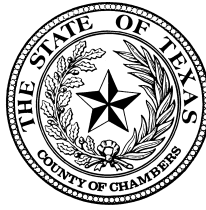


JIMMY SYLVIA
COUNTY JUDGE



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THE COUNTY OF CHAMBERS

May 9, 2023

RE: Chambers County Response- TIDC Policy Monitoring Review

On March 14, 2022, a meeting was held to discuss the TIDC 2019 findings and recommendations to ensure all involved parties understand the necessary changes needed for compliance. Attendees included representatives from the County and County-Court-at-Law Judges' offices, the Sheriff and jail Captain, several Justice of the Peace Judges and their clerks, misdemeanor prosecutors, and The County Clerk and her criminal court clerks. This meeting was very productive, and we implemented many changes for compliance. Below, please find our responses to the 2023 TIDC Review.

Please note that many of these changes were implemented on or around the March 14, 2022 meeting. At the 2023 review, TIDC reviewed case samples from April 2021-September 2021. If provided a newer sampling of cases, Chambers County strongly believes the results would be in much greater compliance based on the changes we have implemented.

Finding 1: Magistrates must record whether an arrestee requested counsel.

In response, Chambers County made it very clear to all magistrates (consisting mostly of JPs) that a "yes" or "no" answer must be checked. Originally there was an "undecided" box that an arrestee could choose, but to get rid of confusion, the "undecided" box was removed from the form. Over the last year, there has been a drastic improvement in compliance on this issue. We see very few, if any, boxes unchecked now, and if we do begin to see that issue, it will be addressed with the magistrates immediately. We have many secondary "checks" on this system now, so it would be very noticeable if the JPs were not complying in this finding.

Finding 2: Justices of the peace must report requests for counsel as part of their Judicial Council Monthly Court Activity Reports.

In response, Chambers County Justice of the Peace Precinct 6 deputy clerk addressed this issue at the meeting. She explained to all of the JPs the need for reporting and answered any questions the other clerks had. She has stayed in touch and available for any questions they may have.

Finding 3: Requests for counsel must be transmitted to the courts within 24 hours of the request being made.

In response, this was also addressed at the meeting. A better plan for the JPs and the jail staff was created so that the requests would be transmitted to the courts timely. Additionally, Chambers County had one Justice of the Peace who refused to send the requests timely, but he is no longer in office. The newly-elected Justice of the Peace who took his place has been very responsive in transmitting these requests timely.

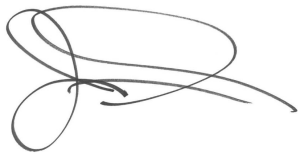
Finding 4: The timeliness of misdemeanor counsel appointments does not meet TIDC’s administrative threshold.

In response, the County Judge’s secretary has put into place a very detailed spreadsheet to keep track of appointments and their timeliness. She checks the indigent defense email several times a day and has also trained the County-Court-at-Law Judge’s secretary on how to do the same. This has created a much more seamless and timely process.

Finding 5: The attorney representing the State communicated with defendants who had requested counsel before the court had ruled on the request.

In response, the County Attorney’s Office has implemented a series of steps to ensure that they do not speak with defendants who have requested counsel and do not have a ruling on that request. First, the State checks the Odyssey system in the documents tab to find the magistration paperwork. The State confirms whether the defendant checked yes or no on that paperwork. If the defendant checked yes, the State finds the documentation showing whether an attorney was appointed or denied. If an attorney was appointed, the State does not speak with the defendant. If the defendant did not request an attorney or was denied an attorney, a clerk provides an “Advisory Form” to the defendant, away from the presence of the State so that the defendant can make a choice on whether he or she wants to speak with the State.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jimmy Sylvia', with a large, stylized flourish extending to the right.

Jimmy Sylvia,
County Judge