

WALKER COUNTY DATA ADVISORY BOARD:

Butch Davis – Committee Head – Walker County Sheriff’s Department

David Weeks – Walker County Criminal District Attorney

Robyn Flowers – Walker County District Clerk

Paulette Johnson – Walker County Clerk Designee

Kelly Green – Tyler Technology

David O’Rear – Huntsville Police Department

Cindy Gutierrez – Walker County District Attorney Designee

Kimberly Blackwill – Walker County District Clerk Designee

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.



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 WALKER COUNTY Local Data Advisory Board adopts this as the Data Reporting Improvement Plan. By resolution dated October 26, 2009, the WALKER COUNTY Commissioner's Court established this board to meet and generate a data reporting and improvement plan. WALKER 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

Data Recording from the Jail Section:

Upon entering the facility, the jailers are informed of the charges that the arrestee has been brought to the facility for. While booking and entering in the charges, the Tyler Technology software recognizes on view charges as well as original warrant charges therefore creating a TRN number. A TRN number is not generated for Failure to Appear, Probation Violation, Motion to Adjudicate or Parole and Pardon Board. Once the booking process is completed the computer system is linked to the AFIS fingerprint machine and the system "EARS" over the TRN number to the waiting AFIS machine. The jailer then proceeds to fingerprint the subject, once that is completed a fingerprint card is generated for in house records as well as the jailer must submit the record of the fingerprints with the TRN number attached to the Texas Department of Public Safety (DPS).

Data Recording from the Huntsville Police Department:

When a Huntsville Police Department officer makes an adult arrest, the arrestee is booked into the Walker County Jail, at which point he/she is assigned a TRN for that charge. The Walker County jail then submits fingerprints and TRN information to DPS electronically.

Any additional charges added later are also assigned a TRN at time of booking for the additional charge(s).

When a police officer arrests a juvenile, the arrestee is processed at the Police Department using a JJRF (CR43J) form with the attached fingerprint card. The CR43J has a TRN stamped on it. Any charge(s) associated with that arrest will be assigned that TRN. If more than one charge is filed at the time of arrest, a Supplemental CR44J will be completed and the TRN from the CR 43J is inscribed on the Supplemental form. The CR43J and CR44J are forwarded to the Texas Department of Public Safety and a copy is forwarded to the Walker County Juvenile Services.

Data Recording from the Criminal District Attorney's Section:

According to Chapter 60.10, CCP - Legislative Requirements - the following is the improvement plan applicable to the District Attorney's Office.

The current process in Walker County begins at the Jail when an arrest is made. Once a subject is booked in and processed, that subject will get fingerprinted through the livescan machine and a CR 43 is created for electronic uploading.

Once a subject's case is accepted/declined at the District Attorney's office, the TRN is transferred over from the jail to the prosecutor section and is accepted, declined or held (usually if subject has multiple charges/arrests).

If we accept the case and the charge is a misdemeanor case, we file a complaint and information along with a copy of their bond sheet and electronically file the charge with the county clerk. They then assign a cause number. Once the case is disposed, the clerk electronically files the record with DPS.

If the charge is a felony then it goes to the Grand Jury and if Truebilled an indictment is filed along with the bond sheet and electronically file the charge with the district clerk. The indictment does contain the TRN number if there is one. Subjects who plea by information and waive the Grand Jury process - case is filed electronically with the District Clerk. The information should contain the TRN number if there is one.

If subject is arrested out of county (OUTCO) and we are usually unaware if a TRN was created. Once case is disposed the clerk electronically files the record to DPS.

If a case is No Billed then this office closes the TRN and submits it to DPS electronically.

If the District Attorney chooses to decline/reject the charge then the CR 43 is closed out and submitted to DPS electronically. The bond sheet is closed out at the jail as well.

The District Attorney's office may choose to hold a case, usually if the subject has multiple charges and/or we have to wait on the DPS lab to submit results on drug cases. Those cases may remain open until we get a clear disposition on the substance that is in question.

Data Recording from the District Clerk's Section:

Once a case has been disposed, the Clerk will enter the correct information into the CJIS Screen. It is verified that a TRN number is provided. This is a MUST or the case can't be reported. The TRN number will be provided to the District Clerk's Office by the District Attorney.

The only problem that I have had with the CJIS reporting is the missing TRN numbers. The Clerk has been advised by our CJIS Field Representative, Jeff McIlhane, to notify him if there are any issues with missing TRN numbers. He will make sure the Clerk receives a TRN numbers as soon as possible.

Data Recording from the County Clerk's Section:

After the case has been disposed the Clerk enters, the correct information into the system - disposing the case. On the CJIS screen the Clerk enters the correct information and electronically files.

The majority of the cases have a TRN and there is not an issue.

The issue that is most common with misdemeanor records are the cases that are un-arrested (Summoned) cases. Cases where the defendant was sent a summons (Theft B, Theft by Check, Driving While License Suspended, Theft of Service, etc.) and the defendant appeared as requested; therefore, no arrest, no TRN. Some of the cases are dismissed and some plea in court. Should the defendant fail to appear, that person will be arrested and receive a TRN at the jail.

Older cases are still filed manually. The Clerk pulls the file, completes the TRN then submits to DPS via US Mail.

Data Recording from the Juvenile Probation Section:

Walker County Juvenile Services receives the CR 43J or CR 44J (blue and green) forms from the arresting agencies along with the arrest report. The white copy and fingerprint cards are sent to DPS by the arresting agencies (Huntsville Police Department, Walker County Sheriff's Department, and Sam Houston State University Police Department). After receiving the blue and green forms and the arrest report, an Intake Officer or a Juvenile Probation Officer completes the required Intake Agency data and forward the forms to the Walker County District Attorney's Office along with the department's recommendation.

Once at the District Attorney's Office, an Assistant District Attorney reviews the recommendation and makes a decision on how to proceed with the case. This office completes the required Prosecutor Agency portion. The green copy of the CR 43J or CR 44J is sent to DPS and if a petition is filed the blue form is forwarded to the District Clerk's Office.

During court, a Juvenile Probation Officer or Intake Officer completes the Blue CR 43J or CR 44J forms and the District Clerk's Office forwards the completed forms to DPS.

Walker County Juvenile Services has taken on the responsibility of entering the CR 43J and CR44J forms online. The Juvenile Services Department will make copies of the Blue CR43J and CR 44J forms and provides them to the District Clerk's Office along with the date they were entered and who entered the information into the DPS data base for their files.

This process has been running smoothly and currently does not have problems with the information getting reported to DPS. Walker County Juvenile Services runs compliance reports and open arrest reports in order to verify that the required information is being reported to DPS.

Areas of Concern:

At present there is no set system to obtain fingerprints or create a CR 43 if subject is arrested OUTCO for felony or misdemeanor cases.

Another area of concern is poor training for the booking process due to turn over rate of employees. The problem has been the failure to send the arrest file electronically to DPS via the livescan machine.

REMEDIATION:

To hire a temporary position to review all outstanding TRN's to achieve compliance and submit electronically to DPS.

Continue training and providing new employees the training needed for filing all arrests correctly and filing all data electronically is critical.

Continual training for all Departments either quarterly or as needed with ALL agencies participating, to include DPS field Representative and our Computer Software Vendor.

The reporting of felony or misdemeanor out of county arrest on a Walker County Warrant, the advisory board will explore the possibility of acquiring a portable electronic fingerprint equipment to have in the District Courtroom or County Court at Law courtroom to assure that a TRN and fingerprint card are created and transmitted to DPS.

