

COOKE 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 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, no 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.

The mission of the Cooke County Data Advisory Board is to work collaboratively within the county to discuss the procedures and methods that each office follows to ascertain that all data is reported to DPS in a correct and timely manner. This board will follow the data reporting improvement plan to achieve a goal of reporting the County dispositions, keeping the County's average greater than 90 percent, discussing errors reported on the DPS website, and also improving on communication between departments. A critical component of successful reporting is cooperation within the county. The advisory board will monitor the process to insure that communication occurs and improves between departments.

Section II

Composition of the Local Advisory Board Members

On October 26, 2009 the Cooke County's Commissioners Court created and established the Cooke County Local Data Advisory Board. The following individuals were appointed to the board to represent the agencies identified below:

Cooke County Sheriff's Department:	Sheriff Michael Compton, and Larry Winter, Jail Admin. Kerri Holder (Designee)
Cooke County District Attorney:	Janice Warder, District Attorney Marilyn Garner (Designee)
Cooke County Attorney:	Nancy Carlton and Traci King (Designees)
Cooke County District Clerk:	Susan Hughes (Designee)
Cooke County Clerk:	Pam Baldwin (Designee)
Gainesville Police Department:	Jim Bleything (Designee)
Adult Probation:	Brenda Johnston (Designee)
Juvenile Probation:	Jim Farquhar, Director
County Court at Law:	Brandy Hammond (Designee)
Cooke County Automated Data Processing:	Debbie Reynolds, Net-Data Rep.

On November 20th, 2009 the board held its first meeting and appointed Pam Baldwin to serve as Chairman.

The board voted to meet once a month to prepare a data reporting improvement plan and to ensure that the County takes all steps necessary to get our disposition completion above 90 percent.

If a member of the board can no longer represent an agency, the Chairman will consult with the head of that agency and request that a new designee be appointed

Section III

Detail of the current process that supports the Chapter 60 reporting requirements between the following entities:

**Arrest Reporting to Repository
Arrest Reporting to Prosecutor
Prosecution Reporting to Repository
Prosecution Reporting to Court Clerk
Court Clerk Reporting to Repository**

Arrest Reporting to Repository and Prosecutor

Gainesville Police Department's Current CJIS Reporting Process:

Adult Process:

Currently on adult arrests made by the Gainesville Police Department Officers, CJIS forms are electronically generated at the Sheriff's Department by Cooke County Sheriff's Department personnel. Officers who make adult arrests transport the arrestees to the Cooke County Jail facility and complete the appropriate arrest paperwork for each arrested adult. The CJIS form that was generated is now electronically reported to the DPS repository.

A copy of the electronically completed CJIS form is made for the Gainesville Police Department and placed in a mailbox at the Sheriff's Department. These CJIS forms as well as other paperwork for the Police Department is picked up normally on a daily basis by the Police Department Patrol Supervisor and taken to the Police Department and given to the department records clerk.

The Record clerk will place a copy in the arrestee's permanent file as well as make a copy and disseminate with the arrestee's paperwork to the investigator assigned to the case.

When the investigator completes his file, he will place a copy of the CJIS in the case file and file the case with the appropriate prosecutor's office for intake. If the case is not going to be filed the file is suspended and returned to the records clerk.

At that point the records clerk is to change the arrest disposition code from 220 "transferred to county" to 207 "not filed". (Note: This is the area in the past that has created a problem for this agency due to personnel not knowing what to do with "no file" cases and not changing the code on the CJIS thus creating "open arrest" situations. This area has been brought to my attention and is being corrected and monitored to eliminate this error in the future.)

For cases that are filed, the respective prosecutor's office must complete and enter the prosecutor data section of the CJIS.

Juvenile Process:

The juvenile process is very similar to the adult process except that the County is the main depository for juvenile records for law enforcement in this county. Therefore no copies of juvenile CJIS forms are kept in the Gainesville Police Department.

All juveniles taken into custody by the Police Department are transported to the County Sheriff's Dept. where they are processed in an area designated for juvenile processing. Cooke County Sheriff's Department personnel electronically generate juvenile CJIS forms at the Sheriff's Department. CJIS forms and other paperwork are picked up the next day by the on duty supervisor and brought to the GPD Records Clerk.

The copy of the electronically generated CJIS is sent to Juvenile Probation Office with the case file when the case is referred to juvenile.

Juvenile Probation would then be responsible for the completion of the Pre Adjudication portion of the CJIS.

Cooke County Sheriff's Department's Current CJIS Reporting Process:

CJIS OVERVIEW

The Sheriff Department is responsible for starting a CJIS either electronically or manually. When a person is arrested a CJIS is filled out by the officer. He enters all the needed information and sends it in electronically which generates a TX SID # immediately. This number is used to identify the person on the pending case and any future cases.

Any new arrest Class B misdemeanor and above, gets reported on a Criminal History.

When a report is submitted manually, the CJIS form is filled out with all the information required. The form with the finger print card is mailed to DPS. The pink and yellow copies are sent to the prosecutor's office and the originating agency. If the subject already has a Criminal History then the arrest is added to their rap sheet. If the subject does not have a Criminal History this is when a TX SID# and a FBI# will be issued. When the subject goes to court, the prosecutor fills out their prosecution information and submits it back to DPS so that the subject's rap sheet can be updated. CJIS forms are only filled out on **NEW CHARGES**, class B and above. If you have a warrant that is a **Motion to Revoke Probation, Bond Enhancement, Failure to Appear, or Surety Withdraw** a CJIS should have already been filled out on the original arrest.

On Electronic reporting of a CJIS the same rules apply except CJIS are done electronically. Information on the suspect is transferred from the County's Data Management System (Net-Data) to IDENTEX and then sent to the DPS Repository electronically. Copies are sent to the

originating agency of that case, and one copy kept for inmate file. TRN and CJIS information is electronically available to the prosecutor's office via the County's Data Management System (Net-Data).

All CJIS forms belong to the ORIGINATING AGENCY not the department that arrested them.

Out of County Arrest: Outside agencies that arrest on our warrants should be sent a copy of the arrest report, a copy of the confirmation on the warrant and a set of prints. If not, you will need to contact the agency to get the proper information to fill out a CJIS.

Prosecution Reporting to Repository

Cooke County Attorney's current CJIS reporting process to Repository:

Adult Process:

Juvenile Process:

A case file folder that contains all arrest information, offense report, criminal reporting form (CR-43), the Incident Tracking Number (TRN) and the Incident Tracking Number Suffix (TRS) of the defendant is received from the arresting agency by hand. The case file and the CJIS Criminal reporting information are entered into the county's automated Case Management System. The prosecutor then makes the decision on how the charge will be filed. Then from the CJIS Criminal information section of the automated data processing system, the decision to accept, reject, change or add to the charge for trial is reported electronically to the DPS Repository.

Prosecution Reporting to Court clerk

Cooke County Attorney's current CJIS reporting process to the County Court Clerk

Adult Process:

Juvenile Process:

When the County Attorney decides to accept a charge on a case file and all information is entered in the county's automated Case Management System, the system automatically gives a file code number to each case. That file code number is printed on the Complaint and Information, and by hand delivered to the Judge's office for signature. The Court Clerk now receives the Complaint and Information by hand from the Judge's office. With this file code number the case can then be transferred to the Court Clerk. The CJIS Criminal information, the TRN and the TRS numbers are also transferred to the County Clerk in this process.

Prosecution Reporting to Repository

Cooke County's District Attorney's current CJIS reporting process to Repository:

Currently, case files are logged in at the District Attorney's office from a law enforcement agency, or an at-large process. These case files contain arrest information, offense report and narrative, criminal history, and ideally, a CJIS containing the TRN, TRS, and SID of the defendant. The case is then logged into our electronic reporting network in one of two ways: (1) The case can be transferred directly by electronic transfer {with CJIS information} from the Cooke County Sheriff's Department if the defendant has been arrested. (2) The case can be manually added {without CJIS information} if the defendant has not been arrested. The attorney then prepares cases for indictment. When cases are indicted, the information is entered on the electronic reporting system through the CJIS Reporting Prosecutor's Segment. On cases where the defendant has not been arrested, a CJIS is generated when the defendant is arrested on the capias issued at indictment. It is then entered electronically through the data reporting system. Cases are entered with a designation of accept, change, reject, no bill, dropped by arresting agency, or pretrial diversion. The final step in reporting Prosecution Information to the DPS Repository is reporting it electronically.

Cooke County's District Attorney's current CJIS reporting process to District Court Clerk:

When a defendant's case has received a **disposition** by plea, trial, or revocation, the Prosecutor Segment of data reporting to the DPS repository is complete. The judgment of the Court is forwarded to the District Clerk's Office for filing and certifying. The District Clerk as Court Reporting Agency continues the reporting process.

Court Clerk Reporting to Repository

District Court Clerk's current process of Reporting to the DPS Repository:

The Felony cases come to us from the District Attorney in the form of an indictment or information we then issue a warrant for those individuals, we do not process a CJIS on the case until there is a disposition on a plea or sentence is given. The Prosecutors office furnishes the CJIS TRN number; we then enter all CJIS information into the Case Management System (Net-Data). The CJIS information containing the TRN, TRS and SID numbers is electronically reported to the DPS Repository. If a CJIS TRN number is not on the disposition, we contact the District Attorneys office to see if they have the number, if not we check the DPS CJIS look up web site and then report it electronically to DPS.

Court Clerk Reporting to Repository

County Court Clerk's current process of Reporting to the DPS Repository:

The Court Clerk receives two types of Cases from the prosecutor.

Type A. The Defendant is arrested on view.

Type B. The Defendant has not been arrested and has a pending warrant. This is called an at large case.

Type A Current process: The Court Clerk receives the Complaint and Information by hand from the County Prosecutors office. The Court Clerk enters the file code number that was assigned and printed on the Complaint into the Case Management System (Net-Data). The system then transfers the case file information including the CJIS information, containing the TRN, TRS and SID numbers of the defendant, into that case. When a defendant's case has received a disposition by plea, trial or revocation, the County Judges office forwards the disposition to the Court Clerk. The Court Clerk then enters the relevant dates, fines and codes into the CJIS Disposition section (which already contains the TRN and TRS #s) of the County's Case Management System. The CJIS Disposition is then reported electronically to the DPS Repository.

Type B Current process: The Court Clerk receives the Complaint and Information, along with an at large pending warrant, from the Prosecutors office. The case is transferred by the same process as type A., except no CJIS information is transferred. Once the defendant is arrested and booked in at the Cooke County Sheriff's office, the CJIS information is electronically transferred in the County's Data Management System. When this case goes to court and receives a disposition, the disposition is then forwarded to the Court Clerk. The Clerk then enters all disposition information, and goes into the CJIS TRN NUMBER SEARCH section of the Data Management System, where the CJIS information was transferred from the Sheriff's office, a search is done to find the correct TRN number and then it's transferred to the defendant's case. The CJIS information containing the TRN, TRS and SID is electronically transferred to the DPS Repository.

Court Clerk Reporting to Repository

County Court at Law Juvenile Clerk's current process of Reporting to the DPS Repository:

To file a Juvenile case the clerk manually inputs case number, offense, date and juvenile name into the county's Data Mgmt. System. At the time of adjudication the clerk inputs the TRN number and the TRS suffix number into the system. Once the information is accepted, the clerk is able to input all disposition information. The information is then saved and electronically reported to the DPS Repository.

Additional functions of the current flow of information within the county:

- A. How the DPS Incident Tracking Number (TRN) and Tracking Number Suffix (TRS) are introduced into and maintained throughout the flow of information: When the information is electronically transferred to the County's Data Management System it makes the TRN and TRS numbers electronically available to each agency.
- B. How added charges are dealt with so that they receive an appropriate TRS and reported to the next county entity and to the DPS: The case information is transferred electronically to the Prosecutor. The Prosecutor then changes the previous charge to the new added charge. The system automatically issues a new TRS number to the case. The Prosecutor then electronically reports the new charge and TRS number to the Court Clerk and to the DPS Repository.
- C. How charges disposed by the arresting agency or prosecutor are reported to the next county Agency and to the DPS. They are reported to DPS by paper when entered manually and reported electronically when entered in the system.
- D. How persons arrested on out of county warrants are processed: The process is the same as the manual Book In described in Section III except the CJIS paper work is mailed to the out of county arresting agency.
- E. How persons arrested out of county on in-county warrants are processed: The County who arrests the person should send a copy of the arrest report, a copy of the confirmation on the warrant and a set of prints. If not, the Sheriff's office will need to contact the arresting agency to get the proper information to fill out a CJIS. Once the paper work is received a copy goes to the Prosecutors Office and original is mailed to the DPS Repository.
- F. How each agency ensures that all charges are reported to the next county agency and to the DPS: Each agency checks their part of the open arrest report.

- G. For automated counties, how the DPS "Return File" is processed and used to enhance reporting: The County Court Clerk runs the DPS Return File Report every Monday and forwards each agency a copy of their Return File Report. Each agency reviews their report and any cases that did not report will be fixed and reported on the next Monday.

Section IV

Identify problem areas associated with compliance to Chapter 60 reporting requirements.

Problem Areas Identified

- 1) The arresting agency has an arrest. The arrest information gets reported to the DPS Repository. Then the arresting agency decides not to file the case with the Prosecutor, and never reports a 207 "Not Filed" thus creating an "open arrest"
- 2) Duplicate TRN numbers are sent in to DPS, thus creating an "open arrest" There are several different reasons this could happen: two different agencies report the same arrest, an out of county arrest and alias capias arrest (Motion to Revoke Probation, Bond Enhancement, Failure to Appear, or Surety Withdrawal).
- 3) The arresting agency has an arrest and reports a paper CJIS (CR-43) to DPS. Then the CJIS information does not get forwarded to all agencies, thus creating an "open arrest".
- 4) The Court Clerk electronically transfers the wrong TRN number from the CJIS TRN search section of the Data Management System, thus creating an open arrest on the other case.
- 5) The Prosecutor is unable to report action taken on a case or the Court Clerk is unable to report the disposition on a case to DPS because the arresting agency has not reported the arrest to DPS. There is no SID number assigned to the defendant.
- 6) The defendant comes to court and receives a disposition, but has never been arrested or was arrested out of county and the out of county agency never forwarded the CJIS information or fingerprints, thus the county has no fingerprints and no CJIS information to report to DPS. This information will not appear on any criminal history that this individual has with DPS.

Section V

Provide a plan to address remediation of the problems identified in Section IV.

Detailed improvement plan for problems 1-5 in section IV.

- 1) The County's arresting agencies have identified this problem and have added some key functions to correct it. Training of all personnel has been implemented on electronically reporting a 207 "not filed" to the DPS Repository.
- 2) The first part of the plan is to stop Duplicate TRN numbers from getting sent to DPS. We currently have a centralized Book In for electronic CJIS reporting, which has stopped some duplicate TRN numbers from being reported. The second part of the plan is to start printing the TRN and SID numbers on the Alias Warrants prepared out of the Court Clerks office, thus alerting the Book In department that the CJIS information has already reported to DPS. The third part of the plan is for the Court Clerk to run an open arrest report semi annually and check all open arrest cases. If there is a TRN attached to a case that has already reported a disposition on another TRN. The clerk will go to the DPS CCH Website and electronically report a Dismissal for the incorrect TRN (duplicate to the correct TRN) to the Electronic Disposition Reporting (EDR).
- 3) The county has developed a plan and current process to ensure that all TRN numbers are reported and attached to each case. The first step is for the court clerk to search the Data Management System for a TRN. If no TRN number was transferred, the second step is for the Clerk to go to the DPS Criminal History Secure Website to look up the arrest and get the TRN number. The third step, to ensure all TRN numbers and Dispositions have been reported, is for the Court Clerk to run an Open Arrest Report to check for any cases that did not report. The Open Arrest Report will have the correct TRN, TRS, and SID numbers. The clerk can then attach them to the case and now report the disposition electronically to the DPS Repository.
- 4) The county has implemented training on attaching TRN numbers from the TRN search section of the Data Management System. If one gets attached and reported to DPS in error, the clerk will send an Error cover sheet to the DPS error resolution

board and have that TRN number removed from the case. Then the clerk can get the correct TRN reported, thus fixing the open arrest.

- 5) This problem is going to take some communication between the agencies. The Plan is for the prosecutor's office or the court clerk to make a call to the arresting agency and have them report the CJIS to DPS.
- 6) The county has a current process for this problem. The District Attorney uses the following process for felony cases:

If a felon has never been arrested on the offense for which he is being prosecuted, the prosecutor's office confirms with the Sheriff's office that a CJIS is needed. When the felon comes to court for the disposition of his case (if he is out on bond), and receives a probated sentence, a paper CJIS is originated by the Prosecutor's Office. Prosecutor's Office fills out the arrest information and the prosecutor information, and then forwards the paper CJIS to the District Clerk's Office for finalizing. After the District Clerk completes the Court Information Section of the CJIS, the CJIS is given to the Adult Probation Department where fingerprints are taken. The completed CJIS and fingerprints are then mailed to the DPS Criminal History Section.

If a felon has never been arrested on the offense for which he is being prosecuted and is being sentenced to confinement in TDCJ, THE Book-In Center at the Sheriff's Office Originates a CJIS and fingerprints the defendant and reports the information electronically to DPS, prior to defendant's departure to the TDCJ system.

This is the Process for misdemeanor cases when the defendant receives probation at time of disposition.

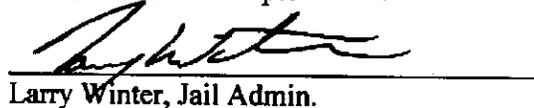
When a judgment is received and there is no TRN# we check DPS for a criminal history looking for the offense to see if it's listed on the criminal history. We then go to the County's Electronic Data Management System (Net-Data) and check Book In and also check under Docket Maintenance for a CJIS. If there is no TRN number located we start a new CJIS by filling out the Arrest/Identification portion of the CJIS form. When the defendant reports for their intake we then fingerprint that person and send the CJIS to either the District Clerk or County Clerk for them to enter the CJIS information into the Data Mgmt. System and it electronically reports the disposition to DPS. The clerk then mails the paper CJIS to DPS.

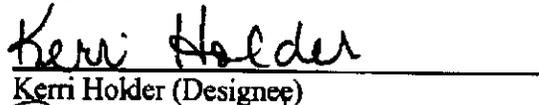
The County is currently adding a plan to fingerprint and start a CJIS at the time a defendant comes to court and receives a disposition without probation.

The Cooke County's Data Advisory Board has worked out a strategy and a timeline to maintain the County's compliance in reporting dispositions.

1. The Board will continue meeting to identify and discuss any problems that develop. The Board will review the County Compliance Report percentage each meeting and follow the plan to raise the average to greater than 90 percent.
2. Each week the Court Clerk will electronically report to DPS all CJIS forms that are ready, maintaining the 30-day reporting requirement. (60.08 CCP) The County's Data Management System will be used to generate the DPS Return File Report showing all CJIS forms successfully reported to DPS and an error report for those not reported successfully. The prosecutor and court clerk will then correct all errors.
3. The court clerk will continue to print the open arrest reports, mark the agency that did not report and forward to each agency.
4. Each agency will review the open arrest report and will report their part of the CJIS to DPS by either: 1) Mail in a paper CJIS 2) Report electronically through the County's Data Mgmt. System or 3) Report electronically by entering directly into the DPS CCH web site.
5. By signing below each agency's representative or designee agrees to follow the Cooke County Data Reporting Improvement Plan described herein.


Sheriff Michael Compton


Larry Winter, Jail Admin.


Kerri Holder (Designee)


Janice Warder, District Attorney

Marilyn Garner

Marilyn Garner (Designee)

Nancy Carlton

Nancy Carlton (Designee)

Tracy King

Tracy King (Designee)

Susan Hughes

Susan Hughes (Designee)

Pam Baldwin

Pam Baldwin (Designee)

Jim Bleything

Jim Bleything (Designee)

Brenda Johnston

Brenda Johnston (Designee)

Jim Farquhar

Jim Farquhar, Director

Brandy Hammond

Brandy Hammond (Designee)

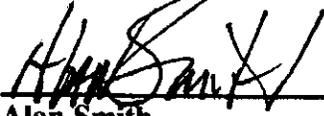
Approved by commissioners court this 14th day of June, 2010



Gary Hollowell
Commissioner, Precinct 1



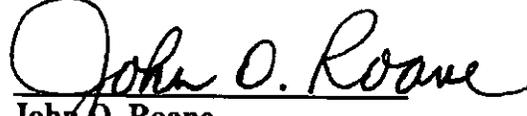
Stephen Key
Commissioner, Precinct 2



Alan Smith
Commissioner, Precinct 3



Leon Klement
Commissioner, Precinct 4



John O. Roane
Cooke County Judge

FILED FOR RECORD

10 JUN 14 AM 11:58

RECORDER OF DEEDS
COUNTY CLERK COOKE CO. TX

BY BB DEPUTY