

Panola County

Data Reporting Improvement Plan

Section 1

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.

Acknowledgement

Panola County acknowledges the creation of a County Data Advisory Board and the Preparation of a Data Improvement Plan.

Mission Statement

The mission of the Panola County Local Data Advisory Board, is to review current reporting procedures, determine strengths and weakness, develop a plan to correct weakness and improve the over all quality of reporting.

Section II

Composition of the Local Advisory Board Members

The Panola County Commissioner's Court meeting in special session October 26th, 2009 appointed the following persons the Local Data Advisory Board.

Danny Buck Davidson (Panola County Criminal District Attorney)
Kenneth Hill (Panola County Assistant Criminal District Attorney)
Debra Johnson (Panola County District Clerk)
Lavonna White (Panola Panola County Deputy County Clerk)
Captain Byron McMillen (Panola County Sheriff's Department)
Chief Duane Baushke (City of Carthage Police Department)
Chief Tracy Anderson (Panola County Juvenile Probation Department)
Chief Bradley Wilburn (Panola/Shelby Counties Adult Probation Department)

The Panola County Commissioner's Court meeting in regular session May 10th, 2010 appointed the following person the Local Data Advisory Board.

Kelly Green (Tyler Technologies)

Replacement of a Board Member

If the replacement of a Board Member becomes necessary, the Department Head of that member will nominate a replacement to the Commissioner's Court.

Section III

Current Process Detail that supports Chapter 60 reporting requirements.

Adult Reporting to Repository and Prosecutor

In County-Local Charge(s)

Arrests reporting persons for felony and misdemeanor charge(s) are submitted via Live Scan to the Department of Public Safety at the time of booking. Charges(s) added subsequent to arrest will be submitted as above as a supplemental (TRS).

A DPS Incident Tracking Number (TRN) and Tracking Number Suffix are assigned automatically when processed through Live Scan.

All CR43 and Supplement printouts are hand delivered to the Panola County Sheriff's Department Communications Department at which time additional documents are added as needed. All complete packets are hand delivered to the Panola County Criminal District Attorney's Office.

In County-Out of County Charge(s)

Arrest reporting for felony and misdemeanor charge(s) is processed manually on CR43 and supplement (as needed).

The CR43 along with the arrest sheet are mailed to the County/Agency where the charge(s) originated.

Out of County

Persons arrested in another County for Panola County charge(s): When a CR43 is received in the mail from an outside agency, the original is mailed to DPS. The yellow and pink copies are hand delivered to PCSD Communications for to complete the packets, then hand delivered to the Criminal District Attorney's Office.

City of Carthage Police Department Adult Reporting to Repository and Prosecutor:

In County – Local Charges

A CR-43 form is generated at the time of arrest for any reportable criminal charge. Additional charges cause the generation of a Supplemental form (same TRN is used) The arrest information is recorded on the form. The top copy of the CR-43, along with the completed fingerprint form is sent to Crime Records Service at D.P.S. in Austin. If Supplemental forms are used they are also sent in along with the CR-43 and the fingerprints.

The Prosecutor copy and the Court copy are then forwarded along with the case file the Panola County Criminal District Attorney's Office.

A copy of the CR-43 form is kept with the case file in order to reference the TRN.

Our Arrest of an Out of County Warrant:

A CR-43 form is generated at the time of arrest and forwarded to the Warrant holder.

Our Warrant – Served by an Out of County Agency:

If the person bonds out at the Out of County Agency, we hope we get the CR-43 form and forward it to the D.A.'s office.

If the person is transported back to Panola County, we process the person and generate a CR-43 form, in case we fail to get the CR-43 from the Out of County Agency.

Our Agency does generate a CR-43 for certain Class C arrests.

Juvenile Arrest Reporting:

Any juvenile arrested for a reportable charge requires that a CR-43J form be generated. When completed, top copy along with the fingerprint card is sent to Crime Records Service at D.P.S. The other two copies are attached to the case file and forwarded to the Panola County Juvenile Probation Department. A copy of the CR-43J form is kept with the case file in order to reference the TRN

Prosecution Reporting to Repository and Court Clerk

Complete the prosecutor section upon receipt and forward the appropriate copies to the Clerks Office and DPS if case has been filed; or hold the CR43 until the case has been filed or disposed of and the appropriate copies sent to the Clerks Office and DPS.

Any additional charges are normally filed and a Warrant issued or charged under a Sealed Indictment.

Court Clerk to Repository

County Clerk

When the CR43 comes to the County Clerk's Office from the Criminal District Attorney's Office, it goes into the case file. When the case is disposed, the CR43 is completed, a copy made for case file and the original sent to DPS. If the case is disposed before we receive a CR43, the case is filed and when the CR43 is received, it is completed and the original mailed to DPS.

District Clerk

When the CR43 comes to the District Clerk's Office from the Criminal District Attorney's Office, cases are separated as to disposed and pending. CR43 for Disposed cases are completed and mailed to DPS. Periodically, the CR43 forms are gone through to check for dispositions. Disposed of cases are completed and mailed.

Juvenile Arrest Reporting

Juvenile is booked and processed by arresting agency, CR43-J is completed and forwarded to the Juvenile Probation Department.

The Juvenile Probation Department completes the intake section of the CR43-J, copies and forwards to the Criminal District Attorney's Office.

If the Prosecutor refers the case and the CR43-J back to Juvenile Probation for Disposition, the CR43-J is completed, copied and mailed to DPS.

If the Prosecutor refers the case for court adjudication/disposition, the CR43-J is forwarded with the adjudication/disposition order to the County Clerk's Office to be completed and mailed to DPS.

Section IV

Problems Associated with compliance to Chapter 60 reporting requirements.

Arrest Reporting to Repository and Prosecutor

1. Incorrect charges entered on CR43.
2. Not receiving CR43 from an outside agency who made an arrest on Panola County Charge(s)
3. Notifying Carthage P. D. when an arrest is made in one of their cases, even though P.C.S.D. holds the warrant.

Prosecution Reporting to Repository and Court Clerk

1. The main problem our office has with completing the CR43 is lack of knowledge and training.

Court Clerk Reporting to Repository

1. The problem area is when the CR43 does not come to the Clerk's office before or after the case gets disposed and the case is filed away without CR43. Some defendants are never arrested, the case is disposed and CR43 never generated.

Section V

Plan to address and remediation of problems identified in Section IV

Arrest Reporting to Repository and Prosecutor

1. Make correction on original CR43, note that it is a correction and fax it to DPS. Do not reenter into Live Scan.
2. Notify Criminal District Attorney's Office or Adult Probation that the person

will need to report to Panola County Detention Center to be fingerprinted when subject comes to court or reports to probation.

3. Make notation on warrant for CPD cases when received. So CPD can be notified of the arrest.

Prosecution Reporting to Repository and Court Clerk

1. Arrange for more training.

Court Clerk

1. When case is received without CR43, contact agency who filed case for CR43.

General Improvements Reporting

Panola County Commissioner's Court entered into a contract with Tyler Technologies to upgrade to a new automated data processing service, on January 25th 2010.

The new Odyssey system will be a complete integration of the Law Enforcement, Jail, Prosecutor, Judicial, and Clerks package.

The Live Scan Machine will integrate with the new software, to ensure that the same information is entered in both systems.

This software will enable users to track cases from the beginning to disposition. Upon conversion the District Clerk's Office plans to start using the electronic reporting Return File.

This should enable a smoother and more efficient reporting process.

The conversion and training process is currently underway, with full implementation expected in October or November 2010.

The Panola County Sheriff's Department and Detention personnel are currently starting a manual review of outstanding cases and CR43s, to determine the problems with reporting. They will then work with the Criminal District Attorney's Office, County Clerk and District Clerk to correct the problems.

Plan forwarded to the Panola County Commissioner's Court for approval on May 13th, 2010.



Byron L. McMillen
Board Chairman

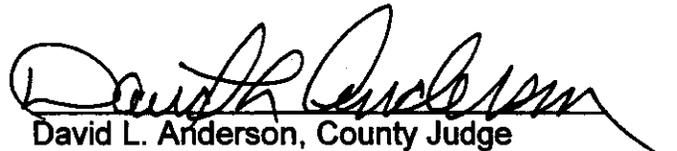
PANOLA COUNTY
LOCAL DATA ADVISORY BOARD
APPOINTMENTS

We, the Commissioners' Court of Panola County, Texas meeting in Special Session this 26th day of October, 2009 do hereby appoint the following persons to the **PANOLA COUNTY LOCAL DATA ADVISORY BOARD**:

CAPTAIN BYRON MCMILLEN (Panola County Sheriff's Department)
DANNY BUCK DAVIDSON (Panola County Criminal District Attorney)
KENNETH HILL (Panola County Assistant Criminal District Attorney)
DEBRA JOHNSON (Panola County District Clerk)
LAVONNA WHITE (Panola County Deputy County Clerk)
CHIEF DUANE BAUSHKE (City of Carthage Police Department)
CHIEF TRACY ANDERSON (Panola County Juvenile Probation Department)
CHIEF BRADLEY WILBURN (Panola/Shelby Counties Adult Probation Department)

Said appointments are effective immediately.

PASSED UNANIMOUSLY this 26th day of October, 2009 in Open Court.


David L. Anderson, County Judge

APR 23 2010

CLARA JONES
COUNTY CLERK, PANOLA COUNTY, TEXAS
BY M. L. Bazer DEPUTY

MEETING OF LOCAL DATA ADVISORY BOARD OF PANOLA COUNTY

TO WHOM IT MAY CONCERN:

PURSUANT TO THE TEXAS OPEN MEETINGS ACT, NOTICE IS HEREBY GIVEN THAT A MEETING OF THE LOCAL DATA ADVISORY BOARD OF PANOLA COUNTY, TEXAS WILL BE HELD ON THE 28TH DAY OF APRIL, 2010, IN THE COMMISSIONERS' COURTROOM IN THE PANOLA COUNTY COURTHOUSE IN CARTHAGE, TEXAS AT 10:00 O'CLOCK A.M. AT WHICH MEETING THE FOLLOWING SUBJECTS WILL BE DISCUSSED AND THE FOLLOWING MATTERS ACTED UPON:

OPEN MEETING:

1. To discuss current methods of reporting.
2. To discuss improvements to be made to plan.

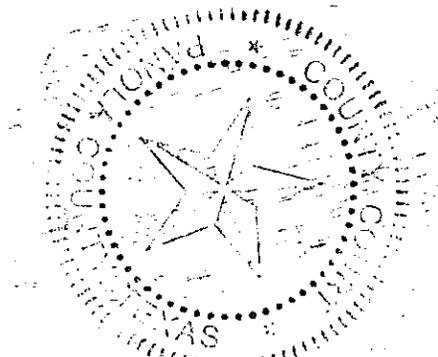
ADJOURNMENT

WITNESS THE HAND OF THE UNDERSIGNED CLERK ON THIS THE 23RD DAY OF APRIL, 2010 AT 8:10 O'CLOCK A.M.



Clara Jones
CLARA JONES, COUNTY CLERK
PANOLA COUNTY, TEXAS
By: Martha L. Bazer, Deputy

CLARA JONES, COUNTY CLERK OF PANOLA COUNTY, TEXAS DO HEREBY CERTIFY THAT THE ABOVE NOTICE WAS POSTED ON THE OFFICIAL BULLETIN BOARD IN THE PANOLA COUNTY COURTHOUSE IN THE CITY OF CARTHAGE, TEXAS AND IN A PUBLIC PLACE VISIBLE AT ALL TIMES ON THE 23RD DAY OF APRIL, 2010 AT 8:10 O'CLOCK A.M.



Clara Jones
CLARA JONES, COUNTY CLERK
PANOLA COUNTY, TEXAS
By: Martha L. Bazer, Deputy