



# Texas Department of Public Safety

## Crime Records Service

### Error Resolution

### Computerized Criminal History Quality Control Unit

#### *Mission:*

*To maintain the integrity of the statewide criminal history database by providing the most complete and accurate criminal history records available.*

# THE ERROR RESOLUTION UNIT (ERU)



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# INTRODUCTION



**The need to protect our nation's citizens has led to heightened security measures. Precautions have been taken, as a result of these measures, which have yielded a dramatic increase in the utilization of the Computerized Criminal History Database (CCH).**

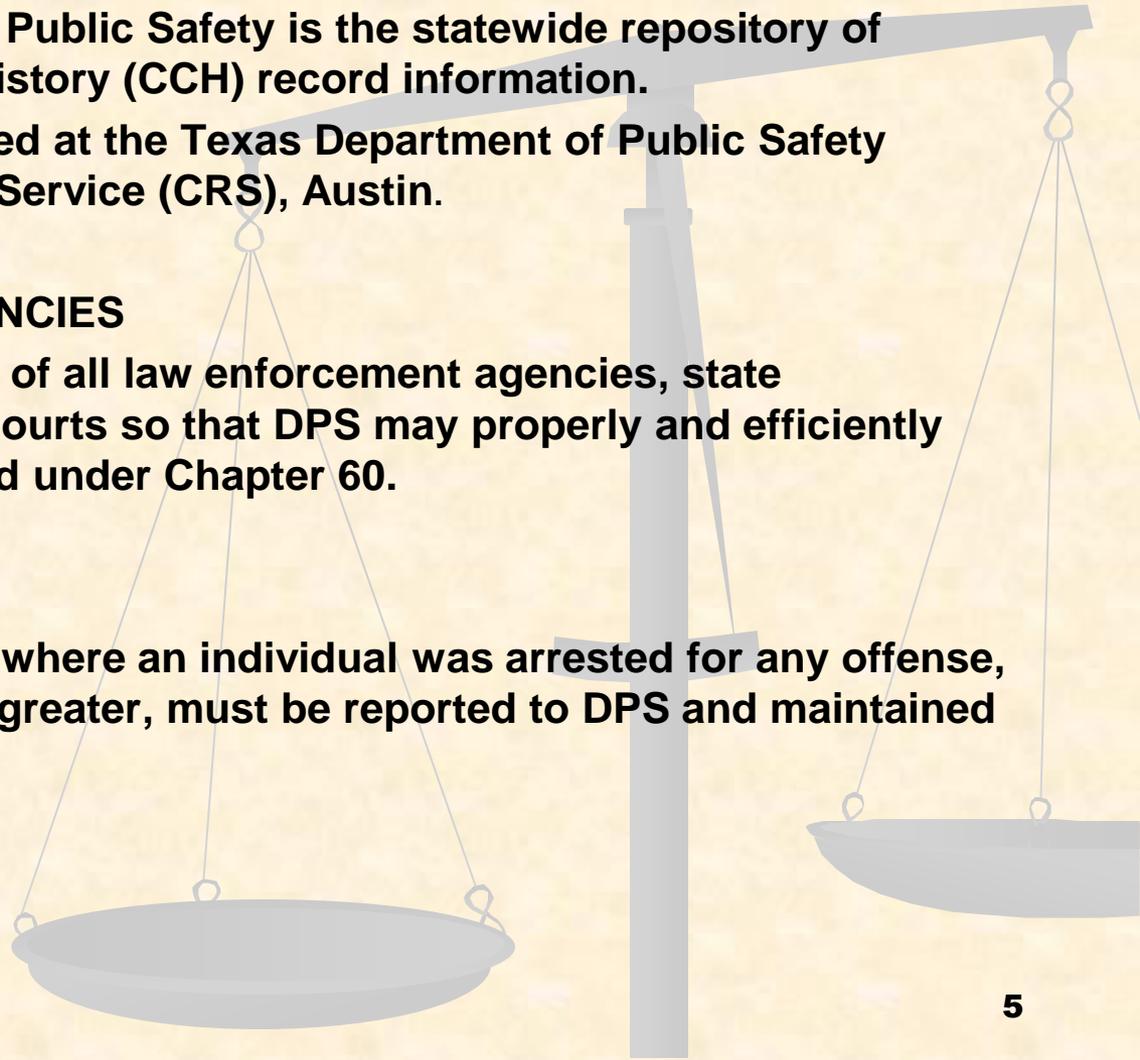
**The Error Resolution Unit (ERU) is responsible for analyzing, evaluating, researching, and updating incomplete and possibly inaccurate criminal history records. This is all done in an effort to provide the most accurate criminal history records available.**

**The accuracy of the information reported to DPS is pertinent for all who access the database. In addition to law enforcement and judicial agencies, the database is also accessed by legislatively authorized entities to help determine eligibility for employment, immigration, voter registration, housing and licensing, just to name a few.**

- I. **Criminal Procedures.....slides 5-6**
- II. **Arrest Records.....slides 7-9**
- III. **Corrections.....slides 10-15**
- IV. **Switch Print/Switch Records.....slides 16-21**
- V. **Misuse of ID Record.....slides 22-25**
- VI. **Misc. Information.....slides 26-28**

# CHAPTER 60 CODE OF CRIMINAL PROCEDURE

- **Article 60.02 INFORMATION SYSTEMS**
  - The Texas Department of Public Safety is the statewide repository of Computerized Criminal History (CCH) record information.
  - The database is maintained at the Texas Department of Public Safety (TXDPS), Crime Records Service (CRS), Austin.
- **Article 60.06 DUTIES OF AGENCIES**
  - Requires the cooperation of all law enforcement agencies, state prosecuting offices and courts so that DPS may properly and efficiently perform duties as outlined under Chapter 60.
- **Article 60.08 REPORTING**
  - Information for any case where an individual was arrested for any offense, Class B misdemeanor or greater, must be reported to DPS and maintained in CCH.



# GOVERNMENT CODE

- **Section 411.083 DISSEMINATION OF CRIMINAL HISTORY RECORD INFORMATION**
- **Criminal History Record Information(CHRI) is confidential and maintained for departmental use.**
  - **Access is permissible to both criminal and non-criminal justice agencies as authorized by state and federal law.**
- **There are 18,347 authorized agencies that access the TXDPS CCH Secured Website to obtain criminal history information.**
  - **Of the total agencies 2,353 are criminal justice and 15,994 are non-criminal justice.**
  - **There are 36,701 users subscribed to the database.**

**Examples of authorized entities include:  
Hospitals/ Nursing Homes/ Home Health Care Facilities  
City Government Offices  
State Licensing Boards  
Childcare Facilities  
School Districts**

**If your agency would like further information on how to obtain access to the TXDPS Secure Site Database contact Access and Dissemination Bureau at (512) 424-2474.**

# ARREST RECORDS



- Thousands of arrests are successfully submitted to DPS Crime Records daily.
- A small percentage of the arrests submitted become problem arrest records.
- This happens when the submission process is not properly or fully executed. Error Resolution Unit (ERU) works with Police Departments and Sheriff's Offices to correct these records.



# REPORTING CLASS C MISDEMEANORS



- **Sept 2009 CRS began capturing and maintaining fingerprint submissions on Class C Misdemeanor offenses.**
- **Entities granted access per Government Code Chapter 411 will have access to view Adult Class C arrests.**
- **State law prohibits us from collecting Class C offenses on juveniles.**
- **It will also assist in the identification of Class C Misdemeanors associated with domestic violence and disorderly conduct that are disqualifiers for handgun applicants.**
- **Please use the Class C offense code list and no longer use 99999999.**
- **You must use the disposition code of 233. This code is specific for the reporting of Class C Misdemeanors and will close the arrest.**

**See handout (ER-1) for Reporting and Class C offense codes.**

# AGE OF VICTIM MANDATORY OFFENSES – 60.051(g)

- If the offender is charged, prosecuted or disposed on any of the following offenses (ER-2), the Victim's Age field must be completed. It is a two digit numeric field.
- If the victim was less than one year of age, then a 00 should be entered in the field and the age should be included in the Offense Literal field as 8 mos., 10 mos., etc.
- If the victim is one year of age or greater, the number should be entered into the field as a whole number, 08, 10, 15, etc.

**See handout (ER-2) for mandatory offenses.**

## AGE OF VICTIM MANDATORY OFFENSES

### EXAMPLES:

|          |                                  |
|----------|----------------------------------|
| 36010001 | INDECENCY W/CHILD SEXUAL CONTACT |
| 36990013 | INDECENCY W/CHILD EXPOSES        |
| 11990001 | SEXUAL ASSAULT                   |
| 11990002 | SEXUAL ASSAULT CHILD             |

# CORRECTIONS

Many agencies perform quality control measures to ensure the accuracy of the information reported to DPS. When an error or discrepancy is identified the incorrect data should be submitted to DPS in the form of a correction.



## WHAT TO DO:

- ✓ If the error was initiated within your agency make the necessary modifications and forward a correction request to DPS via fax or mail.
- ✓ If the error was initiated with another agency the error should be brought to that agency's attention and the correction request should be reported to DPS by that agency.
- ➔ Corrections must be submitted by the appropriate agency in order to maintain the integrity of CCH.

|   |  |   |                                      |   |                                  |                                    |  |
|---|--|---|--------------------------------------|---|----------------------------------|------------------------------------|--|
| 123 456 789X  |  | DATE OF ARREST<br>01012005                        | DPS NO.<br>12345678                  | FBI NO.<br>TX0000000  | CONTRIBUTOR ORN<br>TX0000000     | OUT OF COUNTY? YES                 | OUT OF COUNTY ORN                              |
| NAME (LAST-FIRST-MIDDLE)<br>Test, Record Middle Jr                            |  | DATE OF BIRTH<br>01011900                         | PLACE OF BIRTH<br>TX                 | RACE<br>M   | ETHN<br>W                        | HAIR<br>N                          | HGT<br>601                                     |
| EYE (HAR)<br>XXX<br>FAR   |  | SEX<br>M  | WEIGHT<br>195                        | SCAR(S), MARK(S), TATTOO(S), AMPUTATION(S)<br>BALD; GLASSES; MISS L FT    |                                  |                                    |  |
| SOCIAL SECURITY NO.<br>123456789  |  | STATE<br>TX                                       | TYPE<br>C                            | ISSUE DATE<br>12345678  | STATE<br>TX                      | LEARNER PLATE                      |  |
| MISC. NO.<br>AS 123456789   |  | US  | DRIVER LICENSE NO.<br>12345678       | STATE<br>TX   | TYPE<br>C                        | ISSUE DATE<br>12345678             | STATE<br>TX                                    |
| LICENSE CATEGORIES AND ISSUING AUTHORITY<br>Realtor-TX Real Estate Commission |  | LICENSEE NO.<br>Real-99999                        |                                      |   |                                  |                                    |  |
| ALIAS NAME(S)<br>Rubble, Barney; Nickname, Slim                               |  | ADDRESS<br>10999 Imagination Ave                  |                                      | CITY<br>Austin  | STATE<br>TX                      | ZIP<br>78752                       |  |
| ARRESTING AGENCY ORN<br>TX0000000   |  | ARRESTING AGENCY NAME<br>Fake Co SO or Pretend PD |                                      | AGENCY ARREST NO.<br>2468   | AGENCY CASE NO.<br>ABC-123       | FINGERPRINT CODE<br>K              |  |
| THE<br>A001   |  | DOMESTIC VIOLENCE OFFENSE? YES/NO<br>S            | OFFENSE CODE<br>11111111<br>00000000 | OFFENSE<br>Corrected Offense Literal<br><del>Insert Offense Literal</del> |                                  |                                    |  |
| STATE CRITERION<br>00.00 (A)(2) PC  |  | LEVEL<br>2  | FELONY (S, C, D, B)<br>2             | INDICTED/INFORMED BY<br>01012005  | DATE OF OFFENSE<br>01012005      | ARRESTING AGENCY ORN<br>TX00000100 |  |
| WARRANT HOLDER CASE NO.<br>321-CAB  |  | ARREST DISPOSITION<br>215                         | DISPOSITION DATE<br>01012005         | PROSECUTOR ORN<br>TX000015A   | ISSUES THE MATERIAL? YES/NO<br>Y | OTHER CASE VEHICLE? YES/NO<br>Y    | LICENSE NO.   STATE   YEAR<br>ZXY99A   ME   06 |
| PREPARED BY<br>Print Full Name Legibly  |  | DATE<br>01012005                                  |                                      |   |                                  |                                    |  |
| FOR LOCAL AGENCY USE<br>CORRECTION  |  | Name of Person Correcting<br>Date of Correction   |                                      |   |                                  |                                    |  |

### CORRECTIONS

There are two ways to correct information submitted to the DPS:

- Using a copy of the original CR-43 or CR-44, mark through the erroneous information with a single line and write the correct information next to it. At the bottom of the form write "Correction" in the For Local Agency Use field. Additionally, the name of the person making the correction and the date should be legibly printed in the For Local Agency Use field. Send or fax this corrected form to the DPS. Please use blue or black ink for all corrections.
- Send a memo on agency letterhead requesting that DPS change the erroneous information. When making this request, include the following information to ensure correction of the appropriate charge:

TRN

TRS

Name

Date of Birth

Date of Arrest

Offense Data

ER - 3

When making this request, also include the following information on your corrections:  
Contact Name and Phone Number

## Electronically Submitted Corrections



**Please do not attempt to submit a correction electronically, via livescan or EDR transactions. An attempt to correct these transactions will only cause or create further errors in CCH.**

# DUPLICATE TRN ERRORS

- Duplicate TRN errors occur when a new TRN is submitted for a charge that has been previously reported under another TRN.
- Although this can happen internally at an agency, many times duplicate TRN's are the result of two different agencies reporting arrest information pertaining to the same offense and arrest date. (i.e.. warrant arrests or double bookings)
- Once an arrest is reported to DPS we are unable to remove the reported information from CCH

## When submitted by an arresting agency:

- Submit a copy of the original reporting form with the arrest disposition marked through and 207 written above. The "For Local Use" field should be completed with the following:
  - CORRECTION"
  - Reference to the Duplicated TRN
  - Name of Agency and Agency Representative
  - Contact Number
  - Date of Correction

See handout (ER-4) for example of corrected CJIS form.

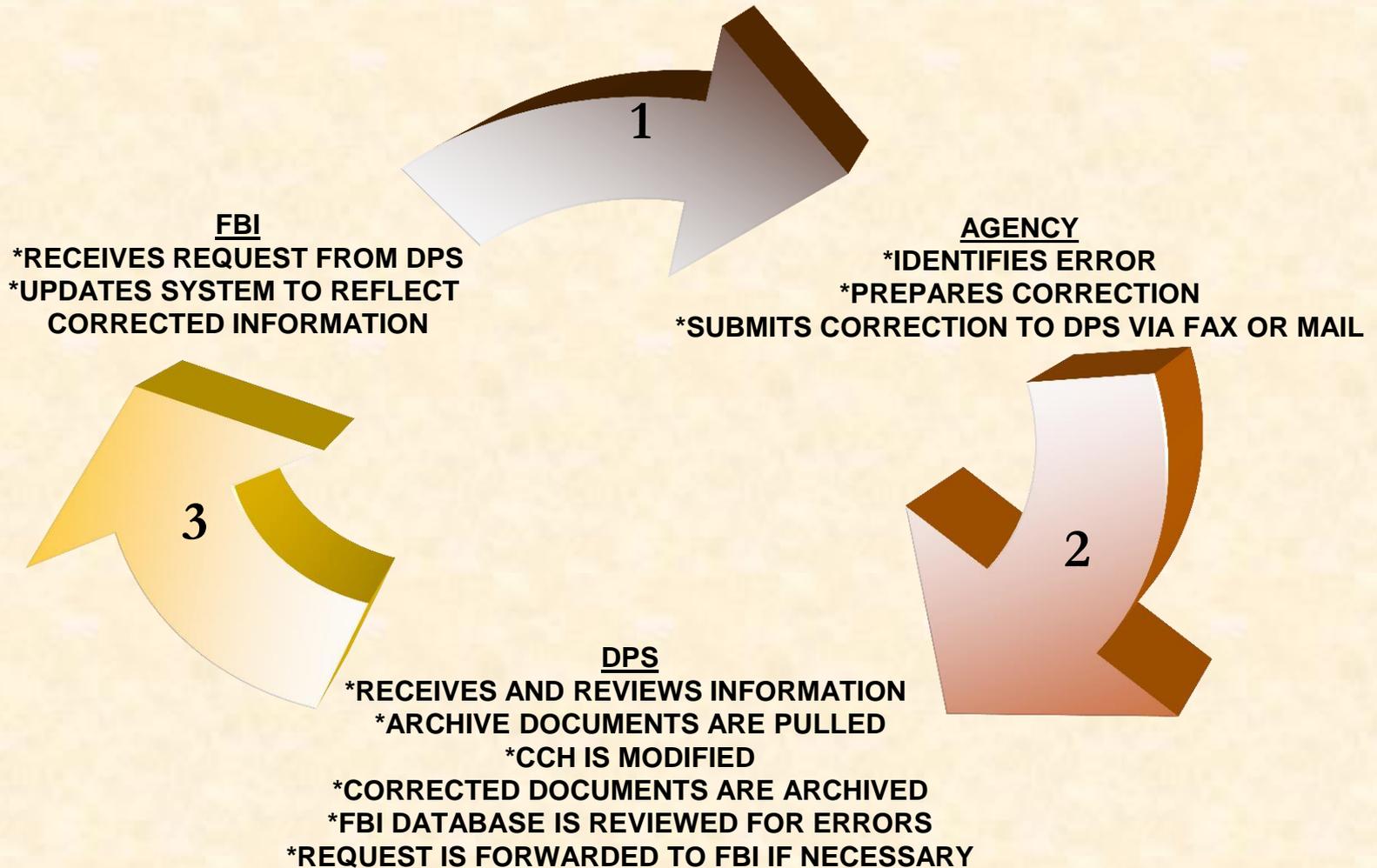
# Duplicate TRN continued...

## When submitted by District/County Attorney:

- **Submit a copy of the original reporting form with the prosecution segment showing a “D” in the PAF Field. The “For Local Use” field should be completed with the following:**
  - **Reference to the Duplicated TRN**
  - **Name of Agency and Agency Representative**
  - **Contact Number**
  - **Date**

**See handout (ER-5) for example of corrected CJIS form**

# CORRECTION PROCESS



# Introduction to Switch Print/Switch Records

**Problem arrest records typically occur when an agency transmits/ submits an arrest with inaccurate identifiers and/or fingerprints.**

**The three most common types of Submission errors:**

- **Arrest Switched Records (SR)**
- **Arrest Switched Print/ Switched Records (SP/SR)**
- **Misuse of Identity Arrest Records**



# THE ARREST SWITCHED RECORD (SR)



## Scenario:

**Two individuals are arrested and fingerprinted the same day. The 1<sup>st</sup> individual's fingerprints get submitted with the 2<sup>nd</sup> individual's arrest information.**

## Result:

**The 1<sup>st</sup> individual's arrest does not apply to their record. The 2<sup>nd</sup> individual's arrest is applied to both records.**

# ARREST SWITCHED RECORD (SR) Continued...

Gloria Martin and Latasha Grant are arrested the same day.



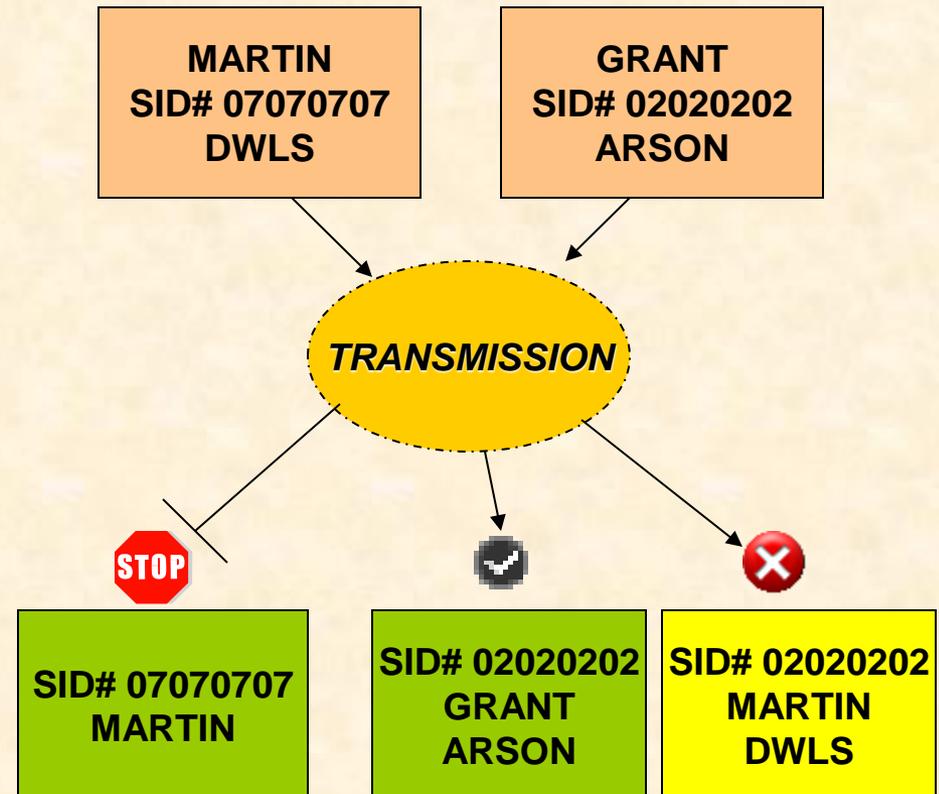
Martin has a criminal record under SID# 07070707.

Grant has a criminal record under SID# 02020202.

Both arrests are submitted via livescan.

Grant's prints correctly match up with her identifiers and arrest information and are processed successfully.

Martin is booked in and arrest information sent to livescan and Martin's fingerprints are attached to Grant's information.



# THE SWITCHED PRINT/ SWITCHED RECORD (SP/SR)

## Scenario:

Two individuals are arrested and fingerprinted on the same day. The 1<sup>st</sup> individual's prints transmit correctly with the proper identifiers and arrest information to their SID. The 2<sup>nd</sup> individual's prints also transmit correctly with the proper identifiers and arrest information to their SID.



## Result:

**(SP/SR)**- A 3<sup>rd</sup> arrest record is created and a new SID or “BUM” SID is issued. This new SID contains:

An arrest with the 1<sup>st</sup> individual's fingerprints attached to the 2<sup>nd</sup> individual's arrest information and identifiers.

# SWITCH PRINT/SWITCHED RECORD (SP/SR)

## Continued...

Linda Smith and Tom Jones get arrested on the same day.

Smith has a criminal record under SID# 01010101.

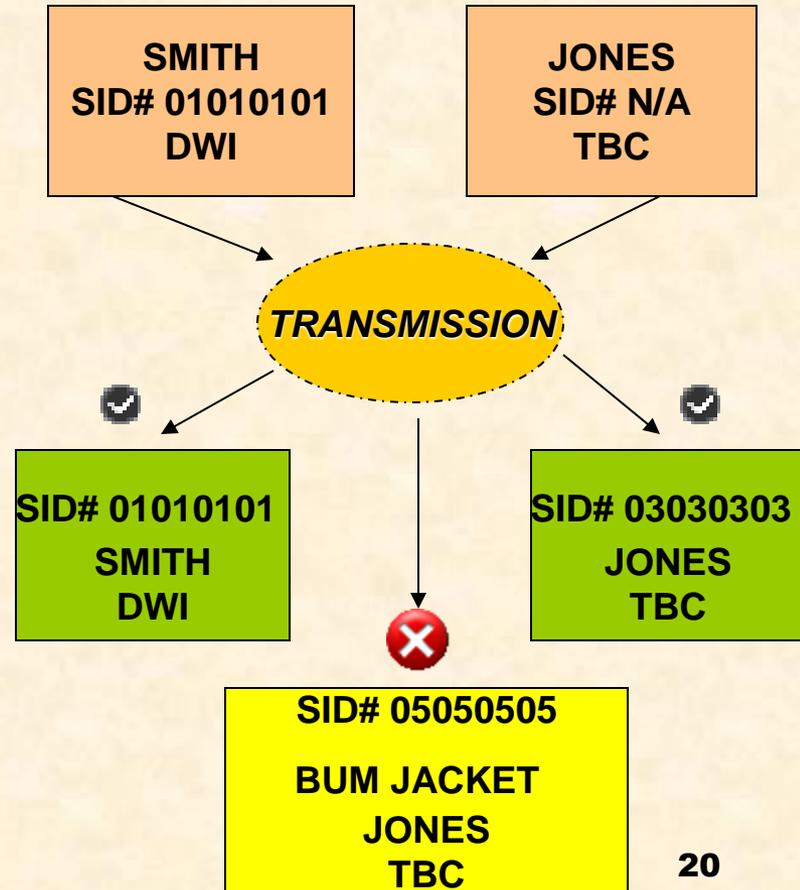
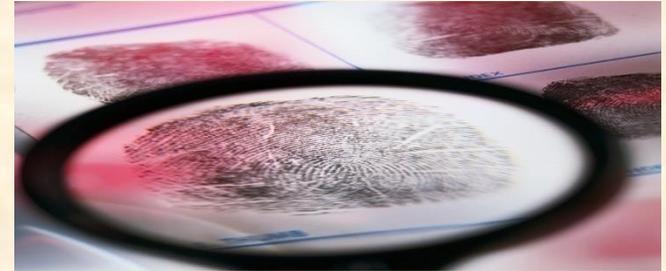
Jones has no priors and therefore does not have a criminal record SID#.

Both arrests are submitted via livescan.

Jones' prints correctly match up with his identifiers and arrest information and are transmitted successfully creating a criminal record under SID# 03030303.

Smith's prints are attached to Jones' arrest and identifying information. Since the prints and arrest information don't match, a new SID# is created for this transaction under 05050505. (BUM JACKET)

Smith's prints correctly match up with his identifiers and arrest information and are transmitted successfully creating a criminal record under SID# 01010101.

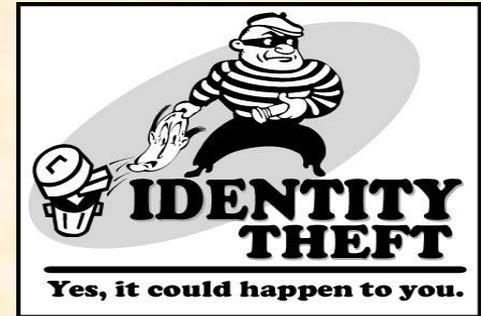


# Correcting Switch Print Switch Records

## LIVESCAN AGENCIES

- **If a switch print error is noticed you may resubmit the arrest via livescan with the correct arrest information, fingerprints and the same TRN. Follow up by mailing or faxing information regarding the incorrect arrest submission to ERU.  
*See handouts (ER-6 & ER-7) for examples.***
- **If you are unable to resubmit the arrest via livescan you may fax or mail the correction form to ERU along with the CR-43 and fingerprints. Error Resolution will remove the incorrect arrest data and apply the corrected arrest information to CCH.**

# THE MISUSE OF ID RECORD



## Scenario:

An individual assumes the identifying information of another person at the time of arrest.

## Result:

The identifiers of a person who does not have a criminal record are associated to a criminal SID.

Or...

The identifiers of a person with a prior criminal record will now be associated to the criminal record of the person assuming their identity.

# MISUSE OF ID RECORD Continued...

Mark Lopez is arrested. He has a criminal record under SID# 08080808.

He gave the name of Mario Ruiz at the time of arrest.

The arrest is transmitted.

The name Mario Ruiz applies to SID# 08080808 as an alias.

DPS is made aware that there is a possible error on the record.

DPS has to determine:

- If Mario Ruiz was actually arrested on this arrest date.
- OR
- If Mark Lopez misused/ assumed Mario Ruiz's identity at the time of arrest.
  - If an agency can verify that identity has been assumed at the time of arrest notify ERU on your letterhead for documentation.



MARK LOPEZ  
SID# 08080808  
AKA: N/A  
ASSUMES IDENTITY OF  
MARIO RUIZ

TRANSMISSION



SID# 08080808  
MARK LOPEZ  
AKA: MARIO RUIZ

# STATE OF TEXAS DECLARATION OF IDENTITY MISUSE/THEFT & CONSENT DOCUMENT

The Identity Theft File was created in September 1999, as a means for law enforcement to “flag” stolen identities when the victim’s identity is being used or is intended to be used to commit an unlawful activity. This file is also known as the Stolen Identity File.

1. As required by Texas Government Code, Section 411.021, an individual must contact their local Sheriff’s Office to file a report that his/her identity had been used by another person without their consent.
2. If the Sheriff and prosecuting attorney determine the individual’s identity has been misused, a Declaration is prepared and signed by the complainant, prosecutor, and Sheriff stating the individual making the report had his/her identity used fraudulently by another person without consent.

The complainant is asked to provide a password (name, word, number, letter, or combination of any 20 or fewer characters as designated by the individual as a unique password to verify the individual’s identity.

3. The Sheriff’s office is responsible for taking the individual’s fingerprints, and submitting them to the Department of Public Safety Error Resolution Unit, along with the original signed copy of the Declaration for verification. Once completed, the Sheriff’s office receives a copy of the results to make the entry into TCIC/NCIC 2000 National File.

**\*Declaration information will stay in the TCIC/NCIC National File for 5 years.\***

# MISUSE OF IDENTITY EXPUNCTION

## Art. 55.02 PROCEDURE FOR EXPUNCTION.

Sec. 2a. (a) A person who is entitled to expunction of information contained in records and files under Article 55.01 (d) may file an application for expunction with the attorney representing the state in the prosecution of felonies in the county in which the person resides.

# Statewide/Federal Background Checks

It is the policy of DPS that an individual may have access to and receive a copy of their criminal record. This policy is in compliance with Texas Government Code, Section 552.023.

Contact FAST to schedule an appointment at 1-888-467-2080. Appointments may also be scheduled online at <http://www.L1id.com/ibt>. The cost of this service is \$24.95. Results will be mailed to the address provided by the individual.

Or by select FAST locations as well. The cost of this service is \$45.00.  
IBT, LLC by MorphoTrust [www.IdentoGO.com/FBICheck](http://www.IdentoGO.com/FBICheck)  
(877) 783-4187

## Helpful Contacts:

For questions regarding livescan transmission problems contact:

Loann Garcia, Livescan Coordinator

[loann.garcia@dps.texas.gov](mailto:loann.garcia@dps.texas.gov)

(512) 424-2409

For questions regarding disposition reporting problems contact:

Holly Morris, EDR Coordinator

[holly.morris@dps.texas.gov](mailto:holly.morris@dps.texas.gov)

(512) 424-2686

For SID confirmation/MisRaps contact:

Crime Records- Fingerprint Section

[fingerprints@dps.texas.gov](mailto:fingerprints@dps.texas.gov)

(512) 424-5248

For questions regarding Drivers License Suspensions contact:

DPS Driver Improvement Bureau

[convictionreporting@dps.texas.gov](mailto:convictionreporting@dps.texas.gov)

(512) 424-2600

For Driver License Errors contact:

DPS Driver License Bureau

[DriverLicenseErrors@dps.texas.gov](mailto:DriverLicenseErrors@dps.texas.gov)

(512) 424-5806



**Texas Department of Public Safety Website:**  
**www.dps.texas.gov**

**ERU CONTACT INFORMATION:**

**Texas Department of Public Safety**

**Attn: Error Resolution Unit**

**P.O. Box 4143**

**Austin, Texas 78765-4143**

**Agent Line: (512) 424-7256 Fax: (512) 424-5577**

**Email: [error.resolution@dps.texas.gov](mailto:error.resolution@dps.texas.gov)**