

LA SALLE COUNTY DATA REPORTING IMPROVEMENT PLAN

Section I Legislative Requirement

Pursuant to Article 60.10, Texas Code of Criminal Procedure, the La Salle County Data Advisory Board adopts this as the Data Reporting Improvement Plan. By resolution of the La Salle County Commissioner's Court this board was created 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 great than the mandated by statute;
- (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.

This Board acknowledges the above requirements of said article and creates the following mission statement: The La Salle County Data Advisory Board will strive to improve data reporting for La Salle 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 La Salle County Data Advisory Board, established by Commissioners Court as described by state law, are as follows:

Hon. Rene Pena - La Salle County District Attorney (or his designee)
Hon. Elizabeth Martinez - La Salle County Attorney
Hon. Victor S. Villarreal - La Salle County Sheriff (or his designee)
Hon. Margarita A. Esqueda - La Salle County District Clerk (or her designee)
Hon. Margarita A. Esqueda - La Salle County Clerk (or her designee)

La Salle County does not employ or contract for automated data processing services.

Should it become necessary to replace a member of the Board, the remaining members of the Board will notify the County Judge of the necessity and ask him to have the Commissioners Court appoint a replacement, staying within the requirements of the law.

Section III Current Process of Reporting

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

1. Arrest Reporting to Repository – In La Salle County, all CR-43 forms are created electronically by the Sheriff's jail/booking staff for the arresting agency. The Sheriff's staff then sends the forms electronically to the Repository and prints copies and sends paper form copies to the appropriate Prosecutor. The TRN and TRS are introduced into the flow of information by the agency completing the top portion of the CR-43. The TRN is pre-designated by the electronic form used by the agency. The TRS are entered manually into the reporting form as needed. Both are maintained throughout the flow of information by providing paper copies of same to next county agency. For persons arrested on out of county warrants, or by another county on an in-county warrant, the arresting county forwards a "courtesy" CR-43 form to the county with the warrant.
2. Arrest Reporting to Prosecutor – The printed copy of the CR-43 form is hand-delivered to the County Attorney's office and mailed to the District Attorney's office, depending on the level of offense.
3. Prosecution Reporting to Repository – The District Attorney's office reports their actions, and/or added charges, at the DPS on-line site. The County Attorney's office enter and report their actions on the paper printed copy of the CR-43 form and mail it in to the DPS.
4. Prosecution to Court Clerk – Once prosecutor actions are entered on the DPS on-line site or on a paper printed copy of the CR-43, a copy of same being sent to the Repository is made to submit and report to the Court Clerk by hand delivery.
5. Court Clerk Reporting to Repository – The District Clerk and County Clerk report court actions to the Repository, on a paper printed copy, by mail.

Each agency has developed procedures to ensure that all charges are reported to the next county agency and to the DPS. Those procedures are outlined below in Section V.

Section IV Identifying Problem Areas of Reporting

The Board has identified the following problems associated with the reporting requirements of Chapter 60.

1. Arrest Reporting to Repository – The La Salle County Sheriff's Department has it's detention center jailers do the reporting forms for arresting officers. La Salle County jailers are not trained by CJIS to do such entries. Sometimes arresting officers "drop off" arrestees and do not have the proper verbiage for the charge, wherefrom jailers enter the wrong information.
2. Arrest Reporting to Prosecutor – Sheriff's Office personnel compiles case information, documents, officer's reports and reporting forms to submit to the appropriate prosecutor. A delay may occur in waiting for other documents in order to submit a complete case.
3. Prosecution Reporting to Repository – Both Prosecutors report a lack of office policy in the past regarding reporting, as well as a lack of emphasis on the reporting requirement. In the past, the County Attorney's Office would wait for the outcome of

filed cases to see if a defendant received a "Pre-Trial Diversion" so as to ensure that the proper code would be entered in the prosecutor action code and prosecutor action literal fields. Both prosecutor offices would wait until there were multiple reports to be sent to DPS to save money, so timeliness was an issue.

4. Prosecution Reporting to Court Clerk -- Same as above.
5. Court Clerk Reporting to Repository -- The County and District Clerk has reported that employees in her office have, in the past, lacked training and direction on the proper way to complete the reporting forms and the proper ways to report actions to the Repository. She also states that a lack of resources, including personnel and space, has created timeliness issues with reporting in the past.

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

Section V Remediation of the Problems Identified

The La Salle County Data Advisory Board met on May 13, 2010, and each member discussed ways to remedy the problems listed in Section IV. It was agreed that each member would provide a plan for that member's agency or office to address the problem(s) they encountered in reporting data. While each member's agency or office would have their own separate plan, each member agreed that their agency would work closely with all others to streamline the reporting process, to do what they could to remedy the problems listed in Section IV and to maintain compliance. Additionally, each agency agreed that special emphasis should be and would be placed on completing CR-43 information in a timely and efficient manner.

Specifically, the following members provided for their respective agency or office, the following plans:

Hon. Victor S. Villarreal, La Salle County Sheriff -- Sheriff Villarreal has issued a memo to all officers with arrest authority in La Salle County making them aware of the requirements of Chapter 60.10, CCP. His memo also reminds officers of the function of the CR-43 and its importance to the reporting process. Sheriff Villarreal also created a policy that states that a CR-43 must be completed on every defendant arrested for any offense above Class C misdemeanor. The memo then asks all officers to provide clear verbiage of the charge(s) being made, along with the statute citation from where the charge(s) is made, to the jailer booking the arrestee and entering the data. Proper training for the department jailers will also be made available.

Hon. Rene Pena, La Salle County District Attorney -- District Attorney Pena has agreed that, except in exigent circumstances, his office will no longer proceed to Grand Jury with, or plead by information, any case in which a CR-43 form has not been completed by the law enforcement agent/agency which makes the arrest on the case. Additionally, Mr. Pena states that after completion of the CR-43 by the first level and submission of the case to his office, it will be his duty to timely

review the case and complete his necessary CR-43 information. All of these issues/duties shall be completed in a timely manne. Further old cases need to be checked to see that old CR-43s were completed.

Hon. Elizabeth Martinez, La Salle County Attorney – County Attorney Martinez has also agreed that no charges will be filed on arrested persons until a completed CR-43 has been received. Support personnel in this office tasked with the duty of CR-43 reporting have been instructed not to wait for the outcome of a case before submitting the form, but to place particular emphasis on timely completion of the form, timely reporting to DPS and the Court Clerk. Support personnel has also been instructed to work closely with the DPS field representative for crime records services to clear up any problems encountered in reporting. Further, on-line reporting of CR-43 information will be implemented, which should make such reporting faster and more efficient.

Hon. Margarita A. Esqueda, La Salle County District and County Clerk – District/County Clerk Esqueda has announced plans to get on-line with the Department of Public Safety to complete her portion of the CR-43 in her dual office. She states that this should give her available data from various sources when that data might not be otherwise available. Her employees will work extensively to correct past problems in complying with reporting requirements and will work closely with the DPS field representative to address any questions or concerns. Mrs. Esqueda is attempting to get more personnel for her office. She will make proper training available to all personnel tasked with data entries on CR-43s.

The undersigned members of the La Salle County Advisory Board pledge to cooperate in compiling the data required by law and forward the appropriate information to agencies in the county and to DPS. They also agree to communicate with one another regarding any problems or discrepancies that occur in compiling the reports. The Board will meet periodically to determine if all problems are being resolved and to ensure this County maintains compliance.

Executed on this the 13th day of May, 2010.

Hon. Rene Pena, District Attorney

By Designee:

Hon. Leslie Carranza, Asst. Dist. Attorney

Hon. Elizabeth Martinez, County Attorney

Hon. Victor Villarreal, County Sheriff

Hon. Margarita A. Esqueda, Dist. Co. Clerk

FILED FOR RECORD
 At 11:35 o'clock A.M.
 MAY 13 2010
 MARGARITA A. ESQUEDA
 COUNTY & DISTRICT CLERK
 LA SALLE COUNTY TEXAS
 Maria Villarreal

STATE OF TEXAS §
COUNTY OF LA SALLE §

**A RESOLUTION OF THE COMMISSIONERS' COURT
OF LA SALLE COUNTY, TEXAS
CREATION OF THE LA SALLE COUNTY
DATA ADVISORY BOARD**

Whereas, a special meeting of the Commissioners' Court of La Salle County, Texas, was held at 10:00 a.m., County Courthouse, Commissioners' Courtroom, Cotulla, Texas on May 10, 2010; and

Whereas, the meeting was called to order by Joel Rodriguez, Jr., La Salle County Judge. The roll of the commissioners was called, and the Court Clerk declared that a quorum was present and recorded the minutes; and

Whereas, 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); and

Whereas, 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 60m, 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; and

Whereas, 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 sheriff's department that arrests a person for a Class B Misdemeanor or higher violation of a Texas statute is required by Chapter 60, Code of Criminal Procedure to report that event to DPS within seven (7) days. The report, if on paper, must be on the Criminal History reporting form (CR-43) created by DPS. The

report must include the arrest 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 arrest 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 the 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 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.

And, Whereas, pursuant to Article 60.09, *Texas Code of Criminal Procedure*, the La Salle County Commissioners' Court is required to create a Local Data Advisory Board and charge that board with the creation of a Local Data Reporting Improvement Plan.

Now, therefore, it is hereby resolved, that the La Salle County Commissioners' Court hereby creates and establishes the La Salle County Data Advisory Board to meet and establish a data reporting and improvement plan which will:

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;
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.

It is further resolved that the following individuals are appointed to such board to represent the agencies identified below:

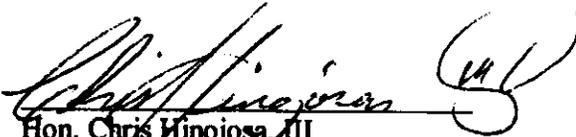
La Salle County District Attorney
La Salle County Attorney
La Salle County Sheriff
La Salle County District Clerk
La Salle County Clerk

Hon. Rene Pena, (or his designee)
Hon. Elizabeth Martinez
Hon. Victor S. Villarreal (or his designee)
Hon. Margarita A. Esqueda (or her designee)
Hon. Margarita A. Esqueda (or her designee)

Approved this 10th day of May, 2010, by the La Salle County Commissioners' Court.

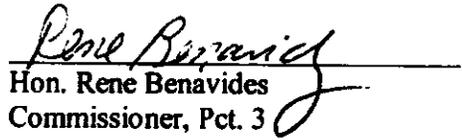


Hon. Joel Rodriguez, Jr.
La Salle County Judge

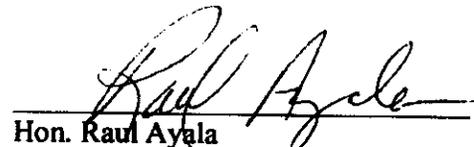


Hon. Chris Hinojosa III
Commissioner, Precinct No. 1

Hon. Theresa Adams
Commissioner, Precinct 2



Hon. Rene Benavides
Commissioner, Pct. 3



Hon. Raul Ayala
Commissioner, Pct. 4 & 5

Attest: 

Margarita A. Esqueda,
La Salle County Clerk