

DATA REPORTING IMPROVEMENT PLAN FOR VAN ZANDT COUNTY

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.

Van Zandt County Data Advisory Board

Pursuant to Article 60.10, Texas Code of Criminal Procedure, the Van Zandt County Local Advisory Board adopts this as the Data Reporting Improvement Plan. By resolution dated September 22, 2009, the Van Zandt County Commissioners Court established this Board to meet and establish a data reporting and improvement plan which would include:

- (1) Describing the manner in which the county intends to improve the county's disposition completeness percentage;
- (2) Ensuring that the county takes steps necessary for the county's average disposition completeness percentage to be equal to or greater than 90 percent in the first report the Department of Public Safety submits under Article 60.21(b) (2) on or after January 1, 2013.
- (3) A comprehensive strategy by which the county will permanently maintain the county's disposition completeness percentage at or above the percentage mandated by statute.

Section II

COMPOSITION OF THE LOCAL ADVISORY BOARD MEMEBERS

The board members must meet the requirement under Chapter 60.10, CCP:

Members – Sheriff of the county, or the sheriff’s designee; an attorney who represents the state in the district courts of the county; an attorney who represents the state in the county courts of the county, the clerk for district courts of the county, or the clerk’s designee; the clerk for the county courts of the county, or the clerk’s designee; the police chief of the municipality with the greatest population located in the county, or the chief’s designee; a representative of the county’s automated data processing services, if the county performs those services; and a representative of an entity with whom the county contracts for automated data processing services, if the county contracts for those services.

Original Members of the Data Advisory Board

Attorney Representing the State in District and County Court: **Leslie Dixon**

District Clerk: **Karen Wilson**

County Clerk: **Charlotte Bledsoe**

Sheriff: **R. P. “Pat” Burnett**

Police Chief of the municipality with the greatest population - Canton: **Mike Echols**

Director of Juvenile Community Supervision: **Bobby Colacino**

Representative of the county’s automated data processing services: **Scott Slaton**

Representative of an entity with whom the county contracts for automated data processing services: **Debbie Reynolds**

Membership Replacement

Members shall serve as long as they are elected or employed in their respective positions. In the event that a member is no longer available to serve on the Board, a new member shall be appointed. If a newly elected official is required to serve on the Board, the Commissioners Court shall appoint such individual. For positions filled by an office’s recommendation, an individual shall be recommended to the Commissioners Court. The Commissioners Court will consider the recommendation and appoint an individual to fill the vacancy.

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. 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 arresting 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 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.

Current Process of the Flow of Information between Entities

Arrest Reporting to Repository

The Van Zandt County Sheriff's Office uses Northeast Texas Data Corp. computer software for booking prisoners. The Net Data system assigns a TRN and appropriate TRS for each reportable arrest offense. The arrested person's fingerprints, taken with the Mentalix system, and their photograph are associated with the assigned TRN and electronically transmitted to the Texas Department of Public Safety. The Van Zandt County Sheriff's Office reports all arrests in Van Zandt County.

Arrest Reporting to Prosecutor

All TRNs assigned as reportable in the Net Data system are made available within the computer system to the Criminal District Attorney's Office to be imported into their case management software.

Prosecution Reporting to Repository

The Van Zandt County Criminal District Attorney's Office utilizes Northeast Texas Data Corp. Attorney Case Management software which attaches the TRN to each case computer file. Upon review of the case reports, the attorney reviewing the case completes the prosecutor action. The prosecutor action is then reported electronically to DPS by the Van Zandt County District Clerk.

Prosecution Reporting to Court Clerk

The TRN is attached to each case in the Criminal District Attorney's computer case management software. The Criminal District Attorney notes the Criminal District Attorney case file number on each indictment or information that is filed with the County Clerk's Office and the District Clerk's Office which enables the Clerk's Office to pull the case information including the TRN into their computer case management system.

Court Clerk Reporting to Repository

The County and District Clerk's office utilizes Northeast Texas Data Corp., County and District Clerk Case Management software. Once an information or indictment is filed, the Clerk then goes into Net Data - New Cases From Prosecutor and transfers the case information over from the Criminal District Attorney with offense information pertaining to the information or indictment along with the TRN. Once the case is disposed of, the clerk completes the CJIS disposition and then it is electronically reported to DPS by the Van Zandt County District Clerk.

Key Functions of the Current Flow of Information within the County

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

The TRN and TRS are assigned by the computer program during the booking process.

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

Additional charges are added using the Net Data system and the procedures followed for the original charges.

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

All charges are reported by the Van Zandt County Sheriff's Office to the Van Zandt County Criminal District Attorney's Office. If the arresting agency wishes to dispose of the charge without filing, the Criminal District Attorney will use code "D" as the prosecutor action code. If the Criminal District Attorney chooses to dispose of a charge, the appropriate prosecutor code will be entered as the prosecutor action. The dispositions are then reported electronically to the Texas Department of Public Safety by the District Clerk. No additional report is made to the County Clerk or the District Clerk.

How persons arrested on out of county warrants are processed

The arrested person is booked into jail using the Net Data system and is photographed and fingerprinted. The TRN assigned by the computer system is marked as non reportable. A paper CR-43, a fingerprint card, and the photograph are sent to the county of origin of the warrant so that they may report the arrest.

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

If a person is arrested out of county on a Van Zandt County warrant and transferred to the Van Zandt County Jail then they are booked into the jail using the Net Data system and the TRN is assigned and reported just as in all other cases. If the person posts bond in the other county then when they appear in court in Van Zandt County for arraignment a TRN is assigned, the person is fingerprinted and photographed and the information reported to DPS. The TRN is entered into Net Data and is then available for the prosecutor and the clerk.

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

Proper use of the Net Data computer system ensures that all charges are reported to the next county agency and that all agency action is reported electronically to the Department of Public Safety.

For automated counties, how the DPS "Return File" is processed and used to enhance reporting

The Sheriff's Office receives the return file and the copies go into the inmate file. The District Clerk reports for the District Attorney, County Clerk and District Clerk. The District Clerk uploads the "Return File" on a Net Data session. This updates the database on the iSeries recording all information that is returned from the DPS website. This also creates reports for the individual offices listing all records that have been processed since the last download as well as any errors that may not have passed the edits for DPS. These reports are then distributed to each of these offices for them to correct any errors or bad SID numbers. There are also two sets of reports with arrest information, one is given to the Sheriff's Office and one is given to Net Data.

SECTION IV:

Problem Areas Associated with Compliance to Chapter 60 Reporting Requirements

Arrest Reporting to Repository

Arrests that are considered non reportable are often mistakenly reported to DPS.

Arrest Reporting to Prosecutor

Non reportable arrests that have been mistakenly reported to DPS are frequently marked as non reportable after they have already been reported to DPS; the subsequent marking of the arrest as non reportable removes the arrest from the records available to the Criminal District Attorney's Office.

Prosecution Reporting to Repository

The primary issue noted with prosecution reporting is failure to complete the prosecution action when the case is filed in court or closed without filing in court.

Prosecution Reporting to Court Clerk

As noted with regard to prosecution reporting to repository, the primary issue noted with prosecution reporting is failure to complete the prosecution action when the case is filed in court.

Court Clerk Reporting to Repository

The primary issue noted with the Court Clerk reporting is failure to complete each field in the CJIS disposition screen and making sure the SID number is attached to the case from the prosecutor; and not using the proper codes for cases that the offenses have been reduced or changed.

SECTION V:

Provide a plan to address remediation of the problems identified in Section IV.

Detailed Improvement Plan

The following is Van Zandt County's plan to improve data reporting in each of the following departments:

Arrest Reporting to Repository

Additional training from Net Data will be required for booking officers, on reportable and non reportable charges, and out of county charges. Implementation of a standard form for the use of all arresting agencies at the time an arrestee is booked in, so that all necessary information is obtained for identification purposes. Two designees will be given authorization to merge and delete PID – Personal Identification information in Net Data; this will eliminate multiple cases being in the system and confusion to other offices. Two designees will apply through DPS for the secure website.

Arrest Reporting to Prosecutor

The Prosecutor pulls the data from Net Data.

Prosecution Reporting to Repository

Responsibility for completing the "Prosecutor Action" is with the attorney handling the case intake. After intake, a legal assistant will confirm that the "Prosecutor Action" has been completed and if it has not then the file will be returned to the attorney for proper action.

Prosecution Reporting to Court Clerk

As noted in Prosecution Reporting to Repository, responsibility for completing the "Prosecutor Action" is with the attorney handling the case intake. After intake, a legal assistant will confirm that the "Prosecutor Action" has been completed and if it has not then the file will be returned to the attorney for proper action.

Court Clerk Reporting to Repository

The District Clerk will report to DPS weekly and the reports from the DPS "Return File" will be given to each individual office on that day. The Court Clerks will then correct the errors on the report and give it to the Department Head within two weeks, indicating how each error was corrected. The Court Clerk's office will utilize the secure DPS website to obtain SID numbers. Each Court Clerk will run a court docket that indicates missing TRN numbers for defendants, being charged with theft by check, arrested out of county and the courtesy card has not been received, or direct indictment without arrest. When the defendant appears for trial, the Clerk will utilize the Texas Court ID Pilot to capture a digital image of fingerprints and submit that information to DPS. Once a month each Court Clerk will run the CJIS Aging Report in Net Data, this report will indicate that a disposition has been entered on the CJIS screen put has not yet reported. Also, the CJIS Missing TRN Number Report which will indicate all cases that have been closed out but no TRN has been attached.

Timeline

The Van Zandt County Data Advisory anticipates it to take about 12 months to implement our changes. After such time, the Van Zandt County Data Advisory Board anticipates our reporting percentage to be over 90% by January 1, 2011.

Our specific timeline includes:

By June 1, 2010 finalize the Van Zandt County Data Improvement Plan and begin implementation of the details.

By June 1, 2010, submit Data Advisory Board Improvement Plan to DPS

By July, 2010 have procedures established for training employees new to CJIS reporting and retraining of all current employees handling CJIS.

By October 2010 have all PID's merged

By January 1, 2011 have all departments' data reporting at or above 90%.

Comprehensive Strategy to Maintain Compliance in Reporting

The Van Zandt County Data Advisory Board will meet quarterly beginning in June, 2010, to communicate and work together to update and make changes to inaccurate information. All reports will be brought from each office so that the board can audit and work together to resolve any problems that each individual office was unable to correct. An open arrest report through DPS will be printed and distributed to each office to go over. All warrants from the Clerks office will be marked as "Reportable" or "Non Reportable" so the booking officer can easily identify the offenses that need to be reported to DPS. Juvenile Services will continue current data reporting procedures as they consistently maintain the disposition completeness percentage above 90 percent.

ATTEST

The undersigned members of the Data 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.

The parties hereto have caused this instrument to be signed this 1st day of June 2010.

District Attorney - Leslie Dixon

Leslie Poynter Dixon

District Clerk - Karen Wilson

Karen Wilson

County Clerk - Charlotte Bledsoe

Charlotte Bledsoe

Sheriff - R.P. "Pat" Burnett

R.P. Burnett

Canton Police Chief - Mike Echols

M.W. Echols

Director of Juvenile Services - Bobby Colacino

Bobby Colacino

County IT - Scott Slaton

Scott Slaton

Representative of Net Data - Debbie Reynolds

Debbie Reynolds