

GOLIAD 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 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 person 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 necessary steps for the county's averages disposition completeness to be equal to or greater than 90 percent in the first report DPS submits to certain 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 the data reporting improvement plan.

It is the mission statement of the Goliad County Data Advisory Board that the Board will strive to improve data reporting for Goliad County so as to meet statutory requirements, and to establish a system within the county to maintain compliance.

SECTION II

Composition of the Local Advisory Board Members

Members of the Goliad County Data Advisory Board, as appointed by the Commissioners Court are as follows:

Kirby Brumby – Goliad County Sheriff
Rob Baiamonte – Goliad County Attorney
Mary Ellen Flores – Goliad County District & County Clerk
Terry Breen – Goliad County Assistant District Attorney
Andy Janca – Goliad County IT Director

If it should become necessary that a member of the board be replaced, the remaining members of the board will notify the county judge of that necessity and ask him to have the commissioner's court appoint a replacement, staying within the requirements of the law.

SECTION III

The current flow of information between entities in Goliad County is as follows:

1. Arrest Reporting to Repository – In Goliad County all CR43 forms are generated in the Goliad County Sheriff's Office by the jail during the booking process. The TRN and TRS are introduced into the flow of information by the Sheriff's Office. The Sheriff's Office then sends a hard copy of the CR43 to either the District or County Attorney's Office. For persons arrested on out of county warrants, the arresting agency will forward a courtesy CR43 to the county with the warrant; they will not be entered as a Goliad County arrest.
2. Arrest Reporting to Prosecutor – A hard copy of the CR43 is given to either the District or County Attorney within 5 days of an arrest.
3. Prosecution Report to Repository – Both the District and County Attorney report their actions on the DPS on-line website.
4. Prosecution to Court Clerk – Once the prosecutor reports their status on-line, a copy of that page from the Repository is generated and delivered or mailed to the County or District Clerk.
5. Court Clerk Reporting to Repository – The County and District Clerk reports all court action directly to the Repository via the DPS on-line website.

Each department has developed procedures to ensure that all charges are reported to the next office and to DPS in a timely manner. Those procedures are outlined in Section V.

SECTION IV

The board has identified the following problems associated with the reporting requirements of Chapter 60:

1. Arrest Reporting to Repository – In the past, there may have been confusion on how to handle out of county warrants with the arrest being made in Goliad; and tracking our warrants when an arrest is made outside of Goliad County.*
2. Arrest Reporting to Prosecutor – Not always receiving the hardcopy of the CR43 in a timely manner.*
3. Prosecution Reporting to Repository – Timeliness in processing CR43's.*
4. Prosecution Reporting to Court Clerk – Possible issues with cases being disposed of and no means to track if the CR43 has been done for out of county warrants.*
5. Court Clerk Reporting to Repository – Timeliness in processing CR43's.*

*All offices report that, in the past, there was a lack of emphasis on the importance of the proper reporting. As a result, the information might not get passed onto the next offices or might not be reported correctly to the Repository.

SECTION V

The data advisory board met on November 9, 2010 and each member discussed ways to remedy the problems listed in Section IV. It was agreed that each member would address the problem(s) within their department that they encountered in reporting data. Each department agreed to work closely with all others to streamline and ensure the accuracy of the reporting to the Repository.

Additionally, each department agreed that special emphasis should be, and would be, placed on completing the CR43 information in a timely and efficient manner.

Specifically, the following members proposed the following plans:

Sheriff Kirby Brumby – Will ensure that his Jailers are properly trained on completing the CR43 (specifically when it is an arrest for an out of county warrant). He will remind his Jailers of the function of the CR-43 and the necessity of accurate information. The Sheriff will create a policy that states a CR-43 **must** be completed on every defendant arrested for any offense above a Class C misdemeanor and that this will be done before the defendant is released from jail. The jail will print a hard copy of the CR43 along with inmate photo and fingerprints that will be delivered to the County Attorney once a week and mailed to the District Attorney once a week.

County Attorney Rob Baiamonte – His office will not file charges on an arrested person until the CR-43 has been received from the Sheriff's Office. He will note in the case file of his receipt of the CR-43. All reporting to the Repository will be done via the DPS on-line website. In an effort to increase the disposition percentage of old cases (felony & misdemeanor), the County Attorney's Office will check old cases that are showing to be open and see if a final disposition was made and then will report that on-line. The County Attorney's office will print a hard copy of the CR-43 and give to the Court Clerk when the case is filed. If a person has not been arrested but presents in court, the County Attorney will send them over to the Sheriff's Office for processing before accepting a plea.

Assistant District Attorney Terry Breen – Mr. Breen has also agreed that except in certain circumstance, his office will no longer proceed to Grand Jury without a CR-43. He will work closely with the District Clerk to ensure all CR-43's are in the file before accepting a plea.

District & County Clerk Mary Ellen Flores – The District & County Clerk's Office are now online with DPS. The Clerk and staff understand the importance of submitting timely and accurate reports. The County Clerk will work closely with the County Attorney's Office on court days to ensure that every defendant present in court has a CR43, and if not, steps taken to obtain one before disposing of the case. The District Clerk will work closely with the District Attorney's Office at the time of indictment to make sure that a CR43 is obtained in a timely manner.