



BURLESON COUNTY DATA REPORTING IMPROVEMENT PLAN

Section I – LEGISLATIVE REQUIREMENTS

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 commissioner's 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 the Department of Public Safety (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.

Pursuant to Article 60.10, Texas Code of Criminal Procedure, the Burleson County Local Data Advisory Board adopts this as the Data Reporting Improvement Plan. By resolution dated September 14, 2009, the Burleson County Commissioner's Court established this board to meet and generate a data reporting and improvement plan. Burleson County's Data Advisory Board is committed to achieving and maintaining an average disposition completeness percentage equal to or greater than 90% in the first report the DPS submits under Art. 60.21(b) (2) on or after January 1, 2013. The members of the advisory board pledge to cooperate in compiling the data required by law, forwarding the appropriate information to the correct county agencies, and reporting data to DPS. We will strive to provide a working environment of respect toward each member and recognize the merit of each individual.

Section II – BURLESON COUNTY LOCAL DATA ADVISORY BOARD

Joey J. Skrivanek III, County Attorney

Mike Dotson, Jail Administrator

Beverly Telg, Executive Assistant to District Attorney

Joy Brymer, District Clerk

Dana Fritsche, Chief Deputy District Clerk

Holly Wiley, Administrative Assistant

Chrystal Schulz, Administrative Assistant

Anna L. Schielack, County Clerk

Ella Nelson, Deputy Criminal Clerk

William Parham, District Attorney

Daniel McElroy, Police Chief

If and when any member of the Data Advisory Board is not able to continue to serve, it will be the responsibility of the Board to appoint a replacement.

Section III – CURRENT DATA REPORTING

Chapter 60, CCP places responsibility for reporting to Tx Computerized Criminal History System (CCH) on several local criminal justice agencies. Currently, the process in Burleson County starts with the Burleson County Sheriff's Department. When an individual is brought to the Burleson County Sheriff's Department for booking, an Incident Tracking Number (TRN) is generated and the arrest information filled out, fingerprints are taken and this information is electronically transmitted to DPS.

The Burleson County Jail will submit fingerprints and arrest information on all reportable criminal charges using Livescan. A CR-43 and any necessary CR-44's will be generated and submitted electronically to the Department of Public Safety. Copies of the CR-43 and CR-44's will be maintained in the inmate file.

On all misdemeanor and felony juvenile charges created through the arresting agencies (Police Departments, Sheriff's Department and School officers) the copies of the CR-43, and CR-44's, the booking report, the magistrates warning, prosecuting referral from juvenile probation officer and the charging instrument will be forwarded to the County Attorney's Office. The County Attorney will decide to accept, reject, dismiss, change or add to misdemeanor or felony juvenile charges. The decision is then reported electronically to DPS. The original petition, order directing issuance of summons is provided to the County Clerk with a TRN and held for disposition by the court. The County Clerk's office then reports the court disposition to DPS electronically through the DPS website.

On all misdemeanor charges, copies of the CR-43, any CR-44's, the booking report, the magistrates warning, and the charging instrument will be forwarded to

the County Attorneys ' office. The County Attorney will decide to accept, reject, dismiss, change or add to misdemeanor charges. The decision is then reported electronically to DPS.

The complaint and information is provided to the County Clerk with a TRN and held for disposition by the court. The County Clerk's Office then reports the court disposition to DPS electronically through the DPS website.

On all felony charges, copies of the CR-43, any CR-44's, the booking report, the magistrates warning, and the charging instrument will be forwarded to the District Attorneys' office.

The Criminal District Attorney will decide to accept, reject, dismiss, change or add to felony or misdemeanor charges. This decision is then reported manually or electronically to DPS at the time an indictment is handed down by the Burleson County Grand Jury.

The indictment form is provided to the District Clerk with a TRN and held for disposition by the court. The District Clerk's Office then reports the court disposition to DPS manually or electronically through the DPS website.

Any cases wherein the arrest was made out of county on a Burleson County warrant and no TRN exists, the court will order a book-in/book-out to create a TRN and fingerprint card. At the time of disposition the Court Clerk reports the disposition to DPS utilizing the assigned TRN.

A critical component of successful reporting is well trained employees, cooperation and communication within the county agencies.

Section IV – PROBLEM AREAS

The main problem areas for Burleson County concerning compliance with Chapter 60, CCP stem from out of county arrests for in-county warrants in misdemeanor cases, transfers of unindicted cases, no interface between software vendors, server issues within Burleson County and unfunded mandates handed down by state and federal government.

Section V – REMEDIATION PLAN

The goal of the Data Advisory Board is to provide whatever means it takes to ensure and maintain compliance in reporting. Therefore, at the time of arrest, the arresting law enforcement personnel will provide, in writing, to the Burleson County Sheriff's Department personnel an accurate description, statute and degree level for each offense being charged beginning with the highest degree level offense. The jail personnel will not accept a person for booking until this information is provided by the arresting officer. The jail personnel will utilize the Identix LiveScan system to accurately book, fingerprint and transmit the arrest to DPS. Additionally, the Burleson County Sheriff's Department will post at the booking station the procedures for arrests in Class C offenses, Failure to Appear, Motion to Revoke or Adjudicate and out of county warrants that are not to be reported to DPS.


On a monthly basis, the clerk's office and prosecutor's office will review each arrest contained on the open arrest report on the DPS website and determine if there are any booking reporting errors that need to be corrected and/or prosecutor/court dispositions that have not be reported timely.


As to the reporting of felony out of county arrest on a Burleson County warrant, the advisory board will explore the possibility of acquiring portable electronic fingerprint equipment to have in the District courtroom or the possibility of

utilizing the equipment in the County courtroom, to assure that a TRN and fingerprint card are created and transmitted to DPS.

Every local agency responsible for reporting data to DPS is obligated to make certain that their employees attend training seminars yearly to be aware of any and all updates with the DPS reporting system. The Data Advisory Board will meet Bi-Annually or when necessary to keep abreast of any issues or problems concerning reporting data to DPS.

The undersigned members of the advisory board pledge to cooperate and communicate with one another to keep Burleson County in compliance with the legislative requirements of Chapter 60, CCP.


Dale Stroud, Sherriff
Signed by Mike Dotson, Jail Administrator

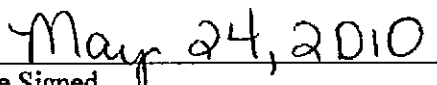

William Parham, District Attorney
Signed by Ned Butler, Assistant Dist. Attorne


Joey Strivanek, County Attorney


Joy Bryner, District Clerk


Anna Schielack, County Clerk


Daniel McElroy, Police Chief


Date Signed