

HARRISON 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 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, no 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 mission of the Harrison County Data Advisory Board is to work collaboratively with all reporting agencies of the county, and representatives of our reporting software to discuss the procedures and methods that each office will follow to ascertain that all data is reported in a correct and timely manner to DPS. This board will follow the data reporting improvement plan to achieve a goal of improving the reporting of case dispositions, and establishing and maintaining the County's reporting average at or greater than 90 percent. The Board shall discuss errors reported on the DPS website, and determine how to improve communication among the various departments. A critical component of successful reporting is cooperation within the county. The Board will strive to ensure that communication consistently occurs among departments to see that the plan is followed.

Section II

Composition of the Local Advisory Board Members

On October 13, 2009 the Harrison County's Commissioners Court did create and establish the Harrison County Local Data Advisory Board. The following individuals were appointed to the Board, representing the agencies or entities identified below:

Harrison County District Attorney:	Joe Black, Criminal District Attorney
Harrison County Sheriff's Department:	Captain John Hain, Jail Admin.
Harrison County District Clerk:	Sherry Griffis
Harrison County Clerk:	Patsy Cox
Marshall Police Department:	Ass't. Chief Leland Benoit
Harrison County Automated Data Processing:	John Galbraith, TSG Representative
Harrison County I.T. Manager:	Charlie Nenner

On Nov. 23, 2009 the board held its first meeting and appointed Joe Black as Chairman of the Board.

The board voted to meet once a quarter to prepare a data reporting improvement plan and to ensure that the County takes all steps necessary to get our disposition completeness at 90 percent.

If a member of the board can no longer represent an agency, the board members will agree upon the best replacement for that agency, and the Chairman will appoint a new individual to represent that agency.

Section III

Detail of the current process that supports the Chapter 60 reporting requirements between the following entities:

- Arrest Reporting to Repository
- Arrest Reporting to Prosecutor
- Prosecution Reporting to Repository
- Prosecution Reporting to Court Clerk
- Court Clerk Reporting to Repository

Arrest Reporting to Repository and Prosecutor

Marshall Police Department's Current CJIS Reporting Process:

Adult Process: Currently the Marshall Police Department only incarcerates Class "C" misdemeanors in our facility and transfers all individuals charged with a Class "B" and above to the Harrison County Jail. We are in the process of moving to a new police complex and are entering into an agreement with the Harrison County Jail to house all individuals arrested by the Marshall Police Department. Therefore, all TRN numbers and dispositions generated will be done so by the Harrison County Sheriff's Office and the Harrison County District Attorney's Office until which time Class "C" misdemeanors are reported and that will be accomplished by the City of Marshall Municipal Court .

Juvenile Process: In our current facility we have dedicated areas of our building (detective offices) approved by the state for temporary detention of juvenile offenders. In the new complex we have two dedicated holding cells / interview rooms for the temporary detention of juvenile offenders but in cases where long term detention is warranted; the juveniles are transferred to the Willoughby Juvenile Center(a Harrison County Facility) located in Marshall.

Harrison County Sheriff's Office Current CJIS Reporting Process

CJIS OVERVIEW

Local or In County Arrest

The Sheriff's Office is responsible for starting the CJIS process. When a person is arrested the arresting officer completes a booking sheet, this booking sheet contains a place for current charges and a DPS offense code as well as demographic information about the arrestee. Upon completion the sheet is then signed off on by the jail staff. The jail staff then begins the booking process, using our jail management software and during this process if the arrestee is charged with a class B misdemeanor or greater offense the jail staff assigns a tracking number otherwise known as a TRN to the offense. Upon completion of the booking process this record is transferred from our jail management software to our electronic fingerprint machine known as live scan. The jail staff then completes the fingerprint process using the live scan device and the record is transmitted to the repository.

Out of County Arrest

The Sheriff's Office is responsible for starting the CJIS process on all out of county offenses. The procedure for booking arrestees on out of county charges are much the same and in the procedures above except that all out of county charges that are a class B misdemeanor or greater are not assigned a tracking number or TRN. This field is left

blank by the jail staff during the booking process. These arrestees are then entered into our live scan device manually as a non-reportable and the fingerprint process is completed. Once the process is completed the arrestee's fingerprints are printed and forwarded to the CJIS designee in the sheriff's office. Once received by the CJIS designee, that person will assign a tracking number or TRN for the originating county and print the CR-43 from the jail management software. The fingerprints and the CR-43 are then forwarded to the originating county.

Cases not filed with the District Attorney

In the event an arresting entity decides not to pursue a case and file it with the District Attorney, the arresting entity must submit a letter declaring the case will not be pursued to the sheriff's office CJIS designee. This is to ensure that the code 207 (Released without Prosecution) is submitted to the Repository and the case be closed.

Prosecution Reporting

Harrison County's District Attorney's current CJIS reporting process Repository:

Currently, case files are logged in at the District Attorney's office from a law enforcement agency, or an at-large process. These case files contain arrest information, offense report and narrative, and criminal history. The case is then logged into our electronic reporting network in one of two ways: (1) The case can be transferred directly by electronic transfer (with CJIS information) from the Harrison County Sheriff's Department if the defendant has been arrested. (2) The case can be manually added (without CJIS information) if the defendant has not been arrested. The attorney then prepares cases for indictment. When cases are indicted, the information is entered on the electronic reporting system through the CJIS Reporting Prosecutor's Segment. On cases where the defendant has not been arrested, a CJIS is **forthcoming upon the arrest following indictment**, and then entered electronically through the date reporting system. The cases are entered with a designation of accept, change, reject, no bill, dropped by arresting agency, or pretrial diversion. The final step in reporting Prosecution Information to the DPS Repository is reported it electronically.

District Court Clerk Reporting to Repository

District Court Clerk's current process of Reporting to the DPS Repository:

The District Clerk receives two types of Cases from the prosecutor.

1. The Defendant is arrested on view.
2. The Defendant has not been arrested and has a pending warrant called an at large case.

Current process: The District Clerk receives the Complaint and Information and /or Indictment by hand or electronically through Case Management Software from the County Prosecutors office. The District Clerk batches the case and the number is assigned automatically into the system. The system then transfers the case file information including the CJIS information, containing the TRN, TRS and SID numbers of the defendant, into that case. When a defendant's case has received a disposition by plea, trial or revocation, the District Judge signs the judgment and then forwards the disposition to the District Clerk. The District Clerk then enters the relevant dates, fines and codes into the CJIS Disposition section (which already contains the TRN and TRS #s) of the County's Case Management System. The CJIS Disposition is then reported electronically to the DPS Repository.

County Court Clerk Reporting to Repository

County Court Clerk's current process of Reporting to the DPS Repository:

The Court Clerk receives two types of Cases from the prosecutor.

Type A: The Defendant is arrested on view.

Type B: The Defendant has not been arrested and has a pending warrant called an at large case.

Type A Current Process: The Court Clerk receives the Complaint and Information by hand or electronically through Case Management Software System (TSG) from the District Attorney's Office. The Court Clerk batches the case and the number is automatically assigned to the case into the system. The system then transfers the case file information, including the CJIS information containing the TRN, TRS and SID numbers assigned to the defendant into the defendant's case file. When the case is disposed, either by plea, trial, revocation or dismissal, the Court Clerk receives a Judgment signed by the judge. The Court Clerk then enters the relevant dates, fines and codes into the CJIS Disposition section (which already contains the TRN and TRS numbers) of the County's Case Management System. The CJIS Disposition is then reported electronically to the DPS Repository.

Type B Current Process: Same as Type A procedure; however, the TRN number is not assigned until defendant is arrested.

Court Clerk Reporting to Repository

County Court at Law Juvenile Clerk's current process of Reporting to the DPS Repository:

All Juvenile case dispositions are reported to the DPS Repository on the paper reporting form by mail. The Court Clerk receives the form from the Juvenile Detention Center after the case is disposed. The Clerk fills out the Court section of the form with sentencing information, including the JAN and JDN. The Court Clerk then mail the form to Texas Department of Public Safety.

The Juvenile Detention Officer completes the form and mails it to the Texas Department of Public Safety when the case is dismissed.

Additional functions of the current flow of information within the county:

- A. How the DPS Incident Tracking Number (TRN) and Tracking Number Suffix (TRS) are introduced into and maintained throughout the flow of information: When the information is electronically transferred to the County's Data Management System it makes the TRN and TRS numbers electronically available to each agency.
- B. How added charges are dealt with so that they receive an appropriate TRS and reported to the next county entity and to the DPS: When a case is filed as a felony the case information is transferred electronically to the Prosecutor. The Prosecutor then changes the previous charge to the new added charge. The system automatically issues a new TRS number to the case. The Prosecutor then electronically reports the new charge and TRS number to the Court Clerk and to the DPS Repository.
- C. How charges disposed by the arresting agency or prosecutor are reported to the next county Agency and to the DPS. They are reported to DPS by paper when entered manually and reported electronically when entered in the system.
- D. How persons arrested on out of county warrants are processed: The process is the same as the Out of County Arrest described in Section III except the CJIS paper work is mailed to the out of county arresting agency.
- E. How persons arrested out of county on in-county warrants are processed: The County who arrests the person should send a copy of the arrest report, a copy of the confirmation on the warrant and a set of prints. If not, the Sheriff's office will need to contact the arresting agency to get the proper information to fill out a CJIS. Once the paper work is received a copy goes to the Prosecutors Office and original is mailed to the DPS Repository.
- F. How each agency ensures that all charges are reported to the next county agency and to the DPS: Each agency checks their part of the open arrest report.

- G. For automated counties, how the DPS "Return File" is processed and used to enhance reporting: The County Court Clerk runs the DPS Return File Report once a week or more often if necessary and forwards each agency a copy of their Return File Report. Each agency reviews their report and any cases that did not report will be fixed and reported.

Section IV

Identify problem areas associated with compliance to Chapter 60 reporting requirements.

Problem Areas Identified

- 1) The arresting agency has an arrest; the arrest information gets reported to the DPS Repository. Then the arresting agency decides not to file the case with the Prosecutor, and never reports a 207 "Not Filed" thus creating an "open arrest"
- 2) Duplicate TRN numbers are sent in to DPS, thus creating "open arrest" There are several different reasons this could happen. Two different agency's reporting the same arrest, out of county arrest and alias capias arrest (Motion to Revoke Probation, Bond Enhancement, Failure to Appear, Surety Withdraw)
- 3) The arresting agency has an arrest and reports a paper CJIS (CR-43) to DPS and the CJIS information does not get forwarded to all agencies', thus creating an "open arrest".
- 4) The Court Clerk electronically transfers the wrong TRN number from the CJIS TRN number search section of the Data Mgmt. System, thus creating an open arrest on the other case.
- 5) The Prosecutor is unable to report action taken on a case, or the Court Clerk is unable to report the disposition on a case to DPS, because the arresting agency has not reported the arrest to DPS. There is no SID number assigned to the defendant.
- 6) The defendant comes to court and gets a disposition, but has never been arrested or was arrested out of county (out of county agency never forwarded the CJIS information or fingerprints), thus the county has no fingerprints, no CJIS information to report to DPS. This defendant will not have a criminal history on this disposition at DPS.

Section V

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

Detailed improvement plan for problems 1-5 in section IV.

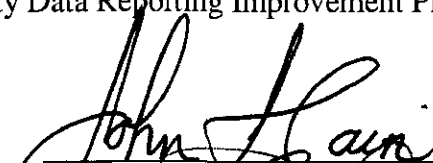
- 1) The County's arresting agencies have identified this problem and have added some key functions to fix it. Training of all personnel on how to electronically report a 207 "not filed" to the DPS Repository.
- 2) The first part of the plan is to stop Duplicate TRN numbers from getting sent to DPS. We currently have a centralized Book In for electronic CJIS reporting, which has stopped some duplicate TRN numbers from reporting. The second part of the plan is the Court Clerk will run an open arrest report quarterly and check all open arrest cases if there is a TRN that is attached to a case that has already reported a disposition on another TRN, thus finding a Duplicate TRN. The clerk will now go to the DPS CCH Website and electronically report a Dismissal for the incorrect TRN (duplicate to the correct TRN) to the Electronic Disposition Reporting (EDR).
- 3) The county's plan and current process to ensure that all TRN numbers are reported and attached to their case. The first step is for the court clerk to do a search on the Criminal Case Mgmt. System for a TRN. If no TRN number was transferred, the second step is for the Clerk to go to the DPS Criminal History Secure Website to look up the arrest and get the TRN number. The third step, to ensure all TRN numbers and Dispositions have been reported, is for the Court Clerk to run an Open Arrest Report to check for any cases that did not report. The Open Arrest Report will have the correct TRN, TRS, and SID numbers. The clerk can then attach them to the case and now report the Disposition Electronically to the DPS Repository.
- 4) The county has implemented training on attaching TRN numbers for the TRN number search section of the Criminal Case Mgmt. System, but if one does get attached and reported to DPS in error, the clerk will send an Error cover sheet to the DPS error resolution board and have that TRN number unattached from the incorrect case. Then the clerk can get the correct TRN reported, thus fixing the open arrest.
- 5) This problem is going to take some communication between the agencies. The Plan is for the clerk to make a call to the arresting agency and have them report the CJIS to DPS.
- 6) The county has a current process for this problem only if the defendant gets a disposition.

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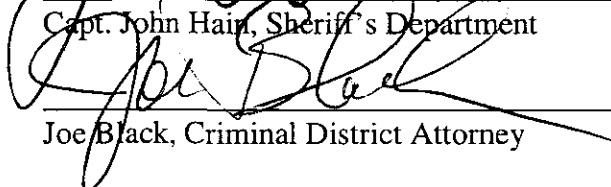
When a judgment is received and there is no TRN# we check DPS for a criminal history looking for the offense to see if it's listed on the criminal history. We then go to the Harrison County's Criminal Case Management System (TSG) and check Book In for a CJIS. If there is no TRN number located we start a new CJIS by filling out the Arrest/Identification. The arresting agency (Sheriff's Dept) begins the Book In to start the CJIS reporting and is sent to the repository. The CJIS is electronically sent to either the District Clerk or County Clerk for them to enter the CJIS information into the Criminal Case Mgmt. System and it electronically reports the disposition to DPS. If there is a paper CJIS the clerk then mails the paper CJIS to DPS.

The Harrison County's Data Advisory Board has worked out a strategy and a timeline to maintain the County's compliance in reporting dispositions.

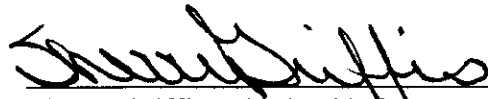
1. The Board will continue meeting quarterly to identify and discuss any problems that develop. The Board will review the County Compliance Report percentage each meeting and follow the plan to raise the average to greater than 90 percent.
2. Each day the Court Clerk's will electronically report to DPS all CJIS forms that are ready, maintaining the 30-day reporting requirement. (60.08 CCP) The County's Criminal Case Management System will be used to generate the DPS Return File Report showing all CJIS forms successfully reported to DPS and an error report for those not reported successfully. The prosecutor and court clerk will then correct all errors.
3. Each agency will review the open arrest report and will report their part of the CJIS to DPS by either: 1) Mail in a paper CJIS 2) Report electronically through the County's Data Mgmt. System or 3) Report electronically by entering directly into the DPS CCH web site.
4. By signing below each agency's representative or designee agrees to follow the Harrison County Data Reporting Improvement Plan described herein.



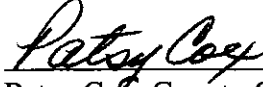
Capt. John Hain, Sheriff's Department



Joe Black, Criminal District Attorney



Sherry Griffis, District Clerk



Patsy Cox, County Clerk



Leland Benoit, Ass't. Chief, M.P.D.



Charles Nenninger, Harrison Co., I.T.