

SAN JACINTO COUNTY, TEXAS

Response to the Texas Indigent Defense Commission (TIDC) Policy Monitoring Review

DATE:	July 23, 2026
TO:	Texas Indigent Defense Commission (TIDC)
FROM:	San Jacinto County Joint Leadership (District Court, County Court, District Attorney's Office, Sheriff's Office, Justices of the Peace, and County/District Clerk Offices)
SUBJECT:	Formal Written Response and Corrective Action Plan – March 2026 Policy Monitoring Review

EXECUTIVE SUMMARY STATEMENT

San Jacinto County appreciates the comprehensive review conducted by the Texas Indigent Defense Commission (TIDC) in March 2026. The County remains deeply committed to safeguarding constitutional rights and ensuring total compliance with the Fair Defense Act (FDA).

In response to TIDC’s findings, county leadership across involved judicial, prosecutorial, and law enforcement agencies convened to audit current workflows and establish concrete operational solutions. As detailed below, the County has promulgated binding inter-agency protocols—including a comprehensive Sheriff’s Office Standard Operating Procedure (SOP) and a District Attorney Compliance Policy—to systematically rectify every finding of noncompliance.

DETAILED RESPONSE & ACTION PLAN

Requirement 1: Prompt & Accurate Article 15.17 Magistration Proceedings

TIDC Findings of Noncompliance:

- **Finding 1:** Failure of a magistrate to log counsel requests on paper forms, relying solely on audio logs.
- **Finding 2:** Lack of mandatory reasonable assistance provided to arrestees completing financial affidavits during magistration.
- **Finding 3:** Paperwork transmission delays exceeding the statutory 24-hour window due to complex physical routing.

County Corrective Actions Implemented:

1. **Transition to eBonds, Video Magistration, & Single-Pipeline Integration:** All Justices of the Peace and jail personnel are now utilizing video magistration integrated with eBonds. This system processes all Article 15.17 paperwork, magistration warnings, financial affidavits, and bond documentation through a single, unified digital pipeline to eliminate paperwork loss and routing delays.
2. **Standardized Processing & Mandatory Checks:** All Justices of the Peace and jail intake personnel are restricted to standard warning forms containing explicit, mandatory checkboxes recording whether an arrestee requests court-appointed counsel. Audio-only logging has been discontinued.
3. **Affordance of Active Assistance:** Per SJCSO SOP Section 3.0, if an arrestee requests counsel, staff must immediately provide the Affidavit of Indigence prior to returning the inmate to housing. On-duty jail personnel or court staff must provide direct assistance to guide arrestees through

completing required financial disclosures (income, assets, household count) and administering the oath. Verified interpreters are integrated immediately if language or hearing barriers exist.

4. **Strict 24-Hour Digital Pipeline:** Per SJCSO SOP Section 4.0, physical routing bottlenecks have been eliminated. Following magistration, booking staff assemble a standardized packet (Article 15.17 Warning, sworn Affidavit of Indigence, Probable Cause Affidavit, and Article 16.22 Mental Health Screening Form). Staff log the exact request timestamp into the Jail Management System (JMS) for auditing and securely transmit the packet through the integrated pipeline directly to the trial court coordinator within **24 hours**.
5. **Post-Request Bond Protections:** SJCSO SOP explicitly mandates that if a defendant requests counsel and is subsequently released on commercial or cash bond before transmission, the request **must still be transmitted to the court coordinator within 24 hours**. Bond release does not rescind an active counsel request.
6. **Out-of-County Warrants (Art. 15.18):** Pursuant to SJCSO SOP Section 5.0, counsel requests for out-of-county warrants are processed immediately and transmitted directly to the appointing authority of the warrant-issuing county within 24 hours.

Requirement 3: Minimum Attorney Qualifications

TIDC Findings of Noncompliance:

- **Finding 4:** Failure to proactively track Continuing Legal Education (CLE) hours for private attorneys on the misdemeanor appointment list.

County Corrective Actions Implemented:

1. **Centralized Digital Repository:** The District and County Court Coordinators have established a shared digital database aggregating annual CLE credentials for all panel attorneys across felony, misdemeanor, and juvenile dockets.
2. **Mandatory Annual Compliance Audit:** A mandatory annual deadline of **October 1st** has been instituted. Attorneys must submit State Bar CLE transcripts verifying at least **6 hours** of annual criminal or juvenile law training. Failure to submit documentation results in immediate administrative suspension from the appointment wheel.

Requirement 4: Timely Appointment of Counsel

TIDC Findings of Noncompliance:

- **Findings 5 & 6:** Trial courts failing to rule on counsel applications within three working days.
- **Finding 7:** Misdemeanor defendants induced to execute waivers or navigate dockets unrepresented while requests remain pending.
- **Finding 8:** Written court notices directing unrepresented defendants to contact the DA's office for plea negotiations.
- **Finding 9:** Lack of defense counsel representation at initial emergency juvenile detention hearings.

Inter-Departmental Response & Clarification on Paperwork Routing:

- **District Clerk Accountability Statement:** It is formally noted in this response that the San Jacinto County District Clerk's Office failed to construct a substantive operational response to the findings in the TIDC report, outside of deflecting responsibility onto external departments for alleged omissions in forwarding attorney requests or bond documentation.
- **Clarification of Judicial Log Scope:** While Trial Court Coordinators actively log, track, and monitor all pending requests for judicial ruling, *they can only log and track applications once they are formally received from the County Clerk or District Clerk's Office.* The systemic delays cited in Findings 5 & 6 stemmed directly from paperwork stalling in physical clerk transmission pipelines before ever reaching judicial coordinators.

County Corrective Actions Implemented:

1. **Bypassing Physical Routing / Direct Judicial Logging:** To eliminate the historical breakdown at the District and County Clerk transmission level, jail staff now transmit completed indigence applications directly to Trial Court Coordinators via the automated eBonds/single digital pipeline. Court Coordinators log these directly upon electronic receipt, enabling judges to enter formal rulings within **3 working days** regardless of bond status.
2. **Purging Direct-Negotiation Notice Language:** All standard court notices and arraignment letters issued across District and County courts have been audited. Language directing defendants to negotiate directly with the District Attorney's office has been **completely redacted** and replaced with neutral instructions directing defendants to the trial court coordinator.
3. **DA Strict "No-Contact" & "Screening" Policy:** Effective July 16, 2026, the District Attorney's Office instituted a binding policy requiring Assistant District Attorneys (ADAs) to screen court files and electronic magistration logs before communicating with any defendant. ADAs are prohibited from discussing cases, offering pleas, or taking waivers from any unrepresented defendant who has an unresolved counsel request on file.
4. **In-Court Plea & Waiver Guardrails:** Prosecuting ADAs will not submit a waiver of counsel or plea agreement to a judge without confirming the judge has explicitly ruled on any pending counsel request on the record. ADAs will actively state on the record: *"Your Honor, for the record, has the Court explicitly ruled on the defendant's pending request for court-appointed counsel?"* prior to any plea proceedings.
5. **On-Call Juvenile Defense Rota:** The Juvenile Board and Court Coordinators established an "on-call" rotating schedule of qualified panel attorneys, ensuring physical or digital defense counsel presence at all initial emergency juvenile detention hearings.

Requirement 6: Statutory Data Reporting

TIDC Findings of Noncompliance:

- **Finding 10:** Justice Courts erroneously reporting "zero" counsel requests to the Office of Court Administration (OCA).

County Corrective Actions Implemented:

1. **Data Integration & Clerk Training:** Justice of the Peace court clerks have received targeted technical training regarding precise data entry requirements for the Judicial Council Monthly Court Activity Reports.
2. **Monthly Cross-Verification Protocol:** Prior to finalizing monthly OCA submissions, JP clerks are required to cross-reference internal Article 15.17 magistration warning forms against JMS submission logs and financial affidavits transmitted to trial courts to guarantee 100% data reporting accuracy.

ACTION PLAN IMPLEMENTATION SUMMARY

Requirement Area	Implemented Operational Action	Responsible Entity	Policy Ref.
1. Magistration	Implementation of eBonds, video magistration, standardized checkbox forms, active assistance, and 24-hr single digital pipeline transmission to coordinators.	Sheriff's Office / Justices of the Peace	SJCISO SOP Sec. 3.0 & 4.0
3. Qualifications	Shared digital repository & Oct 1 annual CLE audit (6 hrs minimum).	District & County Court Coordinators	Judicial CLE Audit Plan
4. Timely Counsel	Direct digital clerk-bypass pipeline to coordinators; strict 3-day judicial ruling rule; purge DA notice language; DA "no-contact" policy on pending requests.	Trial Courts / District Attorney / Clerks	DA Compliance Policy Sec. 1–3
4. Juvenile	Mandatory "on-call" attorney rotation for emergency initial detention hearings.	Juvenile Board / Court Coordinators	Juvenile Rota Plan
6. Data Reporting	Monthly cross-reconciliation of JMS logs against OCA report submissions.	Justice of the Peace Clerks	Monthly OCA Audit Rule

CONCLUSION

Through the implementation of video magistration, eBonds, a single-pipeline digital transmission system bypassing historic clerk bottlenecks, the **SJCISO Standard Operating Procedure**, and the **District Attorney Compliance Strategy**, San Jacinto County has built systemic, inter-agency guardrails to prevent procedural delays and protect constitutional rights.

The County invites TIDC staff to conduct technical assistance visits as needed and stands fully prepared for the two-year mandatory follow-up evaluation.

County Judge

San Jacinto County, Texas

District Judge

411th Judicial District Court

District Attorney

San Jacinto County, Texas

Sheriff

San Jacinto County Sheriff's Office