Data Reporting Improvement Plan
For El Paso County, Texas

Section I

Legislative Requirements

Chapter 60.10, Code of Criminal Procedure (CCP) created 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 2006 average for El Paso County was approximately 80% for adults and 98% for juveniles. The statute requires the commissioners court of such a county to establish a local data advisory board, as described by state law. El Paso County Commissioners created a Local Data Advisory Board in early 2010. All persons authorized and required to be included in such a local data advisory board are presently participating through their appropriate representatives. The Board has prepared this data reporting improvement plan as its initial step to accurately pin point and resolve areas with reporting issues. It is anticipated that the identification of areas with problems will begin with an initial list of reporting issues that will change over time as problems are identified and resolved. This plan describes the manner in which El Paso County intends to: (1) improve El Paso County's disposition completeness percentage; (2) 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 (3) include a comprehensive strategy by which the County will permanently maintain the County's disposition completeness percentage at or above 90 percent. This Plan is submitted to DPS with the understanding that DPS is required to post the plan on the DPS Internet website. The County recognizes that DPS may establish rules related to resolving and reporting data reporting issues for El Paso County.

Mission Statement

This Board strives to provide accurate and timely reporting of information from El Paso County regarding arrests, prosecution and disposition of criminal cases to the Texas Department of Public Safety for inclusion in the Texas Criminal Justice Information System.

Section II

Composition of the Local Advisory Board Members

The members of the Board are: (1) one or more designees of the Sheriff; (2) one or more designees of the District Attorney; (3) one or more designees of the County Attorney responsible for the prosecution of adult misdemeanors; (4) one or more designees of the District Clerk; (5) one or more designees of the County Clerk; (6) one or more designees of the Police Chief for the El Paso Police Department; and (7) one or more representatives of the County's Information Technologies Department; (8) one or more representatives of the Juvenile Probation Department; (9) one or more designees of the County Attorney's Office responsible for the prosecution of juvenile offenders; and (10) one or more representatives of the PR Bond Office.

At least one representative who has working knowledge of the CJIS reporting system from each identified department or elected office holder will be required to attend the meetings. It is the responsibility of each department head or elected official identified in this section to verify that their representative is attending meetings. The Chairperson for the County's IT Steering Committee will act as the Chairperson of the Board with responsibility to call meetings as needed. It will be the duty of the Chairperson to notify elected officials and department heads if their designee fails to attend meetings or if there appears to be an unfilled vacancy.

Section III

Local Reporting Procedures

The following local procedures in El Paso County are currently followed to report CJIS information to DPS.

Arrest Reporting to DPS for Adults

All adult arrest reports are generated solely by the El Paso County Sheriff based upon incarceration of an individual at the El Paso County Detention Facility or its Annex. The majority of arrests are reported electronically. When the electronic system is down for maintenance, arrestees are booked manually and the booking information is mailed to Austin. TRN and TRS numbers are assigned to arrestees at the Detention Facility during booking. These numbers are permanently stored in JIMS for repeated use.

Persons arrested on out-of-county warrants are booked manually using a CR43 that is not mailed to Austin. Instead, this form accompanies the prisoner when he is transferred, and the receiving county reports the arrest. The transferring county will

report the person using a TRN that begins with the digits "C9", which indicates a non-reportable offense. The receiving agency will then report the arrest using a TRN beginning with the number 9, indicating a reportable offense. TRSs are also reported in this manner. This reporting policy is followed whether El Paso County is the transferring or receiving agency.

Arrest Reporting to DPS for Juveniles

Currently all juveniles are fingerprinted and photographed at regional command centers and substations located throughout the County. Then juveniles are either transported to the Juvenile Probation Department ("JPD") or released to their parents. Each agency sends its arrest information to DPS through the mail. El Paso Police Department has very recently purchased electronic fingerprint equipment for use in regional command centers for juvenile processing and for use by small agencies who utilize their facilities. JPD has also recently installed electronic fingerprint equipment in its facility for the purpose of collecting juvenile fingerprints and photographs as needed. New procedures are being developed. Juvenile information which is electronically collected is reported directly to DPS by electronic transmission. TRN and TRS numbers are generated by the arresting agency or by JPD.

Repository Arrest Reporting to Prosecutor

Adult arrests are entered into the County's electronic database called JIMS. This arrest information is shared by the jail, law enforcement agencies, prosecutors and court clerks. Juvenile arrests are entered into the Juvenile Probation Department's ("JPD") electronic databases: Caseworker and JIS. JIS is shared by JPD, law enforcement agencies, prosecutors and court clerks. There is not a mechanism by which the jail directly notifies the prosecutor (or JPD) of the reportable information. Instead, as the case is presented by law enforcement to the prosecutor (or to JPD), the prosecutors (or the Juvenile Probation Officers) and the court clerks view, add to and use the electronically stored information. Both the juvenile and adult systems allow automated access to the reportable information, as limited by system security settings.

Prosecution Reporting to Repository Prosecution

<u>District Attorney ("DA")</u>

All prosecution information for adults is reported electronically to DPS by the DA's Office, if there has been an arrest. The District Attorney's Office does not report prosecution information to DPS until there is a cause number and a court. The DA's Office enters information into the electronic CJIS reporting system at the time of intake. This reporting includes both changes to the offense and new charges. As necessary, new TRS numbers are issued at the Intake Unit. If new charges or changes in charges occur after the file leaves Intake, then the file is returned to Intake for processing of the new charges.

Non-arrest Cases

The District Attorney's Office tries to dissuade the Courts from disposing of non-arrest cases and from withdrawing warrants on non-arrest cases. In spite of this, there are cases where an attorney walks in with a client who has not been arrested and the Court withdraws the warrant and either (1) allows the person to proceed without a bond or (2) calls the PR Bond Office and has a bond posted for the individual without a booking. An Automated Fingerprint Identification System (AFIS) was recently installed in one of the Courts, and all offices will work to collect fingerprints and photos, to issue TRNs and TRSs at disposition.

PR Bonds in Non-arrest Cases

In the case of PR Bonds written at the Courthouse, the Defendant is given an appointment to appear at the PR Bond Office to get fingerprinted. If the individual misses the appointment, the PR Bond Office does not get the fingerprints, and eventually a new warrant is issued for the defendant's arrest. Even when the individual is fingerprinted, and fingerprints are entered into the Adult Probation Module, they do not flow "upstream" and they are not available in JIMS for other users. As a result, neither prosecution information nor dispositions is reported.

County Attorney's ("CA") Summons Cases:

The County Attorney's Office has a practice of entering summonses rather than warrants in a number of its cases, such as environmental crimes. The first opportunity to capture fingerprints is at disposition, using the newly installed courtroom fingerprint equipment. The recent practice is to collect fingerprints and photos and issue TRNs and TRSs at disposition.

Fingerprints and Photos Can Be Taken Electronically at Disposition – New Process

Very recently, an automated fingerprint system ("AFIS") was issued to the County by DPS for use by the Courts in adult cases. This equipment accepts fingerprints and takes photographs at disposition and issues the appropriate TRN and TRS numbers, and the information is then electronically reported directly to DPS without going through the JIMS system. With this system in place, the disposition is reported, but original offense and prosecution information is not in the system. Any reporting by the DA or the CA must be done manually.

There is no link between the Court AFIS machine and the courthouse computer system,

JIMS. A clerical step to enter the TRN and TRS numbers into JIMS is required to globally communicate these numbers to other reporting agencies. This new step is being added. The DA and the CA do not submit any prosecution information on non-arrest cases after fingerprints are collected at disposition.

Because the jail and the PR Bond Office are mailing in CR43s, the person electronically processing the fingerprints at disposition must make sure that we do not end up with duplicate TRNs. Duplicate TRNs will happen if the defendant is prosecuted quickly and fingerprinted on the Court AFIS during the time there is also a CR43 card "in the mail." The risk of duplicate TRNs is only a risk on older cases, and the implementation of the new procedures in this Plan should eliminate the problem after about two months (once all mailed CR43s have cleared DPS).

Reporting to Court Clerk and Court Clerk Reporting to DPS

County Clerk

Clerks are assigned to courts and are responsible for entering case dispositions into the courthouse computer system. In the case of misdemeanors, all of the case files are taken to a single clerk who re-enters the disposition into JIMS, in the CJIS section, and then submits the report to DPS electronically. Only error reporting is submitted on paper forms.

District Clerk

Clerks are assigned to courts and are responsible for entering case dispositions into the courthouse computer system. In the case of felonies, each court clerk also enters information into the CJIS section of JIMS and then submits the report to DPS. In the event of problems, the files are referred to two individuals who are responsible for trouble shooting.

Problems with TRN and TRS Numbers

(1) When the TRN and TRS numbers do not correspond to the charges, these issues are referred back to the prosecutor's office or to law enforcement to resolve the problem. Once the problem is eliminated, proper reporting is completed.

(2) When it is determined that the dispositions on the TRS numbers have been crossed between charges, particularly when one case is a misdemeanor and

another case is a felony, the clerks in the two offices share the information and work through the correction process.

(3) When it is determined that a TRN appears in the County Courthouse computer system but it does not appear in the DPS database, the files are referred to the Sheriff's Office and the jail resubmits the missing information to DPS by mail. When this is completed, the Court Clerk submits the disposition information. The District and County Clerks' Offices regularly check local TRN numbers against the DPS electronic database when TRN or TRS numbers are missing.

(4) Two types of error reports are received from the State. One report is sent by DPS to each agency, except for PR Bonds and the Jail, semi-annually in paper form, and the report provides information regarding the cause of the error. The other report is received about a week after electronic submission of CJIS information to DPS, and this report is returned to the IT Department. The IT Department distributes the list to the appropriate departments and elected officials within the County for resolution. Depending upon the agency and the type of problem reported, the errors may or not be resolved.

(5) Law enforcement agencies get little or no feedback from DPS on paper submittals. The PR Bond Office waits on DPS' notification of the acceptance of the TRN. If many weeks pass without a response, then the PR Bond Office checks the DPS database to see if a TRN has been entered. If a TRN does not appear in the DPS database and the fingerprint card is already at DPS, the PR Bond Office is at a loss as to how to proceed. If the defendant's fingerprints are re-taken and re-submitted, there is a risk of the issuance of duplicate TRNs.

(6) Duplicate TRN numbers are sent to DPS on a single offense, a paper correction is sent to DPS so that the duplicate is removed from the DPS database.

(7) Points of contact for problem resolution are in place in each department, office and agency.

Sections IV and V

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

V.   Remediate the problems identified in Section IV.

Each issue related to processing and submission of arrest, prosecution and court data, timeliness of reporting, system limitations, and other issues are identified below in bold print. A detailed improvement plan and a timeline for resolution are also set out below the identified problem.

1.   **No TRN numbers at DPS, even though the arrest record and TRN appear in JIMS.**

Response: The prosecutor or the court clerk who discovers this error will notify (1) the Sheriff through the Court Coordinator Section (x2224) at the Jail or (2) the EPPD through the Records Supervisor (564-7296) and request a correction. The City will be able to pull up missing TRN numbers from its AFIS archive system. CR43s showing the TRN and, if necessary, the TRSs, and fingerprint cards will be manually printed and the information will be submitted through the mail to DPS by the law enforcement agency. The law enforcement agency will send an email to the caller that the mail-out has occurred.

2.   **TRNs and TRSs appear in the DPS database but are not in JIMS.**

Response: When JIMS is down, 60 to 100 people come into the jail for booking. All information is entered into the Records Backup System (RBS). The RBS does not have fields to collect the TRN and TRS numbers. Therefore, manual CR43s and fingerprint cards are mailed by the Jail to DPS for these arrests. However, the TRN and TRS numbers do not appear in the JIMs modules, unless manually entered, which prevents electronic CJIS reporting by the prosecutors and clerks.

The SO has recently added a step to enter the TRNs and TRSs into JIMS manually as soon as JIMS is returned to service. This solves the problem with future arrests.

The IT Department has determined that there are 36,000 records residing in the CJIS Module that are sitting in a holding-file that were sent to DPS but by prosecutors and courts unsuccessfully. A disk has been requested from DPS which will allow JIMS to re-sync and re-send CJIS information. It is hoped that this action will successfully close a number of arrest records in the DPS database.

After the re-sync process has occurred, the IT Office will run a computer

generated list of cases in JIMS lacking TRN numbers and the IDR section of the Sheriff's Office will search for the missing TRN numbers and fill them into JIMS.

Clerks needing to report on cases with TRN and TRS numbers in DPS but with no TRN numbers in JIMS should (1) notify the records divisions of EPPD or the SO, as appropriate, (2) get the TRN and TRS numbers from the law enforcement agency, (3) directly enter the correct TRN and TRS numbers into JIMS and continue with the reporting process once the TRN number is in the DPS database.

3.   Rules for resubmitting to DPS when the error is corrected.

Response: DPS will accept multiple re-submissions. All data fields in your reporting block must be completed before DPS will enter the information into its database.

JIMS will not submit to DPS unless all of the data is completed in CJIS. This is true even if only one portion is missing from DPS's records. In order to resend through CJIS you may need to remove the TRN and reenter it.

If a reporting office reports out-of-order, the paper CR43 must be mailed to DPS. It is also possible for the individual to enter the information directly into the DPS database, and this is an acceptable practice. If direct entries are made, it is incumbent upon the clerk to check the DPS database 24 hours later to verify the entry was successfully made.

4.   In 2008, TSG changed JIMS procedures on TRN and TRS numbers to automatically update the TRN in the Prosecutor's Module. This fixed cases starting in 2008. This does not fix the earlier cases?

Response: Older cases where TRN and TRS numbers do not automatically update the TRN in the Prosecutor's Module must be fixed manually when the problem is found. If the system will not allow you to electronically send the CJIS report, the paper form must be mailed to DPS.

5.   Charges are changed or added but corresponding TRSs are not available to the clerk for reporting disposition information.

Response:

A. **Reindictments: Prosecutor** - When charges are reindicted, the case dispositions must be reported as follows. The original TRN should be maintained and a new TRS should be added for the reindicted case. The charge on the original TRS is dismissed <u>after</u> the new TRS is issued. When the reindicted case has a disposition, the new TRS number should receive that disposition.

B. **Downgrades or upgrades:** When changes to the charges are made by the DA's Office but corresponding changes to the charge are not made in the prosecutors section of CJIS, the representative of the clerk's office must call the DA's Intake Section (x3049) and request updating of the CJIS entry.

C. **Adult cases:** For the DA's Office contact the Intake Unit (x3049). For the CA's Office, contact the Criminal Division Chief (x2050) or the Investigator's secretary (x2193).

D. **Juvenile cases:** Contact the Juvenile Division Chief (x2082) or one of the Juvenile Unit secretaries (x2082). If JIS will not allow a corrected C53J, the prosecutors and the court clerks must use a paper form until this problem is corrects.

6. **There are a number of disposed cases with no TRN numbers.**

Response:

A. **Hot check cases:** When a hot-check case has no arrest and no TRN and there has been a full payment of the amount due without an arrest and without an appearance in court, nothing is reported. Ignore these cases.

B. **Court AFIS reporting:** When the case has no arrest and no TRN and the disposition is dated mid-2010 or after, the fingerprints should have been taken at disposition and submitted directly to DPS along with the TRN and TRS numbers. After the Bailiff fingerprints the defendant, he/she should print a report showing the TRN and TRS numbers assigned and give this report to the Court Clerk. The Court Clerk should enter the TRN and TRS numbers into CJIS. However, since the disposition has already been sent to DPS, additional reporting is unnecessary. One can also check the DPS database for the missing numbers. CR43s submitted after disposition must be on paper or entered directly into the DPS database.

C. **Pre-2010 non-arrest cases without TRN numbers:** When the case is disposed prior to mid-2010 and no TRN can be located, ignore it.

D. **Post 2010 non-arrest cases without TRN numbers:** When the case has no arrest and no TRN and the disposition is after mid-2010, notify the head of the criminal unit in the CA's Office or the Intake unit in the DA's Office and the Court's Services Section of the Adult Probation Office (x2127) and report that the court is failing to get fingerprints at disposition at the AFIS station located in CCR1.

E. **Non-arrest case with a PR Bond.** When the case is a non-arrest case but a PR bond has been posted, the person who discovers this problem will call the PR Bond Office (x8120) and request the TRN and TRS numbers so they may be added into JIMS. The PR Bond Office will enter TRN and TRS numbers into JIMS when it takes fingerprints.

F. **Flags for cases with no TRN numbers in JIMS.** The IT Department will create a new flag for cases that have no TRN number in JIMS called "No TRN". The flag will be added when there is no arrest in JIMS or the DPS database in felonies, and there is not another PID. All users are required to participate in this system.

   1. When a flag appears on the case at disposition, the Clerk's Office will notify the Court that fingerprints should be taken at disposition and /or

   2. When a case has been flagged as "No TRN", the clerks or court staff will notify the jail, at the time of a commitment or jailing, that it must "verify the existence of a TRN". If no TRN is located, the Jail will submit fingerprints to DPS as if it is the original arrest.

   3. When the Bond Forfeiture Unit researches a case and determines that the case is a non-arrest case, the researcher will be responsible for both issuing a new alias capias and for entering the "No TRN" flag and stamping the warrant with a notification that there is "No TRN.".

   4. When the TRN number is located or fingerprints are taken the flag will be removed.

7. **There are delays when requests for fingerprints are sent to the City.** When CJIS reporting problems are sent to the City, there is no response from EPPD –

clerks are waiting on responses to their problems because EPPD has not had the capability of re-printing the CR43s.

Response: EPPD has determined how to print the missing information from its AFIS system, and this problem should be resolved. The City will email the requestor the TRN and TRS information as the CR43s are sent to DPS so that the clerks can update JIMS and finalize their CJIS entries.

8. **There are timing issues when a PR Bond is written at the Courthouse without the booking of the Defendant, the defendant must report to the PR Bond office for fingerprinting.** The Defendant is given an appointment to go to the PR Bond Office one to two weeks in the future. The PR Bond Office takes prints and mails the TRN to DPS, which takes several weeks to finalize. DPS is inconsistent about notifying the PR Bond Office that a TRN number has been assigned. The PR Bond Office does not enter the TRN number into JIMS until it receives notice from DPS that the number has been entered into its database. In addition, the jail, law enforcement, prosecutors and court clerks waste time trying to locate the bookings and associated TRN and TRS numbers. Sometimes, the clerks and prosecutors cannot complete CJIS reporting and often the defendant's criminal activity is never reported because of a lack of fingerprints in JIMS.

Response:

A. **TRNs for PR Bond Office.** PR Bonds will enter the TRNs into JIMS immediately upon taking the fingerprints.

B. **Arrest Date.** Even though the TRN is in JIMS, we are unable to enter the "arrest date," and we cannot submit the incomplete CR43 to DPS. The IT Office is attempting to resolve this issue so that every department can enter an arrest date and once entered, the arrest date can be used by all other departments.

9. **When we get long lists of cases with errors from DPS in paper format, there is no way to run reports off of JIMS to isolate the problems.**

Response:

A. **DPS cannot send electronic error reports.** We must continue to work manually. IT will look into a solution by reviewing the list of open cases and pulling data from JIMS so that we can electronically isolate error types

and find solutions, including making corrections to DPS in batch jobs.

B.   **File synchronization.** The IT office has learned how to synchronize files from DPS with local records. This process will allow us to import the SIDs found in the DPS database into our JIMS database. With these data elements in place, the prosecutor and courts can electronically send dispositions (that are presently in a holding file waiting to be sent) to DPS.

10.   When a juvenile case is disposed, the Court Clerks are not consistently entering the dispositions and some cases have no dispositions.

Response: Additional training will be provided to the courts and court clerks to resolve this problem at JPD.

11.   Some persons have multiple PIDs because their cases were filed as non-arrest cases and given a PID and then later the individual is arrested, and a new PID is issued.

Response: A computer program catches and merges these cases. The few that slip through the system will continue to be manually merged as needed.

12.   When a TRN with associated misdemeanor and felony charges, it occasionally happens that the disposition on the felony is reported as a misdemeanor, and vice versa.

Response: The first court clerk to recognize the error will notify the corresponding clerk in the other clerk's office and the two will coordinate sending in the correcting material. The clerk's office which made the mistake should send in the correction and then notify the other clerk that DPS has been mailed the corrected C43.

13.   DPS incorrectly captures open cases in their failure-to-report case lists and percentages.

Response: Several types of cases have been identified which should not count against the County's open-case percentages, and IT will report on the number of open cases with these conditions:

A.   Bond Forfeitures with open arrest warrants;

B.   Failure to appear in court cases with no activity; some with open arrest

warrants, some without;

C. Cases with personal recognizance bonds where the Court has revoked the PR Bond and issued a capias for failure to abide by the terms of the PR bond, but there is no additional activity on the case pending arrest;

D. Cases where the defendant is found to be incompetent to stand trial and no disposition can be entered; and

E. Pending cases which are validly open for a multitude of reasons.

VI. Comprehensive Strategy to Identify and Eliminate Future Reporting Problems

El Paso County has identified key missing functions in the CJIS reporting process. Significant gaps relate to the entry of manually generated TRN and TRS numbers not making their way into JIMS. Key solutions include increased communications and the identification of procedures for recurring problems,

To the extent that problems and solutions have been identified, the solutions have already been put into practice.

The DPS Advisory board has expanded its membership to include representatives of areas where problems have been identified. For the next year, the Board will meet quarterly to report on progress and to isolate and resolve new problem areas. At the end of the year, an assessment will be made as to the need to continue quarterly meetings or to move to bi-annual meetings.

The County will be moving to a new computer system, and installation will be completed in approximately two (2) years. The Board will follow up by analyzing the new reporting parameters in order to verify that proper and timely reporting continues. Part of the Implementation Plan will include reports and/or self-checking systems that will identify where (1) CJIS reports have not been accepted by DPS, (2) missing fields needed for CJIS reporting; (3) the ability of all users to see the TRN and TRS fields and TRN flags, regardless of their role in Odyssey; and (4) allow all users to complete direct entry into CJIS fields, when it is necessary to bypass the electronic arrest system.