter 60.

The Advisory Board identified that lack of communication between agencies and departments has been an issue in the past regarding reporting issues. The Board pledged that each department must be thorough and accurate with the data entry as to avoid problems in the flow of information at the local level in order to be successful in reporting to the state. The Board also recognized that communication between each link in the system needed to be monthly. The County Clerk's office would generate the DPS report and then communicate monthly with all departments to find the gaps in the reporting issues.

The Board also acknowledged the lack of training and education within departments of procedures that ensure accurate reporting. Each department pledged to give those employees the training necessary to be successful in CCH reporting. For example, jailers needed to have the correct offense code to report to DPS from the time of the arrest so the reporting would be accurate from the onset. Also, jailers needed to be trained on the problems with the Menatlix system and the non-transmittal of information to DPS. In many cases, the information never left the local computer. Jailers needed to be trained to check the return file to verify the information was transmitted successfully.

Lastly, the Board identified that systems and procedures in place in 2006 when the numbers were generated for the legislature, have been updated to prevent these problems. Many of the issues identified and solutions to the issues were put in place before the creation of the Board.

Section V The Plan

The Advisory Board was instrumental in bringing all departments and agencies together to discuss and develop procedure changes. Changes have been made in software, training and reporting procedures. All departments are now able to view each arrestee from jail book-in to disposition in our local case management system.

Chambers County is dedicated to maintain compliance and continually improve on the accuracy of data submitted to the DPS.