

Limestone 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 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.

The purpose of this plan is to comply with the statutory requirements as set forth above.

Section II

Composition of the Local Advisory Board Members:

Limestone County Judge	Daniel Burkeen
Limestone County Sheriff's Department:	Dennis Wilson
Limestone County District Attorney:	Roy DeFriend
Limestone County District Clerk:	Carol Jenkins
Limestone County Clerk:	Peggy Beck
Mexia Police Department:	Richard Hawthorne
Automated Data Processing:	Tyler Technology Representative

Any necessary additional members or replacement members will be appointed by the Limestone County Commissioners Court.

Section 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 police department and sheriff's department 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. 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 the County Attorney, upon 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 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.

How persons arrested on out of county warrants are processed

Since the agency issuing the warrant is responsible for submitting the arrest information to DPS, no information is sent to DPS by Limestone County when an out of county warrant is served. Individuals arrested on warrants from other counties are fingerprinted and a CR43 is prepared. This CR43 is sent to the warrant holder along with the fingerprints and the defendant or bond paperwork. This allows the warrant holder to complete the CR43 and submit the information to DPS.

How persons arrested out of county on in-county warrants are processed

If an individual is arrested out of county on a local warrant, one of two cases may occur. If the arrestee does not bond out and Limestone County picks the subject up, he is booked in to our jail when he arrives and the arrest is submitted to DPS through Crossmatch just as someone arrested on a local warrant. If, however, the arrestee bonds out before being transferred to Limestone County, the Sheriffs Office will receive the paperwork from the arresting agency. This paperwork should, but seldom does contain a fingerprint card and partially

completed CR43. If the CR43 is not prepared, our county attorney's office will contact the arresting county and ask them to begin the CR43. If the arresting county does not prepare the CR43, Limestone County makes arrangements to process the individual here for submission to DPS. These cases are handled on a case-by-case basis.

How added charges are dealt with so that they receive an appropriate TRS and reported to the next county entity and to the DPS

If there are multiple charges at the time of arrest, these are all entered on the same arrest TRN with different tracking suffixes (TRS), then the fingerprints are taken and the charges are transmitted to DPS. The TRS's are created by the fingerprinting software. If charges are added they are added by the prosecutor, who is responsible for submitting the new charge to DPS. If a new charge arises out of the same incident, it will be added to the TRN already created during the arrest. If a charge is added by the prosecutor's office to an existing arrest, that charge is submitted to DPS just before the case is sent to the County or District Clerk's Office.

How charges disposed by the arresting agency or prosecutor are reported to the next county agency and to the DPS

Limestone County policy is that any on-view arrest will be submitted to the appropriate prosecutor as a case for review. If the arresting agency does not wish to pursue the case, they will still submit it to the prosecutor with that information attached. The prosecutor is then responsible for submitting the arrest disposition through the DPS EDR website. These cases may be reported as dropped by arresting agency or rejected by prosecutor, but will be submitted to DPS by the prosecutor's office.

How each agency ensures that all charges are reported to the next county agency and to the DPS

On each reportable arrest CR43s are delivered to the county attorney's office on a daily mail run. The software can be checked routinely to ensure that all charges are dealt with by the county attorney—either filing a case or declining the charge. The cases are reported by the county attorney to the county or district clerk at the time the case is filed.

How the DPS "Return File" is processed and used to enhance reporting

The return file is examined by the clerk's office to identify any errors, which then can be reprocessed.

Section IV

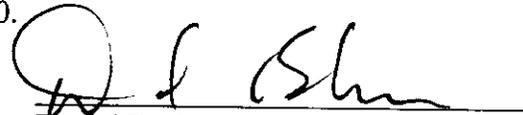
Problem areas have included reporting of out-of-county arrests on Limestone County warrants, and ensuring that each department understands and properly implements electronic transmission of required information. Each of the problems have been addressed.

Section V

The head of each department tasked with reporting to DPS and to other departments is responsible for ensuring the timely and accurate reporting of required information, including the development of quality control measures to identify any failures or gaps in the reporting. The Local Advisory Board shall meet as needed to monitor progress and to exchange information, ideas and identified weak areas.

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.

Signed on this the 0 day of June, 2010.



Daniel Burkeen
Limestone County Judge