



McMULLEN COUNTY  
TILDEN, TEXAS 78072

# Data Reporting Improvement Plan

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## **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.

In compliance with this statute, the McMullen County Commissioners Court established a local data advisory board on July 27, 2010.

It is the goal of this advisory board to develop and implement procedures to ensure accurate and complete reporting of all reportable arrests, prosecutor actions, and court dispositions that occur in the county.

## **Section II- Composition of the Local Advisory Board Members**

The Board consists of the following members, selected using the requirements of Chapter 60.10, CCP. The Commissioners Court chose to create the board using the position titles outlined in Chapter 60, rather than appointing specific individuals to the board. These Positions and the individuals filling them are listed below.

### **Required Members**

Sheriff Bruce Thomas (Sheriff)

Martha Warner ( DA, Attorney representing State in District Court)

Melaine Martin (County Attorney, Attorney representing State in County Courts)

Dorairene Garza (County and District Clerk, Clerk for County and District Clerk)

Process by which members will be replaced when necessary

### **Section III Current Process Supporting the Chapter 60 Reporting Requirements**

Whenever a reportable arrest takes place in McMullen County, the jail fingerprints the arrestee on an electronic fingerprint system which creates a tracking number (TRN). This tracking number is used by the prosecutor of the case to submit whether the case is accepted or rejected, and by the court to submit the final case disposition to the Department of Public Safety Computerized Criminal History system (DPS CCH). Certain Key functions have been identified by DPS and are examined below along with a more detailed description of the reporting process.

#### **How the DPS Incident Tracking Number (TRN) and Tracking Number Suffix (TRS) are introduced into and maintained throughout the flow of information**

All Class B Misdemeanor, Class A Misdemeanor, and Felony arrests for offenses identified by DPS as reportable offenses and made in McMullen County on local warrants or on-view arrests are reported to DPS so they may be included in the person's computerized criminal history (CCH). The officer making the arrest completes a paper/or computerized booking sheet which lists the specific DPS offense code for the charge on which the individual is arrested.

#### **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 McMullen County when an out of county warrant is served. Individuals arrested on warrants from other counties are ink fingerprinted, and those fingerprints are picked up by the Sheriff's Office Assistant, who starts a carbon copy CR43. 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 by mail 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 McMullen County picks the subject up, he is booked into the Live Oak County Jail and the arrest is submitted to DPS, just as someone arrested on a local warrant.

If the individual is bonded out prior to being transferred to McMullen County, the Sheriff's office will request the arresting agencies paperwork. This paperwork should contain a fingerprint card and a partially completed CR43. In the event this paper work is not available it should be obtained on the first County Court date.

**Section IV- Problem Areas Associated With Compliance to Chapter 60 Reporting**

McMullen County has identified many problem areas in the criminal history reporting process, and has been working to update procedures to prevent these problems. A lack of communication has occurred between the arresting agents and the jail facilities to insure that the reporting forms follow through. A suggestion has been made a check-off list accompany any forms being presented to the District or County Court for consideration. We feel confident this should remedy the 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.

Signed this the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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Bruce Thomas, McMullen County Sheriff

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Melaine Martin, McMullen County Attorney

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Martha Warner, District Attorney

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Dorairene Garza, District and County Clerk

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Clarissa Shelton, Secretary to the Sheriff