



GOVERNOR GREG ABBOTT

July 9, 2021

Memorandum For: All FY 2022 Public Safety Office Grant Applicants

From: Aimee Snoddy
Executive Director, Public Safety Office of the Governor

Subject: Application of Criminal History Reporting Grant Eligibility Requirements for FY 2022 Applications

Over the last year the Public Safety Office has received numerous inquiries from grant recipients, applicants, county officials, and other interested stakeholders detailing concerns regarding counties' ability to meet the following grant eligibility requirements related to Criminal History Reporting due to court and/or other delays resulting from the COVID19 pandemic.

- Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the *Texas Code of Criminal Procedure, Chapter 66*. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.
- Beginning January 1, 2021, counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90 percent of convictions and other dispositions within five business days to the Criminal Justice Information System at the Department of Public Safety.

PSO has been regularly monitoring DPS' monthly Disposition Completeness Reports and has noted a steady increase in the county 5 year reporting averages. For example, as of the July 1 report there are 163 counties that have hit the 90% threshold for Adult dispositions, and the overall state average is sitting right at 90%. This compares to 102 counties meeting the 90% threshold at the April 1 period with a state average of 87% completeness. Additionally, all counties with a FY 2022 PSO application under consideration are currently in compliance with the second requirement noted above to report dispositions within five business days.

Criminal history reporting is an important tool for maintaining public safety as it relates to information sharing and awareness regarding violent offenders. Nevertheless, we acknowledge the burden COVID19 has placed on court systems across Texas which have led to significant delays in dispositions. As a result, and based upon the commendable actions counties across Texas are undertaking to get their dockets moving again, PSO will consider any entity located in a county to be eligible for FY 2022 grant funding where the following conditions are met:

- The county has achieved a minimum average of 78% or above on both adult and juvenile dispositions entered into the computerized criminal history database, and
- Significant progress towards the originally required 90% threshold has been demonstrated through incremental increases in monthly reporting averages since the issuance of the Texas Supreme Court's 36th Emergency Order (dated March 5, 2021) allowing for in-person jury and non-jury proceedings to recommence.

Using these criteria, we are happy to share that as of July 1 all counties with pending FY 2022 PSO grant applications have met these standards. We will take a final look in August, but are confident in and applaud the efforts counties have made to comply with these important criminal justice requirements.