



TARRANT COUNTY MAGISTRATION

J. GREGORY SHUGART, CRIMINAL COURT ADMINISTRATOR

BARBARA MURPHY, INDIGENT DEFENSE COORDINATOR

SHEILA WYNN, MAGISTRATE JUDGE

TEXAS INDIGENT DEFENSE WORKSHOP

JANUARY 16, 2020

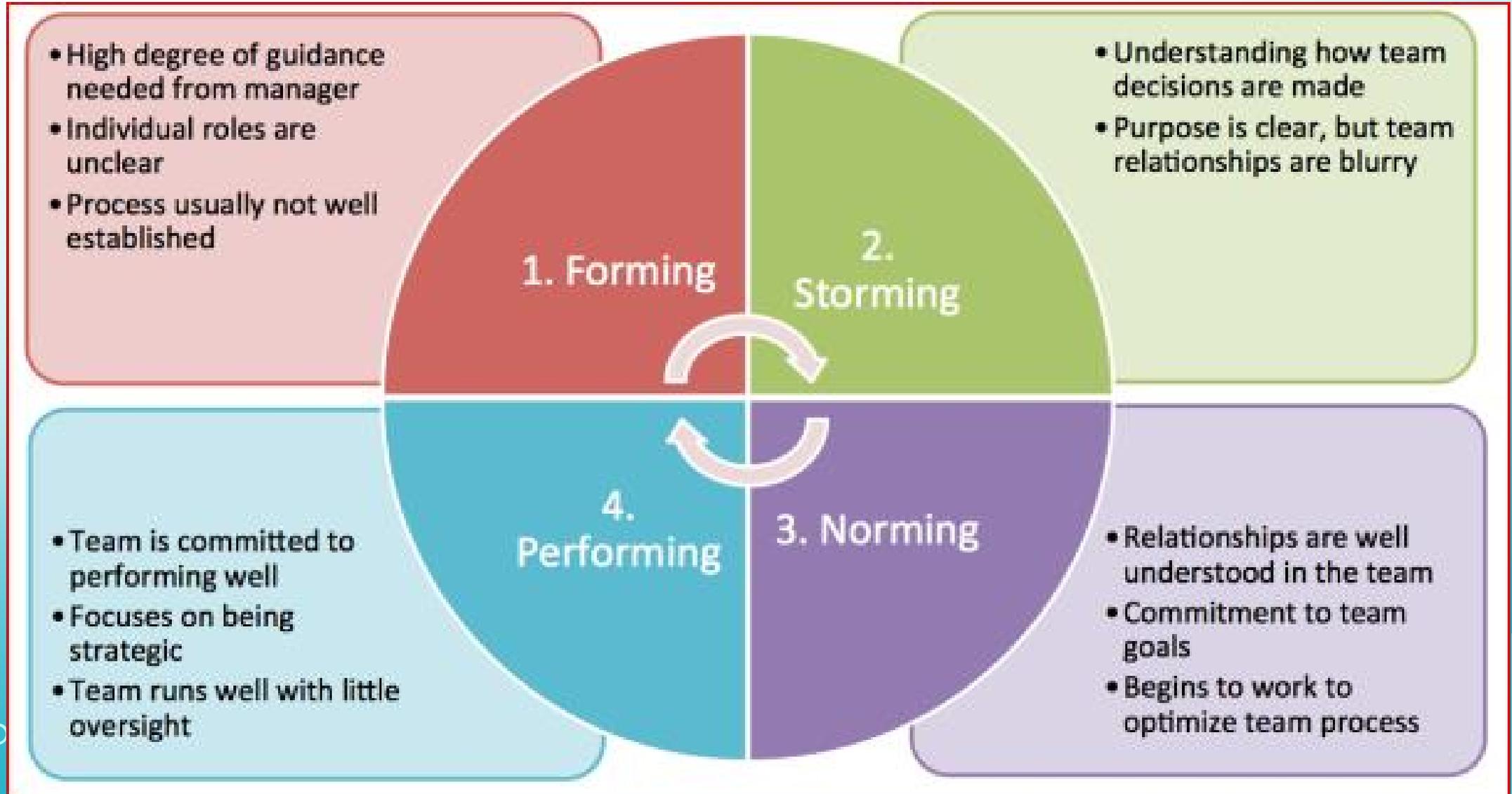
GOAL OF PRESENTATION

- Why Tarrant County changed magistration
- Change management process
- Why magistration needed to be automated
- Where is Tarrant County heading with magistration and indigent defense.

CHANGE ISSUES

- Public Policy is fluid.
- Tarrant County prides itself in adapting to change
- Indigent Issues have been a force of change since the passage of the Fair Defense Act.
- Help from the TIDC is on the way.

DR. BRUCE TUCKMAN (1965)



BACKGROUND PRIOR TO CENTRAL MAGISTRATION

- Tarrant County had to adapt to the Fair Defense Act due to the lack of Central Magistration.
- Court Appointment Office was created to address indigent appointments.
- Criminal Court Staff went out to the cities to interview defendants after Magistration.

PARTNERSHIP WITH TIDC ON THE WAY

- Grants from TIDC allowed for the automation of attorney appointments.
- Implementation of FIDO and then TechShare.Indigent Defense
 - Streamlined appointment
 - Automated vouchers from the attorney, to the Judge, to the auditors and ultimately electronic payment to the attorney.

SHIFTED TO THE MIT LIVING WAGE CALCULATOR

- Social Science instead of national poverty standard
- Indigence based on what it took to live in Tarrant County
- <https://livingwage.mit.edu/>

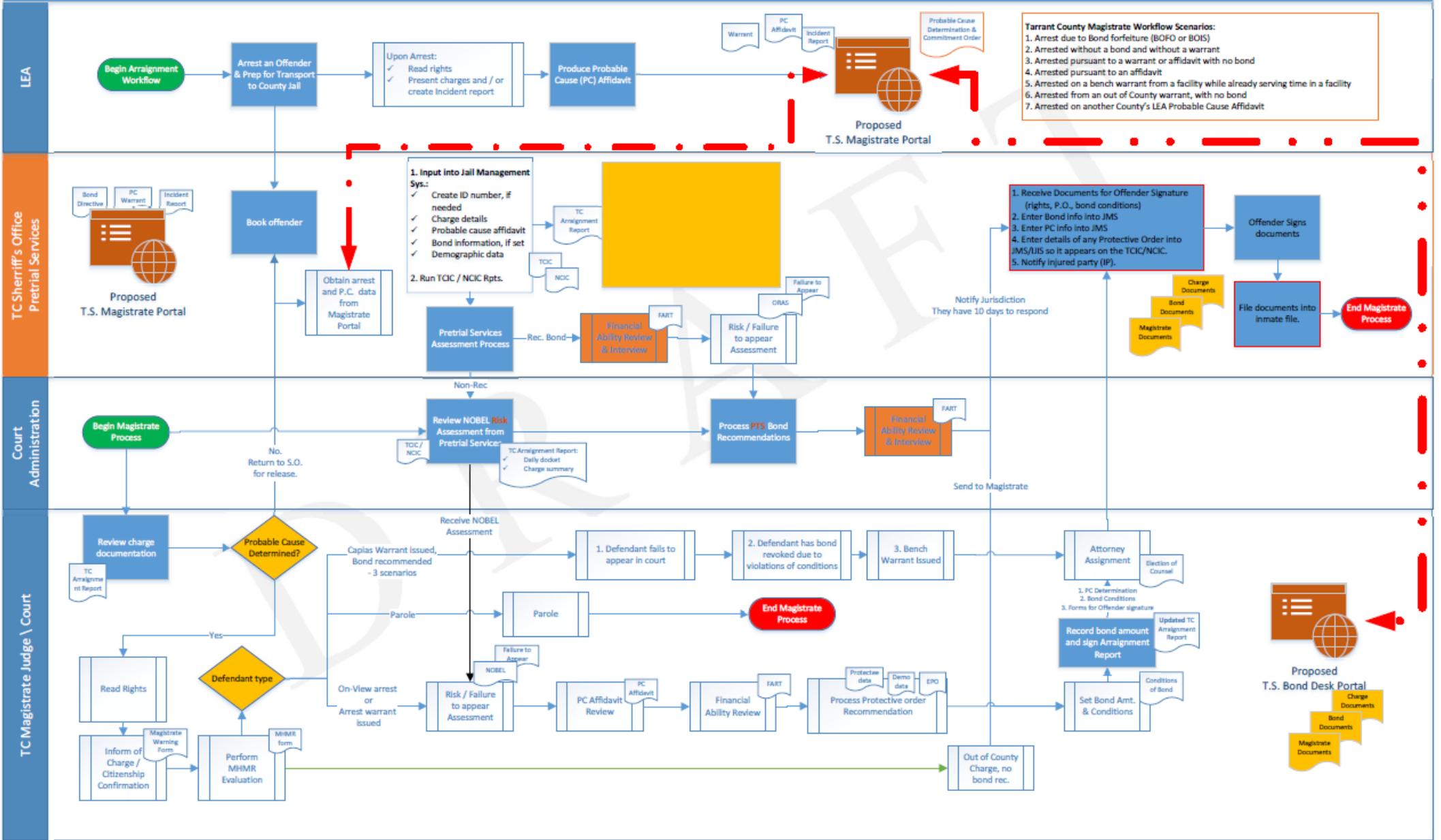
Category	2019 (Draft)	2018	2017	2016	2015	2014
Population (Non-Census years are estimates)	2,083,962	2,049,127	1,995,921	1,971,711	1,949,165	1,928,141
Felony Charges Added (from OCA report)	22,126	20,343	17,509	17,228	17,341	17,316
Felony Cases Paid	15,760	13,977	12,767	12,695	12,974	11,877
% Felony Charges Defended with Appointed Counsel	71%	69%	73%	74%	75%	69%
Felony Trial Court-Attorney Fees	\$14,249,597	\$12,228,906	\$10,853,694	\$10,133,266	\$9,882,428	\$9,310,337
Cost per Felony Case	\$904	\$875	\$850	\$798	\$762	\$784
Misdemeanor Charges Added (from OCA report)	32,038	32,835	29,820	29,240	30,980	30,244
Misdemeanor Cases Paid	15,352	14,453	12,932	13,026	13,528	13,500
% Misdemeanor Charges Defended with Appointed Counsel	48%	44%	43%	45%	44%	45%
Misdemeanor Trial Court Attorney Fees	\$4,102,905	\$3,579,021	\$3,076,159	\$3,013,359	\$3,248,002	\$3,018,087
Cost per Misdemeanor Case	\$267	\$248	\$238	\$231	\$240	\$224

FORCES OF CHANGE UPON THE CRIMINAL COURTS

- In 2017, two major policy changes impacted Tarrant County's Pretrial Process
 - Desire of the Criminal Judges of Tarrant County to adopt pretrial reform
 - TCSO desired to start accepting defendants upon arrest in accordance with Tex. Code Crim. Proc. Art. 2.18.
- This changed over 40 years of local legal custom
 - Municipal Judges no longer primary in setting bonds defendants Class B and above
 - TCSO accepting defendants into jail prior to the case being filed

Tarrant County Magistrate Court Processes

As of 22-MAY-2019



TC CRIMINAL COURTS GOALS

- Adopt best practices in pretrial supervision
- Continue to seek cooperation among various departments and agencies
- Strive to interview all eligible arrestees for personal bond options
- Tailor bond to individual circumstances: alleged facts of the charge, risk assessment, financial questionnaire, and record of previous court appearances
- Identify individuals with mental health issues earlier and release from custody

TC CRIMINAL COURTS GOALS

- Ensure that bond conditions, meant to uphold public safety, can be enforced
- Allocate resources to be used in a narrowly tailored fashion
- Strive to have low risk, economically challenged arrestees no longer forced to stay in jail or plead guilty just to “get out”
- Increase the likelihood that high risk, economically privileged arrestees will no longer be permitted to buy their release without the consideration of community safety
- Ensure the presumption of innocence

WHO IS AFFECTED BY THIS?

- About 48,000 people are arrested in Tarrant County each year
- 56 Law Enforcement Agencies (LEAs)
- 41 Municipalities and their municipal Judges
- TCSO
- Alleged victims
- Entire community

SIGNIFICANT CHANGE

- Burden of magistration preparation shifted from the municipalities to Tarrant County Magistrates
 - Tarrant County now magistrates 92% of defendants, instead of 8%
- Cultural change of implementing a Risk Assessment, FTA report
- Additional Magistrates and staff were needed

CHALLENGES OF IMPLEMENTING

- Commissioner Court needed to be convinced to fund the change
- Internal organizational change
- External organizational change and communication

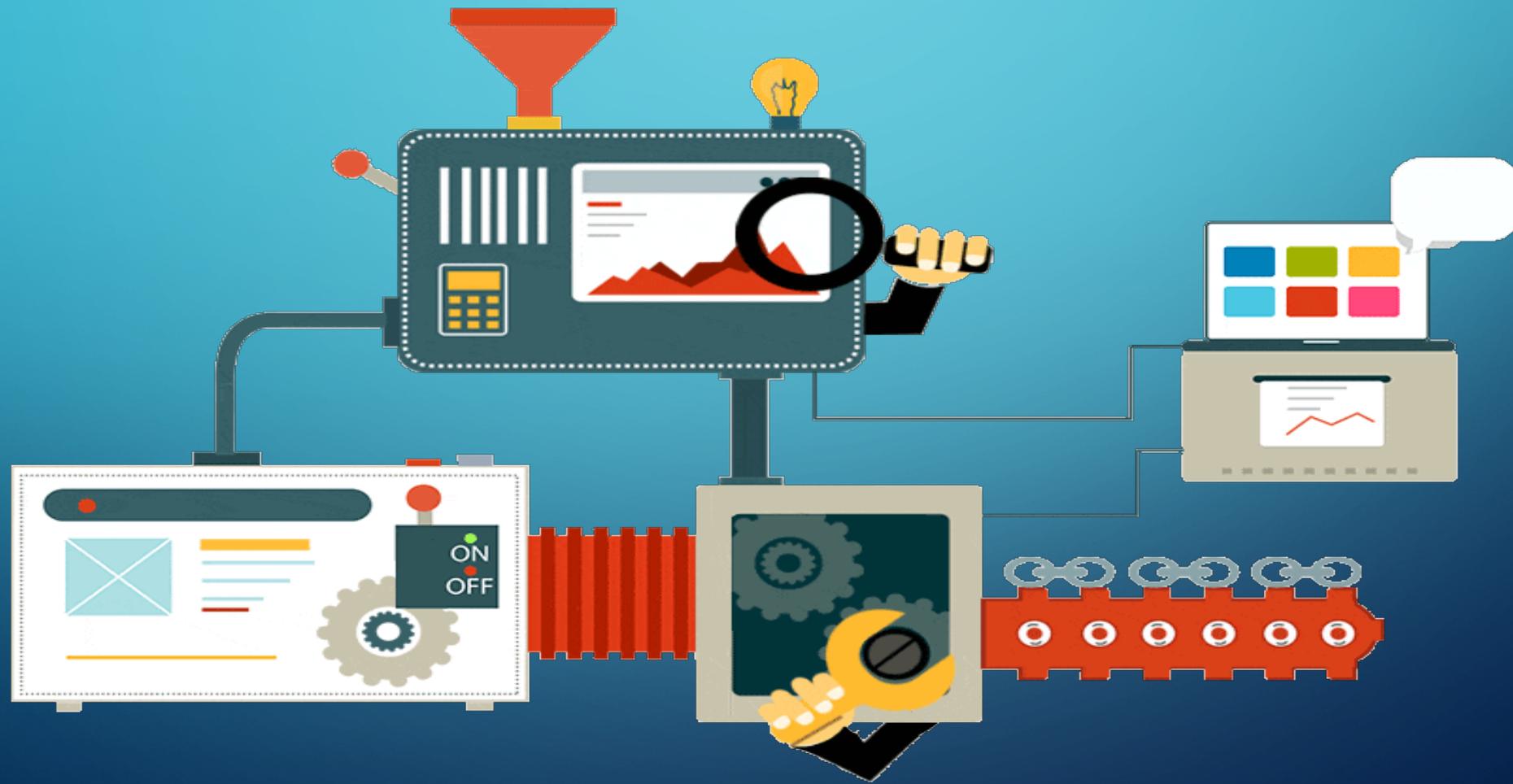
TARRANT COUNTY COURTS' FIRST STEPS

- Implemented the Static Risk Assessment – November 1, 2017
 - Long term goal of Arnold Foundation Public Safety Assessment still in place
 - Needed a turn-key solution to begin local legal custom cultural shift
 - TC team observed the processes in Travis and Bexar Counties
- TCSO started accepting defendants upon arrest in accordance with Tex. Code Crim. Proc. art. 2.18 on January 27, 2018
- **Process was 100% Manual and on paper– Portal Not developed yet**
 - **Criminal Court Administration underestimated the magnitude of the task at hand**
 - **Staff mastered at a cost of significant overtime.**

TARRANT COUNTY COURT'S SECOND STEPS

- Prior to these changes, both CSCD and Pre Trial Services provided bond supervision.
- Courts needed to choose one of those departments to provide meaningful supervision.
- CSCD ultimately took on this responsibility.

TARRANT COUNTY PARTNERED WITH TECHSHARE TO CREATE AN AUTOMATED SOLUTION



TECHSHARE.MAGISTRATION

- Implemented On August 22, 2018
- Hard work and partnerships
 - Tarrant County Sheriff's Office
 - Tarrant County IT
 - CSCD
 - TechShare
 - Noble Software Group
 - Criminal Courts Administration

DEFENDANTS ARE IMPORTED INTO THE SYSTEM

- Integration from IJIS Database – Mainframe
- Data is pulled from Defendants that are booked into Jail

The screenshot shows the TechShare.Magistrations web application. At the top, the title "TechShare.Magistrations" is displayed. Below the title is a navigation bar with several menu items: "Dashboard", "Defendants", "Magistrations Sessions", "CCP Warning", and "Admin". The "Defendants" menu is expanded, showing a list of options: "Import Defendants", "Add Defendant", "All Defendants", "With No Charges", "Ready For Scheduling/Verification", and "Pending Magistrations". A red box highlights the "Import Defendants" option, and a hand cursor is positioned over it. Below the navigation bar, the main content area is partially visible, showing a "Dashboard" section with a "Magistrations Completeness" chart and a "Defendant Statuses" section. The "Magistrations Completeness" chart shows two bars with values 40 and 60. The "Defendant Statuses" section shows a green dot and the text "10 defendants with no charges."

Defendant

[View Criminal History](#)

Administrative

CID * SID In Custody?

Custody Agency Custody Floor Custody Tank

Defendant

Last Name * First Name * Middle Name

Language Social Security Number License Number

License Type Issuing State Race * Sex *

Ethnicity Height (ft) (in) Weight (lbs) Eye Color Hair Color

Citizenship

Contact Information

Address Line 1

Address Line 2

City Address State Zip

Home Phone

Mobile Phone

Email

Defendant Information Verified

Comments

[Cancel](#) [Save](#)

CHARGES ARE BROUGHT IN AS WELL

Dashboard Defendants ▾ Magistrations Sessions ▾ CCP Warning Admin ▾

Add Charge (Charge 1 of 1)

Incident Number	Offense Report Number	TRS	TRN
<input type="text"/>	<input type="text"/>	A001	9134342958

Arrest Date	Arrest Time	Offense Date	Offense Time
3/26/2018 <input type="text"/>	5:00 AM <input type="text"/>	MM/DD/YYYY <input type="text"/>	HH:MM <input type="text"/>

Offense *	Level and Degree	GOC
23990193 THEFT PROP >=\$750<\$2,500 <input type="text"/>	MA <input type="text"/>	- <input type="text"/>

Arresting Agency

FORT WORTH PD (FWPD) - TX2201200

Booking Number	Warrant Number	Commit Authority
3650419 <input type="text"/>	<input type="text"/>	CCC1 <input type="text"/>

Sentence Notes

032618/BOND TO BE SET BY MAGISTRATE PER PROC/STATES MOTION TO ADJUDICATE FILED. PR WARRANT ISSUED/REL TO CSCD ONLY/JUDGE COOK/POZOS 032618/TRUSTY/CARLIN

Victim

Magistrations Details

<input type="checkbox"/> PC Affidavit Filed	PC Finding
	- <input type="text"/>

Cancel Import Charge

ALL DEFENDANTS ARE VERIFIED

- Staff confirms identification information for each arrestee.
- Static Risk Assessment is preloaded with Tarrant County data
 - Personal identifiers
 - Tarrant County criminal history
 - Out of county/out of state criminal history (manually entered)
- Scanned booking data is attached to Defendant
 - Probable Cause Determination/Affidavit
 - Emergency Protective Order Application

MAGISTRATES REVIEW TO SET BOND

Edit Magistration Session

Session Details

Session Start Date *	Session Start Time *	Session End Date *	Session End Time *
5/8/2018	8:00 AM	5/8/2018	10:00 AM
Docket Type *	Arraignment Method *	Magistrate Judge	
Magistration	In Person	Samilpa, Jonathan	
Location *			
100TH DISTRICT COURT CLARENDON - TX065015J			
Description			
Test			

Save Cancel

Defendants

Export

Group By: Drag a column header and drop it here to group by that column

	All	Name	SID	CID	Date Of Birth	SSN	Magistration Status	Actions
+	<input checked="" type="checkbox"/>	JOHN WASHINGTON	00000000	0891876	11/09/1995	###-##-####	Complete	Prepare Magistrate
+	<input checked="" type="checkbox"/>	ASHLEY NICOLE JONES	00000000	0901509	12/28/1990	###-##-####	Complete	Prepare Magistrate
+	<input checked="" type="checkbox"/>	DEONDRE HARPER	00000000	0897803	12/10/1990	###-##-####	Complete	Prepare Magistrate
-	<input type="checkbox"/>	RICKY LEE DRAGOO	03820919	0254163	09/24/1969	###-##-####	Awaiting Verification	Prepare Magistrate

1

1 - 4 of 4 items

Provided CCP 15.17 Warning

Interpreters

Group By: Drag a column header and drop it here to group by that column

Type	Language	Certified	Interpreter Name	Contact Info
------	----------	-----------	------------------	--------------

0

No items to display

Magistration Session Events

Prepare Magistration

[View Details](#)[View Criminal History](#)

Session Date: 5/8/2018 8:00:00 AM - 5/8/2018 10:00:00 AM

RICKY LEE DRAGOO (CID: 0254163)

SID 03820919
Ethnicity

Date of Birth 9/24/1969
Citizenship

Race White

Sex Male

 Defendant Information Verified

Language

English

Interpreter

—

 Provided CCP 15.17 Warning Consular Notification Applies

Consular Notification Country

—

Charges - Magistration Details

Charge 1

Offense CAMPAIGN CONTRIBUTION IN CERTAIN PUB BUILDINGS (51990024)
GOC
Offense Report Number
Arrest Date 5/7/2018
Arresting Agency 100TH DISTRICT COURT CLARENDON - TX065015J

Level/Degree
Booking Number 3662786
TRN 000254163C

Incident Number
Offense Date
TRS A786

PC Finding

Bond Amount

Conditions of Bond

Election of Counsel

Judicial Work Product

Adult Warning Remarks

EPO

PC Finding

Charge 1 - CAMPAIGN CONTRIBUTION IN CERTAIN PUB BUILDINGS (51990024)

Affidavit Filed

PC Finding

Comments

Comments

PC Finding

Bond Amount

Conditions of Bond

Election of Counsel

Judicial Work Product

Adult Warning Remarks

EPO

Conditions of Bond

Charge 1 - CAMPAIGN CONTRIBUTION IN CERTAIN PUB BUILDINGS (51990024)

Clear All

- Report to CSCD
- UA Samples
- GPS Only
- Comply with CSCD
- No Contact Children < 17
- Interlock Device
- Schedule by Court
- Commit No Offense
- Bond Caseload

- No Alcohol Possession
- Radio Frequency
- Pay CSCD Fees
- No Victim Family Contact
- 24 Hr Home Confinement
- Schedule by SO
- Maintain Employment
- BAT & Visitel

- Abstain Drugs & Alcohol
- No Unsupervised Contact
- No Victim Contact
- Electronic Monitoring
- No Firearms or Weapons
- Home Visits
- GPS with Exclusion Zones
- Release to CSCD Only

Save

Generate Documents

Send to Noble

View Criminal History

RICKY LEE DRAGOO

CID 0254163
SID 03820919
Date Of Birth 9/24/1969

Charge Count 1
Magistration Status Awaiting Verification
Election of Counsel I elect to Represent myself.

Language English
Interpreter

Details

Template *

Magistrate Warning



Add As Attachment

Signature

Sign Documents

Charges

CAMPAIGN CONTRIBUTION IN CERTAIN PUB BUILDINGS

Complete Magistration

Edit Magistration

Cancel

Generate as Readonly

Generate as Editable

ACTUAL MAGISTRATION – IN PERSON/ON VIDEO

- Magistrate reads 15.17 CCP warnings to all defendants in session
- Magistrate addresses each arrestee individually:
 - Assures rights are understood
 - Asks if U.S. Citizen – Embassy notification
 - Asks if they want to be considered for an appointed attorney
 - Explains process of court appointed attorney
 - Advises defendants of their charge
 - Sets their bond amount/type of bond and any conditions
 - Delivers EPO and explains conditions, etc.
- **Magistrate documents printed in Jail and signed by the Defendant**

AFTER MAGISTRATION

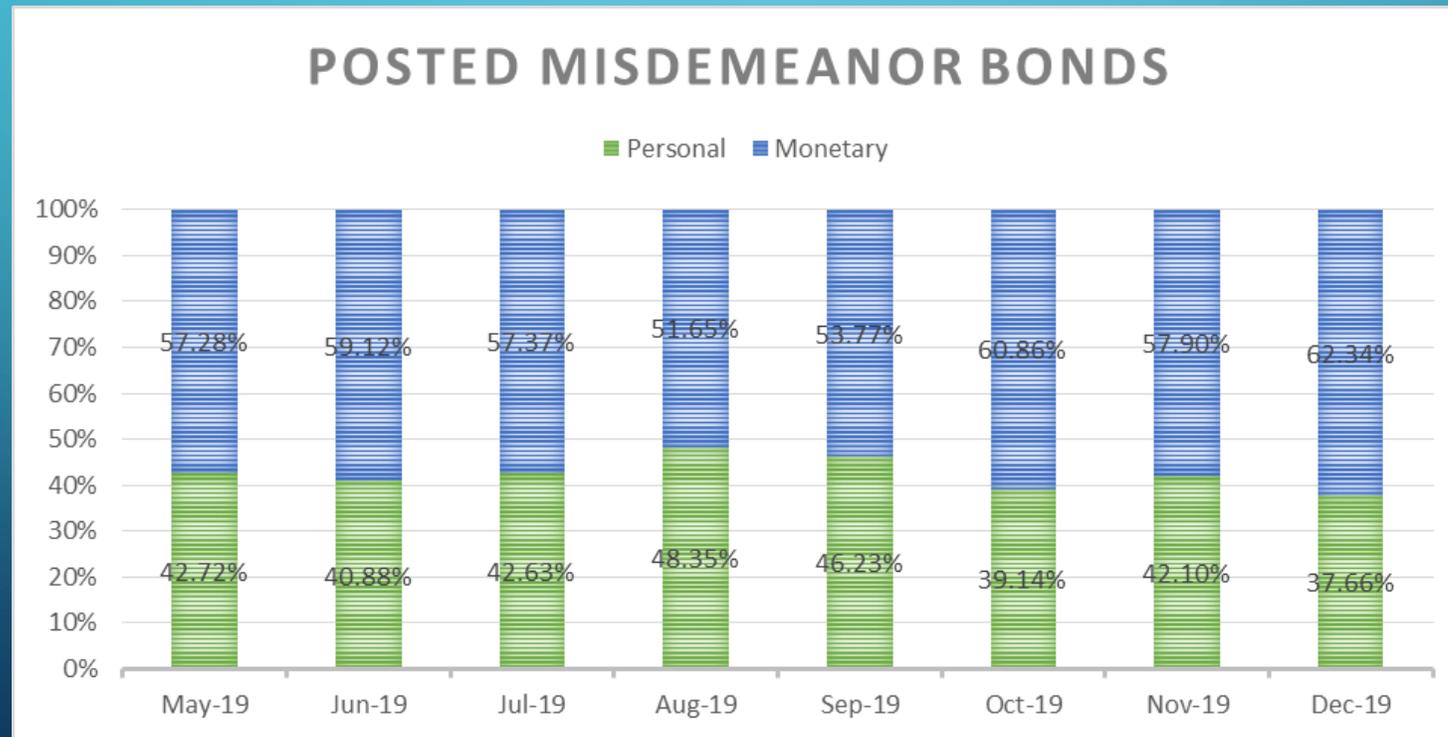
- Indigent defense process begins.
- Defendants interviewed for court appointed attorney
- Eligible defendants are appointed attorneys
- Eligibility is based on the MIT Living Wage Calculator
- Tarrant County Criminal Courts have been using TechShare for Indigent Defense since 2015. (Currently 17 counties use this software)

TARRANT COUNTY IMPROVED EXPONENTIALLY

- Time to prepare a defendant has reduced by 75%.
- Staff dedicated to magistration can now handle workload
- Full seven day a week operation ensures all defendants have the same due process

CHANGE OUR PROCESS IN 2019

- Pretrial Justice Institute did a site visit and report on progress
 - We were not as progressive as we thought
 - Dictated the path ahead
- Encourage the increase use of personal bonds



COMPLIANCE OF BONDS

➤ It has gone just fine!

May 2019 to November 2019 Bond Status as of 01/03/2020

Bond Type	<u>Compliant</u>	Out of <u>Compliance</u>	<u>Total</u>	Compliance <u>Rate</u>
Cash	1,219	205	1,424	85.60%
Personal	6,452	1,423	7,875	81.93%
Surety	14,181	4,354	18,535	76.51%
Total	21,852	5,982	27,834	78.51%

WHERE MAGISTRATION IS HEADED

- Full financial and individual screening prior to magistration for all defendants starting in the Spring of 2020 Working with TechShare for process changes
 - Digital signatures
 - Increasing the number of magistration sessions

LOOKING BACK AT THE PROCESS CHANGE

Workload Measures

	<u>2017</u>	<u>2018</u>	<u>2019</u>
Risk Assessments	313	30,020	43,749
Financial Questionnaires	38,703	46,946	49,170

Bond Posted

	<u>2017</u>	<u>2018</u>	<u>2019</u>
Personal	2,048	5,813	11,531
Cash	2,417	4,036	2,989
Surety	33,076	35,144	34,000
Grand Total	37,541	44,993	48,520

STILL MAKING CHANGES... PJI RECOMMENDATIONS

- Implementation of a notification system for court dates for all non-surety bond defendants in January 2020
- Information infrastructure is in place to transition from Static Risk Assessment to Public Safety Assessment
- Continued IT integration to expedite bond and supervision information to CSCD for Pretrial Supervision

WE ARE A WORK IN PROGRESS

- We are still changing a process that has been in place for at least 40 years
- Continue Cooperation with all the Stakeholders
- We have Commissioners Court buy off now
- This change in procedure exemplifies the Tarrant County Way!



QUESTIONS?

THANK YOU FOR YOUR TIME!