

CALDWELL COUNTY DATA REPORTING IMPROVEMENT PLAN

Pursuant to Article 60.10, Texas Code of Criminal Procedure, the Caldwell County Local Data Advisory Board adopts this as the Data Reporting Improvement Plan. By resolution dated October 19, 2009, the Caldwell County Commissioner's Court established this board to meet and establish a data reporting and improvement plan which would:

- (1) describe the manner in which the county intends to improve the county's disposition completeness percentage;
- (2) ensure that the county takes steps necessary for the county's average disposition completeness percentage to be equal to or greater than mandated by statute; and
- (3) include a comprehensive strategy by which the county will permanently maintain the county's disposition completeness percentage at or above the percentage mandated by statute.

I.

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).

II.

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 be 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.

III.

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. The

statute places responsibility for reporting to CCH on specific local criminal justice agencies, as follows:

Arresting Agencies: The Caldwell County Sheriff's department, the county police departments (Lockhart PD, Luling PD, Martindale PD and Mustang Ridge PD) and the local office of the Texas Department of Public Safety that arrests a person for a Class B misdemeanor or higher violation of a Texas statute is required by Ch 60, CCP to report that event to DPS within seven days. The report, if on paper, must be on the Criminal History Reporting form (CR-43) created by DPS.

The report must include the arrested person's fingerprints, the TRN and other data required by statute. If available, electronic transmission of the data is the preferred method. A critical component of successful reporting is cooperation within the county. A large part of that cooperation is each reporting agency passing the TRN and TRS to the next level. The arresting agency needs to send the TRN and TRS to the prosecutor, as indicated below.

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.

District and County Clerks: Chapter 60, CCP requires that 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.

IV.

Current Problems Identified in Caldwell County

1. *Fingerprint Identification Card:* In the past, Caldwell County has been informed by DPS that previously submitted CR-43 forms have been rejected by DPS because the required attached fingerprint card was omitted when the CR-43 was filed. The problem was created when an Arresting Agency submitted a case in which no arrest had been made that in turn, the Prosecutor filed subsequent charges. The Prosecutor would then create a CR-43 form, but there was no mechanism in which the Defendant could easily be fingerprinted to obtain the Fingerprint Identification Card.

Proposed Solution: The Prosecutor will identify those cases having been submitted without a prior arrest. If charges are filed, at the first court setting, the Defendant will be properly fingerprinted and the Fingerprint Identification Card will then be attached to the previously created CR-43 form. The fingerprint will be done

by bailiffs in the appropriate court. If budgetary concerns allow Caldwell County to send the Fingerprint Identification Card electronically, the CR-43 and Fingerprint Identification Card will be sent electronically. Otherwise, the court bailiffs will print the Defendant by ink/or computer printer, and the CR-43 form, in its completion, will be sent to DPS.

2. *DPS Compliance Report:* In the past, Caldwell County has identified certain problems contained in the County's DPS Compliance Report. The two (2) main issues involve:

A. Arrest on Probation Violation: In the past, Defendants placed on community supervision in which a warrant was subsequently issued for either a Motion to Revoke Probation or Motion to Adjudicate, were reported as arrested for the original charge that the Defendant was placed on community supervision. This resulted in **conflicting or duplicate** TRN numbers being submitting to DPS.

Proposed Solution: Recently and into the future, those Defendants arrested on warrants issued for a violation of community supervision, will now NOT be reported to DPS.

B. Arrest for Failure to Appear: In the past, Defendants that failed to appear in Court in which their previous bond was forfeited and a new warrant was issued for their arrest, were reported as arrested for the original charge. This resulted in **conflicting or duplicate** TRN numbers being submitted to DPS.

Proposed Solution: Recently and into the future, those Defendants arrested on warrants issued for a failure to appear, will now be reported from the Clerk's to the Sheriff's Office as a Failure to Report/Bail Jumping (FTA/BJ.) The Sheriff's Office will report the arrest as Failure to Appear/Bail Jumping.

V.

To Ensure the County's Average Disposition Completeness Percentage is over 90%

Currently, the County is above 90% Average Disposition Completeness for the years of 2006 and 2007.

The goal for the Caldwell County Local Data Advisory Board is to maintain above 90% for the years since 2008.

To implement this goal the Caldwell County Local Data Advisory Board proposes the following to maintain above 90% Average Disposition Completeness:

Every Arresting Agency, Prosecutor and the District and County Clerks will have access to the DPS online CJIS website in which to input data and to examine the open arrest reports.

Local Data Board On-going Committee: Each year on a quarterly basis, being the first Monday of the months of January, March, June, and September, the Committee will meet to review the current quarter and past quarters of the DPS Annual Compliance Report. The Committee will consist of one representative of the undersigned members of the advisory board. The committee will attempt to correct identifiable mistakes contained in the Compliance Report. The committee will communicate, as needed, when members identify a problem.

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 to DPS. We also agree to communicate with one another any problems or discrepancies that occur in compiling the reports.

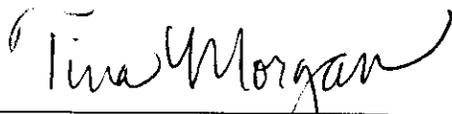
THE UNDERSIGNED OFFICIALS HEREBY AGREE TO THE ABOVE DATA IMPROVEMENT PLAN THIS THE 7th DAY OF MAY, 2010:



Richard R. Hicks
Criminal District Attorney



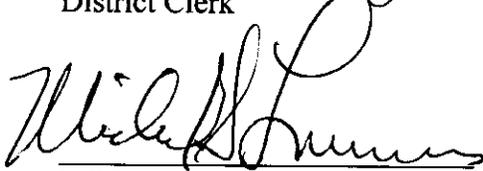
Daniel Law
Caldwell Co. Sheriff



Tina Morgan
District Clerk



Nina Sells
County Clerk



Mike Lummus
Chief of Police, Lockhart



Mark Hinnenkamp
Caldwell IT Director