

ECTOR COUNTY DATA REPORTING IMPROVEMENT PLAN

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.

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.

In compliance with this statute, the Ector County Commissioners Court established a Local Data Advisory Board on September 14, 2009. The Board consists of the following members:

Bobby Bland, District Attorney	Janis Morgan, District Clerk
Cindy Wier-Nutter, County Attorney	Linda Haney, County Clerk
Mark Donaldson, Ector County Sheriff	Tim Burton, Chief of Police
Susan M. Redford, County Judge	Stephen White, IT Director

The Commissioners Court will appoint members to the Local Advisory Board in the event of a vacancy.

History: Chapter 60, Texas Code of Criminal Procedure (CCP) defines the Computerized Criminal History System (CCH) as the statewide repository of criminal history data reported to the Texas Department of Public Safety (DPS) by local criminal justice agencies in Texas. CCH is one component of the Texas Criminal Justice Information System (CJIS). The other component of CJIS is the Corrections Tracking System (CTS) managed by the Texas Department of Criminal Justice (TDCJ).

Data to Include in CCH: Chapter 60, CCP requires that information on arrests, prosecutions and the disposition of the case for persons arrested for Class B misdemeanor or greater violation of Texas criminal statutes is included in CCH. The statute identifies many of the

actual data elements. In addition, although not required by statute, CCH has traditionally included limited supervision data reported to DPS by TDCJ. Of special note is that Chapter 60, CCP creates an Incident Tracking Number (TRN) and Incident Tracking Number Suffix (TRS) as the keys for linking charges from arrest through adjudication. Use of the TRN and TRS ensures that the outcome of each arrest charge can be tracked through the system, but establishing this capability requires each reporting entity to be extremely careful in its management of cases to include and pass along the TRN and TRS.

Local Reporting Responsibilities: Chapter 60, CCP establishes a flow of information at the local level that is required for successful CCH reporting from each county. Whenever a reportable arrest takes place in Ector 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. The statute places responsibility for reporting to CCH on specific local criminal justice agencies, as follow:

Arresting Agencies: All Class A & B Misdemeanor and all Felony arrests for offenses identified by DPS as reportable offenses and made in Ector 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 paper booking sheet which lists the specific DPS offense code for the charge on which the individual is arrested. This booking sheet is given to the jailer who uses this form to enter the charge information into Crossmatch, 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, where all data entry from the prosecutors and clerks takes place. The TRN is also entered into Ector County's case management system Ableterm (The Software Group/Legacy) and attached to the arrest, so any department can verify this number even if the paper copy is not readily available.

Since the agency issuing the warrant is responsible for submitting the arrest information to DPS, no information is sent to DPS by Ector County when an out of county warrant is served. Individuals arrested on warrants from other counties are fingerprinted and a CR43 is initiated. This paperwork is given to the Bail Bond Clerk and sent to the warrant holder along with bond documents.

If an individual is arrested out of county on a local warrant, one of two cases may occur. If the individual does not bond out and Ector County picks the subject up, he is booked in to our jail when he arrives and the arrest is submitted to DPS through Livescan just as someone arrested locally on a warrant. If the individual bonds out before being transferred to Ector County, the Bail Bond Clerk will receive the paperwork from the arresting agency. This paperwork should but seldom does include a fingerprint card and partially completed CR43. Due to the 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 at this time. The Bail Bond Clerk must request the information from the arresting agency by phone or in writing. This causes a

delay in reporting the arrest to DPS. When the information is received by Ector County, this paperwork is given to the secretary, who assigns a TRN number in Ableterm (The Software Group/Legacy). The TRN is sent electronically and the CR43 and copy of the Criminal History Reporting Form are mailed to DPS.

Prosecutor: Chapter 60, CCP requires that any County Attorney, District Attorney or other prosecutor receiving a class B misdemeanor or greater offense must report to DPS the decision to accept, reject, change or add to the charge for trial. As with arresting agencies, prosecutors may report on paper or electronically, including the TRN as received from the arresting agency.

The County and District Attorney report CJIS information electronically using the county's software vendor Ableterm (The Software Group/Legacy).

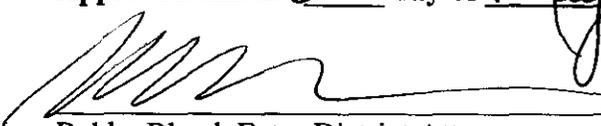
District and County Clerks: Chapter 60, CCP requires the District and County Clerks whose courts try class B misdemeanor or greater violations of Texas statutes must report the disposition of the case to DPS. The clerks are dependent upon receiving the TRN and TRS from the prosecutor. The reports may be reported on paper or electronically.

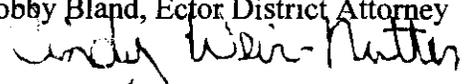
The County and District Clerk submit CJIS reports on individuals upon entry of a disposition; the reports are submitted electronically through the county's software vendor Ableterm (The Software Group/Legacy). When additional reporting is required the clerk goes into the existing TRN to make revisions then the form is mailed electronically.

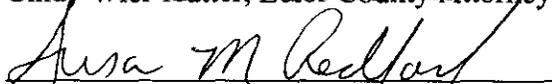
Problem areas: The open arrest reports for 2006 were reviewed by the County and District Clerk as well as the staff in District Attorney's office. Many of the open arrests that appear on the report on both the misdemeanor and felony case show to be closed and mailed electronically. It was initially thought that the cases were not making it to the database because in 2006, the County Attorney's office was not reporting on the prosecutor portion. We were told by DPS that the prosecutor portion was not necessarily required as long as the case disposition was reported. When it came to our attention that the cases we reported were not showing up on the DPS database, we were advised to electronically re-mail and transmit the CJIS reports. Both the County and District Clerk re-mailed numerous cases however to date these cases are not appearing on the DPS database. The County Clerk's office contacted several individuals at DPS and were told that the problem could be in synchronizing the reports from the county's software and the DPS software. However, rather than attempting to submit these cases again electronically, the County Clerk's office has produced the CJIS reports in a paper version. The paper reports will be sent to DPS for manual entry. The District Clerk will follow the same process for felony cases and will mail the paper version to DPS by December 1, 2010.

Conclusion: The undersigned members of the advisory board pledge to cooperate in compiling the data required by law and forwarding the appropriate information to agencies in the county and DPS. We also agree to communicate with one another any problems or discrepancies that occur in compiling the reports. We also will periodically check reports to look for errors or missing data, and will work to correct it in a timely matter.

Approved this the 27th day of May, 2010.


Bobby Bland, Ector District Attorney


Cindy Wier-Nutter, Ector County Attorney


Susan M. Redford, Ector County Judge


Janis Morgan, Ector County District Clerk


Dinda Haney, Ector County Clerk


Mark Davidson, Ector County Sheriff

Tim Burton, Chief of Police City of Odessa


Stephen White, IT Director