



## **CHEROKEE COUNTY DATA REPORTING IMPROVEMENT PLAN**

### **Section I – LEGISLATIVE REQUIREMENTS**

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 commissioner's 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 the Department of Public Safety (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.

Pursuant to Article 60.10, Texas Code of Criminal Procedure, the Cherokee County Local Data Advisory Board adopts this as the Data Reporting Improvement Plan. On October 26, 2009, the Cherokee County Commissioner's Court established this board to meet and generate a data reporting and improvement plan. Cherokee County's Data Advisory Board is committed to achieving and maintaining an average disposition completeness percentage equal to or greater than 90% in the first report the DPS submits under Art. 60.21(b)(2) on or after January 1, 2013. The members of the advisory board pledge to cooperate in compiling the data required by law, forwarding the appropriate information to the correct county agencies, and reporting data to DPS. We will strive to provide a working environment of respect toward each member and recognize the merit of each individual.

## **Section II – CHEROKEE COUNTY LOCAL DATA ADVISORY BOARD**

Kelley Peacock - Cherokee County Attorney Office

Rachel Patton – Cherokee County District Attorney Office

James Campbell – Cherokee County Sheriff Office

Janet Gates – Cherokee County District Clerk Office

Laverne Lusk – Cherokee County Clerk Office

Marie Huse – Cherokee County Juvenile Probation Office

Peggy Cornelius – Cherokee County Judge Office

Debbie Reynolds – Net Data

Marion Lindsey – Jacksonville Police Department

John Mark Parsons – Cherokee County IT Department

If and when any member of the Data Advisory Board is not able to continue to serve, it will be the responsibility of the Board to appoint a replacement.

### **Section III – CURRENT DATA REPORTING**

Chapter 60, CCP places responsibility for reporting to CCH on several local criminal justice agencies. Currently, the process in Cherokee County starts with the Cherokee County Jail. When an individual is brought to the Cherokee County Jail for booking, a TRN is generated and the arrest information filled out, fingerprints are taken and this information is electronically transmitted to DPS with the Identix fingerprint imaging software and linked with the Net Data software system. An arrest packet is prepared and delivered to the District Attorney for felony arrest or the County Attorney for misdemeanor arrest.

The County and District Attorney will decide to accept, reject, dismiss, change or add to misdemeanor or felony charges. This decision is then reported electronically to DPS through the NetData software system at the time an indictment is handed down by the Cherokee County Grand Jury or an information is filed with the County Clerk or disposes of a case in another manner.

The indictment form is provided to the District Clerk with the TRN noted within the form and held for disposition by the court. The District Clerk's office then reports the court disposition to DPS electronically through the DPS website. In misdemeanor cases, at the same time an information is filed with the County Clerk, an electronic file is provided to that office containing the TRN which the clerk will use to electronically report the disposition to DPS through the NetData software system.

A critical component of successful reporting is well trained employees, cooperation and communication within the county agencies.

#### **Section IV – PROBLEM AREAS**

The main problem areas for Cherokee County concerning compliance with Chapter 60, CCP stem from out of county arrests for in-county warrants in felony cases, booking reporting errors and failure to report dispositions timely.

#### **Section V – REMEDIATION PLAN**

The goal of the Data Advisory Board is to provide whatever means it takes to ensure and maintain compliance in reporting. Therefore, at the time of arrest, the arresting law enforcement personnel will provide, in writing, to the Cherokee County Jail personnel an accurate description, statute and degree level for each offense being charged beginning with the highest degree level offense. The jail personnel will not accept a person for booking until this information is provided by the arresting officer. The jail personnel will utilize the NetData software system to accurately book, fingerprint and transmit the arrest to DPS. Additionally, the Cherokee County Jail Administrator will post at the booking station the procedures for arrests in Class C offenses, Fail to Appear, Motion to Revoke or Adjudicate and out of county warrant that are not to be reported to DPS.

Regarding the ongoing issue of multiple TRN numbers being generated for a single defendant, Jacksonville Police Department will implement the following procedure. For any defendant detained by JPD who is subsequently arrested and processed through JPD's jail, a TRN number will be generated for that person.

The TRN will be provided to the Cherokee County Jail via the "Cherokee County Arrest Report Form" that will accompany any person transferred from the JPD jail to the CCJ. Cherokee County Sheriff Office will process the defendant as non-reportable arrest in the CCJ.

Persons arrested via a JPD warrant who are booked directly in the Cherokee County Sheriff Office will have a TRN created upon book-in by the Cherokee County Jail.

On a monthly basis, the County and District Attorney offices will review each arrest contained on the open arrest report on the DPS website and determine if there are any booking reporting errors that need to be corrected and/or prosecutor/court dispositions that have not be reported timely. This report will then be distributed to the Cherokee County Jail, District Clerk and County Clerk for review, corrections and/or disposition reporting.

To facilitate the swift and accurate reporting of misdemeanor cases, the County Attorney's office will require all law enforcement departments to submit a written offense report within ten (10) working days of an arrest of any defendant. If, without prior authorization from the County Attorney's Office, an offense report is not timely submitted within ten (10) working days of arrest, the County Attorney's office will decline to prosecute said Defendant.

To facilitate the swift and accurate reporting of felony cases, the District Attorney's office will require all law enforcement departments to submit a written offense report within sixty (60) working days of an arrest of any defendant. If, without prior authorization from the District Attorney's Office, an offense report is

not timely submitted within sixty (60) working days of arrest, the District Attorney's office will decline to prosecute said Defendant.

As to the reporting of felony out of county arrest on a Cherokee County warrant, the advisory board will explore the possibility of acquiring portable electronic fingerprint equipment to have in the District courtroom or the possibility of utilizing the equipment in the County courtroom, to assure that a TRN and fingerprint card are created and transmitted to DPS.

Every local agency responsible for reporting data to DPS is obligated to make certain that their employees attend training seminars yearly to be aware of any and all updates with the DPS reporting system. The Data Advisory Board will meet once every quarter to keep abreast of any issues or problems concerning reporting data to DPS. The Data Advisory Board will meet with Sheila Bledsoe, or equivalent CJIS representative from DPS, on an annual basis.

The undersigned members of the advisory board pledge to cooperate and communicate with one another to keep Cherokee County in compliance with the legislative requirements of Chapter 60, CCP.

Kelley Peacock

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James Campbell

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Laverne Lusk

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Debbie Reynolds

Debbie Reynolds

Marion Lindsey

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Rachel Patton

Rachel Patton

Janet Gates

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Peggy Cornelius

Peggy Cornelius

John Mark Parsons

John Mark Parsons

Marie Huse

Marie Huse

5-24-10

Date Signed