

ODONNELL COMPLIANCE PLAN AND CHECKLIST

Timeline Requirements from the entry of Consent Decree or Appt of Monitor or Commencement of Study		2019		2020												2021									
Activity	TimeFrame	Nov	Dec	Jan	Feb	Mar	Apr	Mar	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept
Entry of Consent Decree	Nov. 21, 2019																								
Solicit proposals from qualified candidates for Monitor	60 days/CD																								
Selection Committee to review candidates and recommend a candidate for appointment	30 days (from period of submitting applications)																								
VI. Compliance with Constitutional Standards	ASAP																								
Study & Proposed plan to address any lack of clarity on conditions of release	120 days of appt of Monitor																								
VII. Representation at Bail Hearings																									
Establish a process for defense counsel to have access to support staff at bail hearings	180 days/CD																								
Retain an holistic indigent defense expert	180 days/CD																								
Written Report due from holistic indigent defense expert	180 days from commencement																								
Develop written plan for policies and procedures for representation at bail hearings for review	180 days/CD																								
Implementation of Indigent Defense Plan for representation at bail hearings	Reasonable timeframe determined by Def. & Mon.																								
VIII. Promoting Pretrial Release through Programs to Increase Court Appearance	180 days/CD																								
Update the written court notice forms and may engage with a TA provider for assistance	180 days/CD																								

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Activity	TimeFrame	Nov	Dec	Jan	Feb	Mar	Apr	Mar	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept
Submit the updated court notice forms to the Monitor for approval	180 days from appt of Monitor																								
Develop and submit a proposed court reminder plan to the Monitor	180 days from appt of Monitor																								
Implement the court date reminder system	180 days from approval date or ASAP w/PP																								
Determination & Mitigation of Actual Causes of Non-Appearances	180 days of CD or ASAP w/PP	May 19th																							
Plan & budget to allocate \$250,000 to support misdemeanor arrestees in making court appearances	FY20-21																								
Written Plan for Mitigating Causes of nonappearance Due	W/in 180 days of receiving published report																								
IX. Court Policies and Procedures Concerning Nonappearance for Scheduled Court Hearings	TBD 180 days from appt of Monitor																								
Launch a website for arrestees can access court information.	180 days/CD	May 19th																							
Provide technology that enables parties to re-schedule not in person and notice of new court date	180 days from appt of Monitor																								
Establish one weekly "Open Hours Court"	ASAP																								
Review current court policies on re-scheduling, waivers of appearance, and issuances of warrants	No later than 180 days from appt of Monitor																								
Report on regarding processes to evaluate policies	180 days /CD	May 19th																							

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Activity	TimeFrame	Nov	Dec	Jan	Feb	Mar	Apr	Mar	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept
X. Continuing Training	180 days from appt of Monitor or ASAP w/PP																								
XI. Data Collection, Analysis and Transparency																									
Launch and maintain a website with info relating to the lawsuit and consent decree	90 days from CD	February 19th																							
Develop a process for the public to download raw data	180 days from appt. of Monitor																								
Develop a web-based data platform	?																								
Generate reports every 60 days that provide information desinated in the consent decree	180 days from appt of Monitor																								
XII. Oversight and Accountability																									
Submit a plan for conducting regular public meetings	180 days of CD	May 19th																							
XIII. Publication of Policies Enacted to Implement the Consent Decree																									
Key Policies to enact Consent Decree must be available online & at JPC & CJC	ASAP																								
XIV. Consent Decree Monitor																									
Monitor to develop a plan for conducting compliance reviews & audits	60 Days from Appt of Monitor																								

Summary of tasks that may require a Request for Proposal to be issued for a technical assistance provider, expert, or researcher.

	DEADLINE DATE	CURRENT STATUS	PERSON RESPONSIBLE
VII. Representation at Bail Hearings (p. 25-27)			
1. Retain an expert with experience in holistic indigent defense to evaluate the County's current indigent defense systems. (§41b)	5.19.20		County
VIII. Promoting Pretrial Release Through Programs to Increase Court Appearance (p. 27 - 36)			
2. County may engage technical assistance providers to assistance in updating the forms. (§48b)	5.19.20		Defendants
VIII. B. Court Date Reminder System			
3. Consult existing research and best practices on the form and frequency of effective court reminders. (§50)	TBD (180 days from appt of monitor)		County
VIII. C. Determination & Mitigation of Actual Causes of Nonappearances in Harris County			
4. Draft and finalize a RFP for one or more researchers to study the primary causes of nonappearance in CCCL and make recommendations for cost-effective solutions and interventions to mitigate the causes of nonappearances incorporating the requirements in § 52.	TBD		
IX. Court Policies and Procedures Concerning Nonappearance for scheduled court hearings. (p.33-36)			
5. Record data regarding nonappearance and failures to appear in an electronic readable format that will provide basis for tracking.(§71)	ASAP		CCCL Judges
X. Continuing Training (p. 37-38)			
6. Initiate the procurement process if a technical assistant provider will be utilized to assist in developing an ongoing training plan. (§74)	TBD 180 days from appt of monitor or ASAP w/procurement processes		Defendants, in consultation w/Monitor
XI. Data Collection, Analysis, and Transparency (p.38-43)			
7. Develop a business process to collect and maintain data concerning nonappearances and failures to appear in a standardized electronic format. (determine if TA providers or SME needed) (§86)	TBD 180 days from appt of monitor		Defendants & Monitor
8. Develop a web-based data platform that organizes, integrates, and analyzes, and present the information required by §89 into a public-facing interface. (§88)			

VI. Compliance with Constitutional Standards (p.16-25)

	START DATE	DEADLINE DATE	CURRENT STATUS	PERSON RESPONSIBLE	OTHER PARTIES REQUIRED	FUNDING REQUIRED	OUTPUTS
1. Continuously audit the implementation of Local Rule 9 & other post-arrest policies. (¶31)		ASAP		CCCL Judges			
2. Review existing policies and procedures and amend if appropriate to ensure the policies are not in conflict of Local Rule 9 as set forth in the Consent Decree. (¶35)		ASAP		Defendants (must work with Monitor if there are any amendments)			
3. Evaluate the county databases & computer systems to determine how a general order bond (GOBR) is indicated in the system.(¶36)		ASAP		Defendants			
4. Develop a plan to address any lack of clarity that a GOBR is an unsecured personal bond. (¶36)		ASAP		Defendants			
5. Submit the County's study and proposed plan for review. (¶36)		TBD 120 days of Appt of Monitor		Monitor			
6. Implement the plan following approval from the Monitor.				County			

**ASAP = no deadlines specified, p.16, ¶ 29 applies

VII. Representation at Bail Hearings (p. 25-27)							
	START DATE	DEADLINE DATE	CURRENT STATUS	PERSON RESPONSIBLE	OTHER PARTIES REQUIRED	FUNDING REQUIRED	OUTPUTS
1. Provide misdemeanor arrestees representation of counsel at bail hearings and at all other stages of the representation process. (§38)		ASAP		County		At or Above PDO's FY 29-20 approved budget	
2. Indigent arrestees are presumed eligible for counsel and may not be charged fees for any condition of release. (§39)		ASAP					
3. Establish a process for appointed defense counsel to have access to early and effective support staff to prepare for bail hearings. (§41a)		5.19.20		CCCL Judges			
4. Develop a list of of qualified support staff that is approved by the CCCL judges to assist appointed defense counsel upon proper application. (contractors, non-profit organization in partnership, or FTE) (§41a)		5.19.20		CCCL Judges		Funding for support staff	
5. Retain an expert with experience in holistic indigent defense to evaluate the County's current indigent defense systems. (§41b)		5.19.20		County			
6. Written Evaluation Report due from holistic indigent defense expert with recommendations. (§41b)		TBD: 180 days from commencement		Holistic Indigent Defense Expert			
7. Based on the results of the evaluation, County must fund the minimum # of support staff recommended by holistic indigent defense expert. (§41b)		TBD		County & in consultation with Monitor		Funding for support staff	
8. Adopt scheduling policies to ensure Local Rule 4.2 dockets allow defense counsel to provide zealous and effective representation at bail hearings. (§42)		ASAP		CCCL Judges			
9. Develop a written plan with policies and procedures incorporating national standards and best practices for providing representation to indigent arrestees at bail hearings. (§43)		5.19.20		Defendants			
8. Submit indigent defense plan for representation at bail hearings for review & approval. (§44)		ASAP		Defendants			
10. Implentation of indigent defense plan for presentation at bail hearings. (§44)	Reasonable timeline as determined by Def. & Mon.			Defendants			
11. CCCL Indigent Defense Policies amended to reflect Rule 9 and the Consent Decree. (§45)		ASAP					

**ASAP = no deadlines specified, p.16, § 29 applies

VIII. Promoting Pretrial Release Through Programs to Increase Court Appearance (p. 27 - 36)

	START DATE	DEADLINE DATE	CURRENT STATUS	PERSON RESPONSIBLE	OTHER PARTIES REQUIRED	FUNDING REQUIRED	OUTPUTS
A. Uniform Notice of Scheduled Appearances							
1. Make the forms required by this section readily accessible to 3rd-party law enforcement agencies who arrest or detain misdemeanor arrestees for a Harris County warrant.(¶46)		ASAP		Defendants			
2. Provide written notice of the date/time & location of each new court date to misdemeanor arrestees or the lawyer if the arrestee is not present. (¶47)		ASAP		Defendants			
3. Update any forms used to provide written notice of scheduled court dates to incorporate evidence-based design practices for effectively reducing nonappearance. (¶48)		5.19.20		Defendants			
4. County may engage technical assistance providers to assistance in updating the forms. (¶48b)		5.19.20		Defendants			
5. Submit the updated forms to the Monitor for review and approval. (¶48d)		TBD (180 days from appt of monitor)		CCCL Judges, Monitor			

VIII. Promoting Pretrial Release Through Programs to Increase Court Appearance (p. 27 - 36)

	START DATE	DEADLINE DATE	CURRENT STATUS	PERSON RESPONSIBLE	OTHER PARTIES REQUIRED	FUNDING REQUIRED	OUTPUTS
VIII. B. Court Date Reminder System							
6. Consult existing research and best practices on the form and frequency of effective court reminders. (§50)		TBD (180 days from appt of monitor)		County			
7. Develop a proposed plan for text-messaged-based and telephone-messaged-based reminder services that incorporates a process for the misdemeanor arrestee to opt out of reminders.(§50)		TBD (180 days from appt of monitor)		County			
8. Submit a proposed court reminder system plan to the Monitor. (§50e)		TBD (180 days from appt of monitor)		County, Monitor			
9. Implement the court date reminder system upon approval by the Monitor. (§50f)		TBD (180 days from approval or ASAP with procurement process)		County			

VIII. Promoting Pretrial Release Through Programs to Increase Court Appearance (p. 27 - 36)

	START DATE	DEADLINE DATE	CURRENT STATUS	PERSON RESPONSIBLE	OTHER PARTIES REQUIRED	FUNDING REQUIRED	OUTPUTS
VIII. C. Determination & Mitigation of Actual Causes of Nonappearances in Harris County							
10. Draft and finalize a RFP for one or more researchers to study the primary causes of nonappearance in CCCL and make recommendations for cost-effective solutions and interventions to mitigate the causes of nonappearances incorporating the requirements in ¶ 52.		TBD					
11. Post and solicit proposals from candidates.		TBD					
12. Establish a committee to review proposals and recommend a candidate.		TBD					
13. Committee selects the researcher(s). (¶52)		5.19.20 or ASAP w/procurement process.					
14. Study must provide initial actionable recommendations.(¶52e)		180 days from commencement		Selected Researcher			
15. After the study concludes, the researchers must provide written recommendations to the County for mitigating nonappearance. (¶52b)		ASAP		Selected Researcher			
16. The researchers written findings and recommendations must be published in a report that will be made available online after publication. (¶52b)		ASAP		County			
17. While the study is ongoing, develop a plan to allocate \$250,000 annually for FY20-21 toward assisting and supporting indigent misdemeanor arrestees in making court appearances. (¶53)		FY20-21		County			

VIII. Promoting Pretrial Release Through Programs to Increase Court Appearance (p. 27 - 36)

	START DATE	DEADLINE DATE	CURRENT STATUS	PERSON RESPONSIBLE	OTHER PARTIES REQUIRED	FUNDING REQUIRED	OUTPUTS
18. Submit proposed plan and \$250,000 budget allocation to the Monitor for approval. (¶53)		FY20-21		County, Monitor w/Class Counsel's input		\$250,000	
19. Develop a written plan for mitigating the causes of non-appearance as determined by the results of the study, including a reasonable timeline and proposed budget. (¶55)		W/in 180 days of receiving published results of the study		County, Researchers for the study			
20. Written plan for Mitigating the causes of nonappearance submitted for review and approval. (¶55)		W/in 180 days of receiving published results of the study		Monitor with input from Class Counsel			
21. County must allocate \$850,000 per year toward mitigating the causes of nonappearance.(¶54-55)		TBD After the study concludes		County		\$850,000 annually for 7 years	

**ASAP = no deadlines specified, p.16, ¶ 29 applies

IX. Court Policies and Procedures Concerning Nonappearance for scheduled court hearings. (p.33-36)

	START DATE	DEADLINE DATE	CURRENT STATUS	PERSON RESPONSIBLE	OTHER PARTIES REQUIRED	FUNDING REQUIRED	OUTPUTS
1. Develop and maintain a website where arrestees can access their court dates, times, location, attorney information, whether the next court appearance is required or regular, and court policies, and any additional court information.(¶57)		5.19.20		County			
2. Provide technology that defense counsel and misdemeanor arrestees can use to re-schedule court dates that do not require to appear in person and notice of the new court date is provided via telephone or text message reminders & the notice preserved in the case file. (¶58, 60)		TBD 180 days from appt of monitor		County, CCCL Judges, Monitor			
3. Review current court policies in regards to rescheduling court dates, waiver of appearances and issuances of warrants for nonappearance to amend and implement to comply with ¶57-79. (¶60)		TBD No later than 180 days from appt of monitor		County, CCCL Judges			
4. Establish at least one weekly "Open Hours Court". (¶64)		ASAP		County, CCCL Judges			
5. Record data regarding nonappearance and failures to appear in an electronic readable format that will provide basis for tracking.(¶71)		ASAP		CCCL Judges			
6. Provide a report to Monitor and Class Counsel regarding processes to evaluate local court policies and conclusions reached relating to court appearance. (¶72)		5.19.20		CCCL Judges			

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X. Continuing Training (p. 37-38)

	START DATE	DEADLINE DATE	CURRENT STATUS	PERSON RESPONSIBLE	OTHER PARTIES REQUIRED	FUNDING REQUIRED	OUTPUTS
1. Initiate the procurement process if a technical assistant provider will be utilized to assist in developing an ongoing training plan. (§74)		TBD 180 days from appt of monitor or ASAP w/procurement processes		Defendants, in consultation w/Monitor			
2. Develop an ongoing training plan for initial training and annual refresher training to promote full and effective implementation of the consent decree. (§74 & 77)		TBD 180 days from appt of monitor or ASAP w/procurement processes		Defendants, TA Provider, Monitor(consulting with Class Counsel)			
3. Submission of the Training Plan for review and approval.		TBD 180 days from appt of monitor or ASAP		Defendants, Monitor(consulting with Class Counsel)			
4. Implementation of Training Plan after approval		TBD 180 days from appt of monitor or ASAP		Defendants			

**ASAP = no deadlines specified, p.16, § 29 applies

XI. Data Collection, Analysis, and Transparency (p.38-43)							
	START DATE	DEADLINE DATE	CURRENT STATUS	PERSON RESPONSIBLE	OTHER PARTIES REQUIRED	FUNDING REQUIRED	OUTPUTS
1. Determine the extent to which the County already collects the data variables sufficient to permit tracking, analysis, and reporting required by the consent decree.(¶81)		TBD 180 days from appt of monitor		Defendants & Monitor			
2. Develop a process for the public to download raw data that is required to be collected and maintained in a usable format. (¶83)		TBD 180 days from appt of monitor		County			
3. Develop a business process to collect and maintain data concerning nonappearances and failures to appear in a standardized electronic format. (determine if TA providers or SME needed) (¶86)		TBD 180 days from appt of monitor		Defendants & Monitor			
4. Develop reports that are generated every 60 days with that provide data in ¶89, exception of data not yet collected by County. (¶87)		TBD 180 days from appt of monitor		Defendants & Monitor			
5. Develop a web-based data platform that organizes, integrates, and analyzes, and present the information required by ¶89 into a public-facing interface. (¶88)							
6. Determine if a technical assistance provider will be engaged to develop a data platform. (¶88)							
7. Launch and maintain consent decree website for information relating to O'Donnell. (¶90)		2.19.20		County			

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XII. Oversight and Accountability (p.43-44)							
	START DATE	DEADLINE DATE	CURRENT STATUS	PERSON RESPONSIBLE	OTHER PARTIES REQUIRED	FUNDING REQUIRED	OUTPUTS
1. Develop a plan for conducting regular public meetings that are intended to promote transparency, accountability and local participation. (¶91)		5.19.20		Defendants			
Submit the community meeting plan to the Monitor for review and approval.(¶91)		5.19.20		Defendants			
XIII. Publication of Policies Enacted to Implement the Consent Decree (p.44)							
	START DATE	DEADLINE DATE	CURRENT STATUS	PERSON RESPONSIBLE	OTHER PARTIES REQUIRED	FUNDING REQUIRED	OUTPUTS
1. Confer and agree on the key policies to be summarized and made available online and at two locations. (¶94)		TBD 60 days of appt of Monitor		Defendants, Monitor			
2. Develop and finalize a summary of the key policies enacted to implement the consent decree.		TBD 60 days of appt of Monitor		Defendants, Monitor			
3. Translate the policies in each language required to provide a ballot under Section 203 of the Voting Rights Act of 1965. (¶93)		ASAP		Defendants			
4. Post the policies online and at the JPC and the Criminal Justice Center. (¶93)		ASAP		Defendants			

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