

# TEXAS DEPARTMENT OF PUBLIC SAFETY

CRIME RECORDS SERVICE  
ERROR RESOLUTION  
COMPUTERIZED CRIMINAL HISTORY QUALITY CONTROL UNIT

## ***Mission:***

***To maintain the integrity of the statewide Computerized Criminal History database by providing the most complete and accurate criminal history records possible.***

# THE ERROR RESOLUTION UNIT (ERU)

**Manager: Ursula Cook**

**Section Supervisor: Brittany Chromcak**

**CCH Quality Technicians:**

*(Starting from top left row, top right row)*

**Larry Lewis**

**Eva Astran**

**Carol Ockletree**

**Angie Garrett**

**Deborah Maldonado**

**Judit Solis**

**Mike Morales**

**Tommy Urias**

**Dana White**

**Traci Thoene**

**Brittany Chromcak**

**Betsy Post**

**Kerrie Herrera – Not Pictured**





# 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 possible.
- 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.

▪ <b>Criminal Procedures</b>	<b>Pages 5-6</b>
▪ <b>Arrest Records</b>	<b>Pages 7-10</b>
▪ <b>Corrections</b>	<b>Pages 11-16</b>
▪ <b>Switch Print/Switch Records</b>	<b>Pages 17-22</b>
▪ <b>Misuse of Identity Records</b>	<b>Pages 23-26</b>
▪ <b>Miscellaneous Information</b>	<b>Pages 27-29</b>

# 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 for adults and juveniles.
- 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 17,211 authorized agencies that access the TXDPS CCH Secure Website to obtain criminal history information.
  - Of the total agencies, 2,659 are criminal justice and 14,552 are non-criminal justice.
  - There are 39,599 users subscribed to the database.
  - Examples of authorized entities include:
    - School Districts
    - Hospitals/Nursing Homes/Home Health Care Facilities
    - Childcare Facilities
    - City Government Offices
    - State Licensing Boards

If your agency would like further information on how to obtain access to the TXDPS Secure Site Database contact the 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. The Error Resolution Unit (ERU) works with Police Departments and Sheriff's Offices to correct these records.**



# STATE IDENTIFICATION NUMBERS (SID'S)



- With the upgrade of the new Automated Fingerprint Identification System (AFIS) effective February 1, 2016, AFIS began issuing SID's in the 16 million range.
- We no longer distinguish between criminal and non-criminal State Identification Numbers (SID).



# REPORTING CLASS C MISDEMEANORS



- In 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.
- Submitting these offenses will assist in the identification of Class C Misdemeanors associated with domestic violence and disorderly conduct that are disqualifiers for License to Carry (LTC) applicants.
- Please use the Class C offense code list and no longer use 99999999.

You must use the arrest 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.

### MISDEMEANOR CLASS C OFFENSE CODES

Offense Code	Citation	Literal
13999999	CLASS C	ASSAULT CLASS C
16029999	CLASS C	THREAT CLASS C
23999999	CLASS C	THEFT CLASS C
24999999	CLASS C	STOLEN VEHICLE CLASS C
25999999	CLASS C	FORGERY CLASS C
26999999	CLASS C	FRAUD-CHECKS CLASS C
27999999	CLASS C	EMBEZZLEMENT CLASS C
39999999	CLASS C	GAMBLING CLASS C
40999999	CLASS C	COMMERCIALIZED SEX OFFENSE CLASS C
41999999	CLASS C	LIQUOR VIOLATION CLASS C
48999999	CLASS C	OBSTRUCT POLICE CLASS C
49999999	CLASS C	FLIGHT-ESCAPE CLASS C
50999999	CLASS C	OBSTRUCTION OF JUSTICE CLASS C
51999999	CLASS C	BRIBERY CLASS C
52999999	CLASS C	WEAPON OFFENSE CLASS C
53999999	CLASS C	PUBLIC PEACE CLASS C
54999999	CLASS C	TRAFFIC OFFENSE CLASS C
55999999	CLASS C	HEALTH AND SAFETY VIOL CLASS C
57999999	CLASS C	INVASION OF PRIVACY CLASS C
58999999	CLASS C	SMUGGLING CLASS C
59999999	CLASS C	ELECTION LAW VIOL CLASS C
61999999	CLASS C	TAX REVENUE VIOL CLASS C
62999999	CLASS C	CONSERVATION VIOL CLASS C
70999999	CLASS C	CRIMES AGAINST PERSON CLASS C
71999999	CLASS C	PROPERTY CRIME CLASS C
72999999	CLASS C	MORALS AND DECENCY CLASS C

**Use one of these offense codes to report the Class C Misdemeanors.**

# 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, 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 INDENCECY W/CHILD EXPOSES
- 11990001 SEXUAL ASSAULT
- 11990002 SEXUAL ASSAULT CHILD

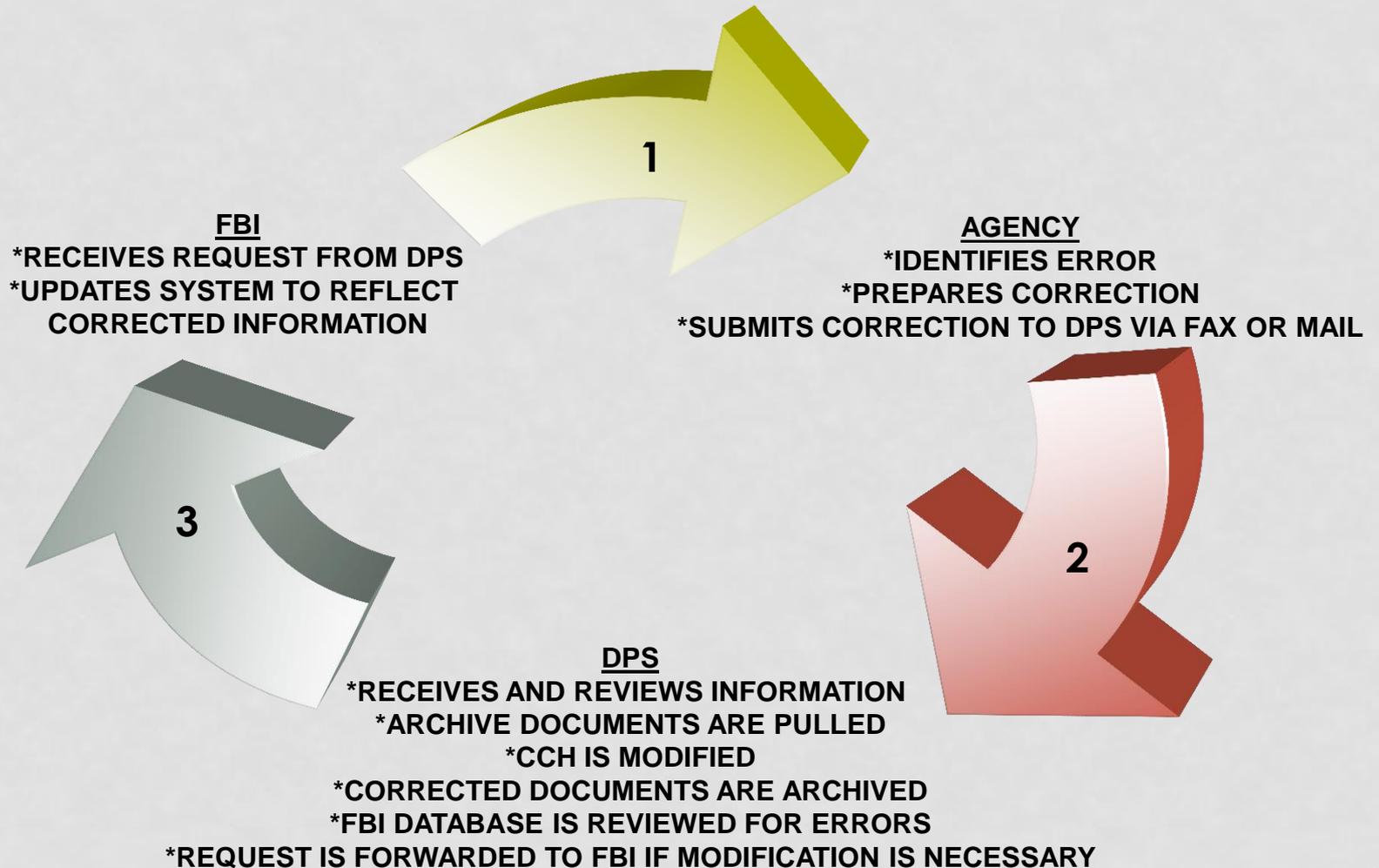
### AGE OF VICTIM MANDATORY OFFENSES – 60.051(g)

If the offender is charged, prosecuted or disposed on any of the following offenses, the Victim's Age field must be filled out. It is a two digit numeric field. If the victim was under 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, 8, 10, 15, etc.

11990012	SEX ABUSE OF CHILD CONTINUOUS: VICTIM UNDER 14	21.02	PC	F1
36010001	INDECENCY W/CHILD SEXUAL CONTACT	21.11(a)(1)	PC	F2
36990013	INDECENCY W/A CHILD EXPOSES	21.11(a)(2)	PC	F3
11990001	SEXUAL ASSAULT	22.011(a)(1)	PC	F2
11990002	SEXUAL ASSAULT CHILD	22.011(a)(2)	PC	F2
11990010	SEXUAL ASSLT PROH/PURPORT SPOUSE UNDER 14YOA	22.011(e)(2)(A)	PC	F1
11990009	SEXUAL ASSLT PROH/PURPORT SPOUSE	22.011(e)(2)(B)	PC	F1
11990011	SEXUAL ASSLT BIGAMY	22.011(f)	PC	F1
11990003	AGG SEXUAL ASSAULT	22.021	PC	F1
11990006	AGG SEXUAL ASSAULT OF ELDERLY/DISABLED PERSON	22.021(a)(2)(c)	PC	F1
11990004	AGG SEXUAL ASSAULT CHILD	22.021(a)(2)(B)	PC	F1
10990013	AGG KIDNAPPING BI/SEXUAL ABUSE	20.04(a)(4)	PC	F1
22990007	BURGLARY HABITATION INTEND SEX OFFENSE	30.02(d)	PC	F1
58990002	TRAFFICKING OF PERSON	20A.02	PC	F2
58990005	TRAFFIC OF PERSONS <18 PROST/FORCED LABOR	20A.02(b)(1)	PC	F1
58990004	TRAFFICKING A PERSON CAUSING DEATH	20A.02(b)(2)	PC	F1
40040007	COMPELLING PROSTITUTION UNDER AGE 18	43.05(b)	PC	F1

\*For offense 10990013, the field must be filled out only when the intent behind the aggravated kidnapping was to violate or abuse the victim sexually.

# CORRECTION PROCESS



# 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, mail or by email to the encrypted Error Resolution box.
- ✓ 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.

# 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.



**When making this request, also include the following information on your corrections:**

- Contact Name
- Phone Number
- Date

**CR-43 Example of Corrections**



Texas Department of Public Safety - Computerized Criminal History

**Online EDR**

SID Number:	07777777	Name:	DOE,JANE
TRN Number:	303900020	Sex:	F
TRS Code:	Select TRS... [X]	Race:	B
		DOB:	01/01/1990
		JUV:	

**Print copy of TRN**

Search Results Add TRS

Add Charge Add Prosecution Add Court Modify Arrest

Date of Entry:	12/07/2008	Last Updated:	09/29/2014
Date of Arrest:	03/05/2004	Sequence:	303900020
Status:	A	Juv:	W
Name:	DOE,JANE WAYNE	Address:	303 WOLVERTON DR AUSTIN
State:	TX	Zip:	78745
ORI:	TX0581200	HAZ Code:	
License Plate:	3WJH01	License State:	TX

Arresting Agency (ORI):	TX2270100	Arrest Number (AGN):	51568	Case Number (OCA):	0441382
Tracking Suffix (TRS):	A001	General Offense Code (GOC):	A	Victim's Age (VIC):	
Domestic Violence (DMV):		Offense Numeric (AON):	13990031	Offense (OFF):	ASSAULT CAUSES BODILY INJURY FAMILY MEMBER
Offense Literal (ADL):	ASSLT CAUSES BODILY	Statute Citation (CIT):	PC 22.01(a)(1)	Level and Degree (LDA):	MB
Date of Offense (DOO):	04/04/2004	Disposition Number (ADN):	308 220	Disposition Date (ADA):	05/06/2004
Disposition Literal (ADD):	HELD	Referred Prosecutor (REF):	TX9999999		

Correction

Contact Name:  
Phone number:  
Date:

TRN	123 456 789X	DATE OF ARREST	01012005	SFS NO.	12345678	FB NO.		CONTRIBUTOR ORN	TX0000000	OUT OF COUNTY?	YES	OUT OF COUNTY ORN	
NAME (LAST-FIRST-MIDDLE)	Test, Record Middle Jr			DATE OF BIRTH	01011900	PLACE OF BIRTH	TX	SEX	M	RACE	N	HT	601 195
EYE	HAIR	TEEN HOME	SOCIAL SECURITY NO.	SCARS, MARKS, TATTOOS, AMPUTATIONS	BALD; GLASSES; MISS L FT			LEAVE BLANK					
MRG. NO.	AS 123456789	CCG	COVER LICENSE NO.	STATE	TX	TYPE	C	ID CARD NO.	12345678	STATE	TX		
ISSUING AGENCY AND ISSUING AUTHORITY	Realtor-TX Real Estate Commission			Real-99999									
ALIAS NAME(S)	Rubble, Barney; Nickname, Slim			ADDRESS	10999 Imagination Ave			CITY	Austin	STATE	TX	ZIP	78752
ARRESTING AGENCY ORN	TX0000000	ARRESTING AGENCY NAME	Fake Co SO or Pretend PD	AGENCY CASE NO.	2468	AGENCY CASE NO.	ABC-123	PRENUM CODE	K				
TRN	A001	MODE	S	DOMESTIC VIOLENCE OFFENSE	N	OFFENSE CODE	11111111	OFFENSE	Corrected Offense Literal -Insert Offense Literal-				
STATUTE SECTION	00.00 (A)(2) PC	LEVEL	2	FELONY	Y	CLASSIFICATION	TX000015A	DATE OF OFFENSE	01012005	WARRANT NUMBER ORN	TX0000100		
WARRANT HOLDER CASE NO.	321-CAB	ARREST DEPOSITION	215	DEPOSITION DATE	01012005	PROSECUTOR ORN	TX000015A	ISSUES FOR MATERIALITY	Y	ISSUES FOR VEHICLE TITLE	Y	LICENSE NO.	ZXY99A ME 06
PREPARED BY	Print Full Name Legibly			DATE	01012005								

FOR LOCAL AGENCY USE	<b>CORRECTION</b>	Name of Person Correcting
		Date of Correction

**CORRECTIONS**

- There are two ways to correct information submitted to the DPS:
1. 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.
  2. 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

TRN	123 456 789X		DATE OF ARREST	01012005	DPS NO.	12345678	FBI NO.	CONTRIBUTOR OR		TX0000000		OUT OF COUNTY	<input type="checkbox"/>	OUT OF COUNTY OR
ARREST/IDENTIFICATION	NAME (LAST, FIRST, MIDDLE)			DATE OF BIRTH		PLACE OF BIRTH	SEX	RACE	ETH	HGT.	WGT.	OUT OF COUNTY WARRANT NO.		
	Test, Record Middle Jr			01011900		TX	M	W	N	601	195			
	EYE	HAIR	SCAR TATTOO	SOCIAL SECURITY NO.	SCARS, MARKS, TATTOOS, AMPUTATIONS									
	BRN	XXX	FAR	123456789	BALD; GLASSES; MISS L FT									
	LEAVE BLANK													
	ISSC NO.	AS 123456789	CITZ.	US	DRIVER LICENSE NO.	12345678	STATE	TX	TYPE	C	ID CARD NO.	12345678	STATE	TX
	LICENSE CERTIFICATION AND ISSUING AUTHORITY						LICENSE NO.							
	Realtor-TX Real Estate Commission						Real-99999							
	ALIAS NAME(S)				ADDRESS				CITY	STATE	ZIP			
	Rubble, Barney; Nickname, Silm				10999 Imagination Ave				Austin	TX	78752			
ARRESTING AGENCY OR			ARRESTING AGENCY NAME			AGENCY ARREST NO.		AGENCY CASE NO.		FIREARM CODE				
TX0000000			Fake Co SO or Pretend PD			2468		ABC-123		K				
THIS	GOOD	DOMESTIC	OFFENSE CODE	OFFENSE										
A001	S	VOLENCE	11111111	Corrected Offense Literal										
		OFFENSE?	00000000	Insert Offense Literal										
STATUTE SECTION			LEVEL & BIENICE	FELONY (1,2,3,4,5)	MISDEMEANOR (A, B, C)	DATE OF OFFENSE		WARRANT HOLDER OR						
00.00 (A)(2) PC			2			01012005		TX0000100						
WARRANT HOLDER CASE NO.		ARREST DISPOSITION		DISPOSITION DATE		PROSECUTOR OR		TRANS	HAZ	Y	Y	LICENSE NO.	STATE	YEAR
321-CAB		215		01012005		TX000015A		MATERIAL	Y	Y	Y	ZXY99A	ME	06
PREPARED BY										DATE				
Print Full Name Legibly										01012005				
FOR LOCAL AGENCY USE														
<b>CORRECTION</b>														
										Name of Person Correcting				
										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

# 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. (ie. 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:

- If your agency has access to the CJIS site then you can submit a "207" for the duplicate TRN via the CJIS site.

OR

- 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.

TRN <b>123 456 789X</b>		DATE OF ARREST <b>01012005</b>	DPS NO. <b>12345678</b>	FBI NO.	CONTROLLER OFF <b>TX0000000</b>	OUT OF COUNTY? YES <input type="checkbox"/>	OUT OF COUNTY OFF		
NAME (LAST, FIRST, MIDDLE) <b>Test, Record Middle Jr</b>		DATE OF BIRTH <b>01011900</b>	PLACE OF BIRTH <b>TX</b>	SEX <b>M</b>	RACE <b>W</b>	ETH. <b>N</b>	HAIR <b>601</b>	WEIGHT <b>195</b>	OUT OF COUNTY WARRANT NO.
ARREST/IDENTIFICATION	EYE <b>BRO XXX</b>	SCAR, MARK, TATTOO, AMPUTATION <b>BALD; GLASSES; MISS L FT</b>	LEAVE BLANK						
	ISS. NO. <b>AS 123456789</b>	CITIZENSHIP <b>US</b>	DRIVER LICENSE NO. <b>12345678</b>	STATE <b>TX</b>	TYPE <b>C</b>	ID CARD NO. <b>12345678</b>	STATE <b>TX</b>		
	LICENSE IDENTIFICATION AND ISSUING AUTHORITY <b>Realtor-TX Real Estate Commission</b>			LICENSE NO. <b>Real-99999</b>					
	ALIAS NAME(S) <b>Rubble, Barney; Nickname, Slim</b>		ADDRESS <b>10999 Imagination Ave</b>	CITY <b>Austin</b>	STATE <b>TX</b>	ZIP <b>78752</b>			
	ARRESTING AGENCY OR <b>TX0000000</b>	ARRESTING AGENCY NAME <b>Fake Co SO or Pretend PD</b>	AGENCY ARREST NO. <b>2468</b>	AGENCY CASE NO. <b>ABC-123</b>	FINGERPRINT CODE <b>K</b>				
THIS <b>A001</b>	DDO <b>S</b>	DOMESTIC VIOLENCE OFFENSE? <b>N</b>	OFFENSE CODE <b>00000000</b>	OFFENSE <b>insert Offense Literal</b>					
STATUTE CITATION <b>00.00 (A)(2) PC</b>	LEVEL & SEVERITY <b>2</b>	FELONY (2,3,4,5) <input type="checkbox"/>	MISDEMEANOR (1,4,6) <input type="checkbox"/>	DATE OF OFFENSE <b>01012005</b>	WARRANT HOLDER OR <b>TX0000100</b>				
WARRANT HOLDER CASE NO. <b>321-CAB</b>	ARREST DISPOSITION <b>215 207</b>	DISPOSITION DATE <b>01012005</b>	PROSECUTOR OR <b>TX000015A</b>	TRIAL HAZ MATERIAL? <b>Y</b>	OPEN CONT VEHICLES? <b>Y</b>	LICENSE NO. <b>ZXY99A</b>	STATE <b>ME</b>	YEAR <b>06</b>	
PREPARED BY <b>Print Full Name Legibly</b>						DATE <b>01012005</b>			
FOR LOCAL AGENCY USE		<b>DUPLICATE TO</b>		<b>Name of Person Correcting</b>					
		<b>TRN 234 567 890X</b>		<b>Date of Correction</b>					

### DUPLICATE TRN (OFFENSE)

A duplicate TRN is the reporting of the same offense and arrest date multiple times. Only one TRN can be used and all duplicate TRN's must be closed. To complete this process, you may perform one of the following:

- Using a copy of the original CR-43, change the arrest disposition to 207 and write "Duplicate To" and the duplicate TRN in the For Local Agency Use field at the bottom of the form. Additionally, the name of the person making the correction and the date should be legibly printed in the For Local Agency Use field. Send this corrected form to the DPS. Please use blue or black ink for all corrections.
- Send a memo on agency letterhead stating that the offense is a duplicate and requesting that the DPS change the arrest disposition code to 207. 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

The Duplicate TRN

<b>PROSECUTOR</b>	PROSECUTOR ORI <b>TX000015A</b>		PROSECUTOR OFFICE <b>Fake County Attorney or Pretend District Attorney</b>			
	PROSECUTOR ACTION CODE USE ONE CODE REFER TO INF CODE LIST <b>D</b>		PROSECUTOR ACTION LITERAL <b>Only required with the PAF of O</b>		PROSECUTOR ACTION DATE <b>02012005</b>	
	DOMESTIC VIOLENCE OFFENSE? <input type="checkbox"/> Y or N	CHANGED OFFENSE CODE <input type="checkbox"/>	OFFENSE	SENTENCE DURATION	LEVEL: FELONY (D, L, T or N) A DEGREE <input type="checkbox"/>	MISDEMEANOR (A or B) <input type="checkbox"/>
	CHARGES FILED IN (COURT OR)		COURT NAME		ADDITIONAL CHARGES BY PROSECUTOR, NOT PRESENT AT ARREST? <input type="checkbox"/> Y or N	
	PREPARED BY <b>Print Full Name Legibly</b>		DATE: <b>02012005</b>			

FOR LOCAL AGENCY USE	<b>DUPLICATE TO TRN 234 567 890X</b>
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### DUPLICATE TRN

If the prosecutor has received two TRN's for the same charge, then the prosecutor will complete the CR-43 that they wish to close out with the following information:

Prosecutor ORI

Prosecutor Action Code – Use the PAF D – Dropped by Arresting Agency

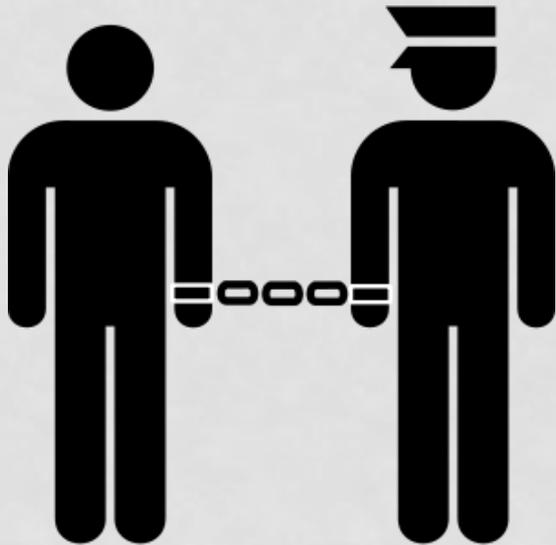
Prosecutor Action Date

Prepared By

Date

In the For Local Agency Use field write "Duplicate to TRN (TRN they are continuing to use for the case)." The prosecutor should then submit this yellow form to DPS where the TRN will be closed and a note made in the criminal history. The prosecutor should also notify the arresting agency of the TRN they are continuing to use for the case.

# 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 are:

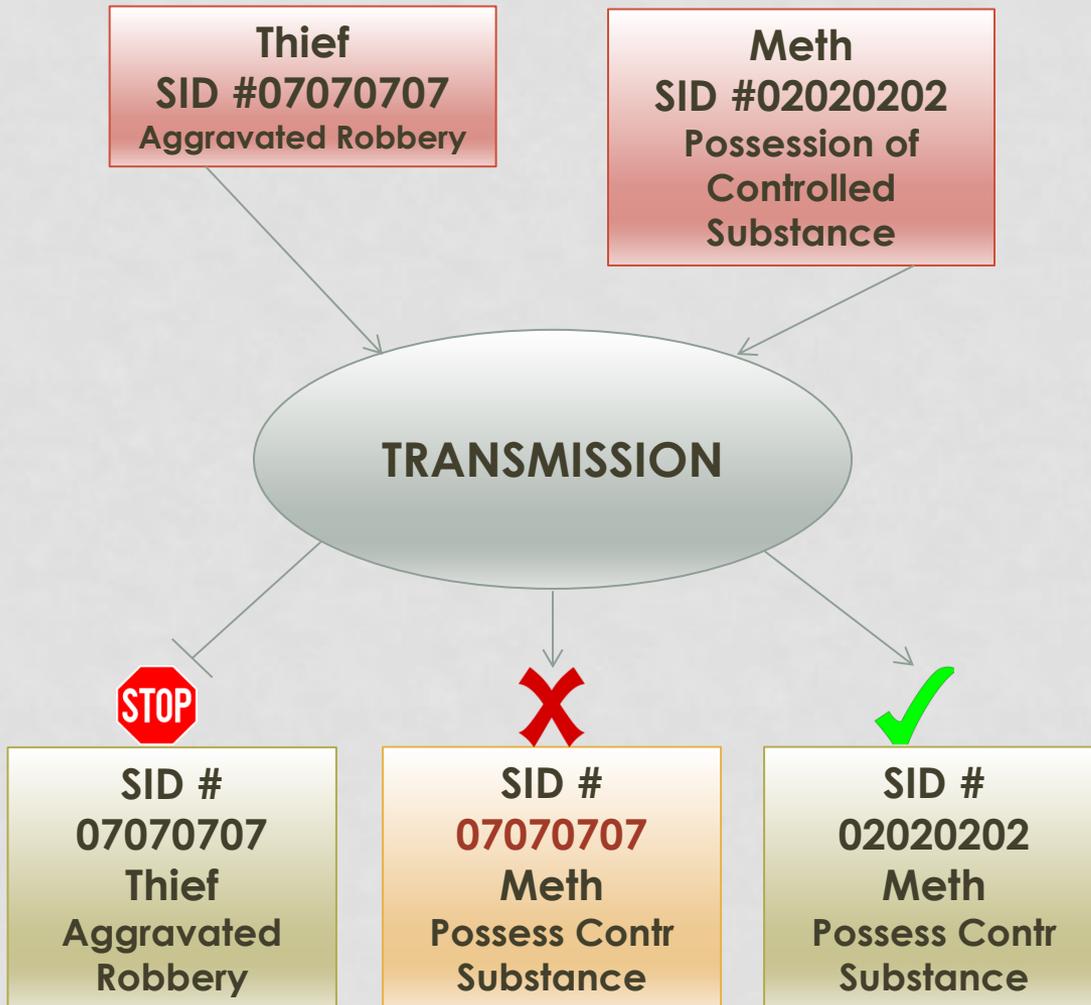
- Arrest Switched Records (SR)
- Arrest Switched Print/ Switched Records (SP/SR)
- Misuse of Identity Arrest Records

# 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 identifiers and arrest information.
  - The 2<sup>nd</sup> individual's prints transmit correctly with the proper identifiers and arrest information to their SID.
- **Result:**
  - The 1<sup>st</sup> individual's arrest is not applied to their record.
  - The 2<sup>nd</sup> individual's arrest is applied to both records.



# ARREST SWITCHED RECORD (SR) CONTINUED...



Ima Thief and Crystal Meth are arrested the same day. Both arrests are submitted via Livescan.

Thief has a criminal record under SID #07070707.

Meth has a criminal record under SID #02020202.

Thief's arrest is not applied to her criminal record under SID #07070707.

Meth is booked in and arrest information sent to Livescan, and Thief's fingerprints are attached to Meth's information.

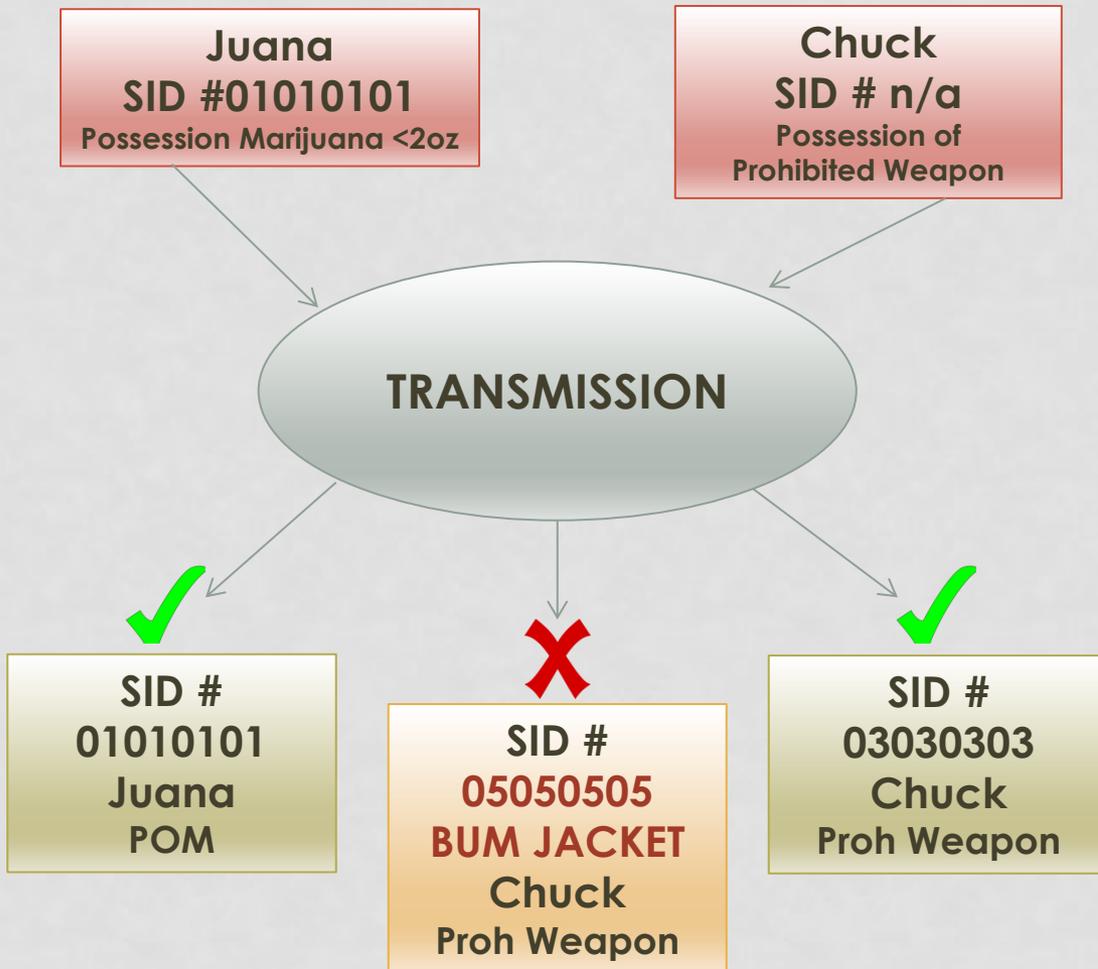
Meth's prints correctly match up with her identifiers and arrest information and are processed successfully.

# 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 1<sup>st</sup> individual's prints transmit again, this time with the 2<sup>nd</sup> individual's identifiers and arrest information, creating a new "BUM" SID.
  - The 2<sup>nd</sup> individual's prints 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.



# SWITCHED PRINT/SWITCHED RECORD (SP/SR) CONTINUED...



Mary J. Juana and Nun Chuck get arrested on the same day. Both arrests are submitted via Livescan.

Juana has a criminal record under SID #01010101.

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

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

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

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

# CORRECTING SWITCHED PRINT/SWITCHED 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.

Texas Department of Public Safety  
Error Resolution Unit  
Correction Form – Switched Record

(Submitting Agency)  
(Address)

Date: \_\_\_\_\_

Arrestee 1: Name: \_\_\_\_\_  
SID: \_\_\_\_\_

Arrestee 2: Name: \_\_\_\_\_  
SID: \_\_\_\_\_

Date of Arrest: \_\_\_\_\_

TRN \_\_\_\_\_ has been submitted twice. One submission has Arrestee 1's prints with Arrestee 2's ID/Arrest information. TCN \_\_\_\_\_ is an invalid submission for SID \_\_\_\_\_ for Date of Arrest \_\_\_\_\_. Results of a fingerprint comparison concluded that the two defendants are not one in the same. Please delete TRN \_\_\_\_\_, identifiers, and all charges associated with the transmission from SID \_\_\_\_\_. Attached is a copy of the correct CR-43 arrest and set of fingerprints for Arrestee 1.

Respectfully Submitted,

(Agency Representative)

# 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...

Bud Weiser is arrested for Driving While Intoxicated.  
He has a criminal record under SID #08080808.

He gave the name Sam Adams at the time of arrest.

The arrest is transmitted.

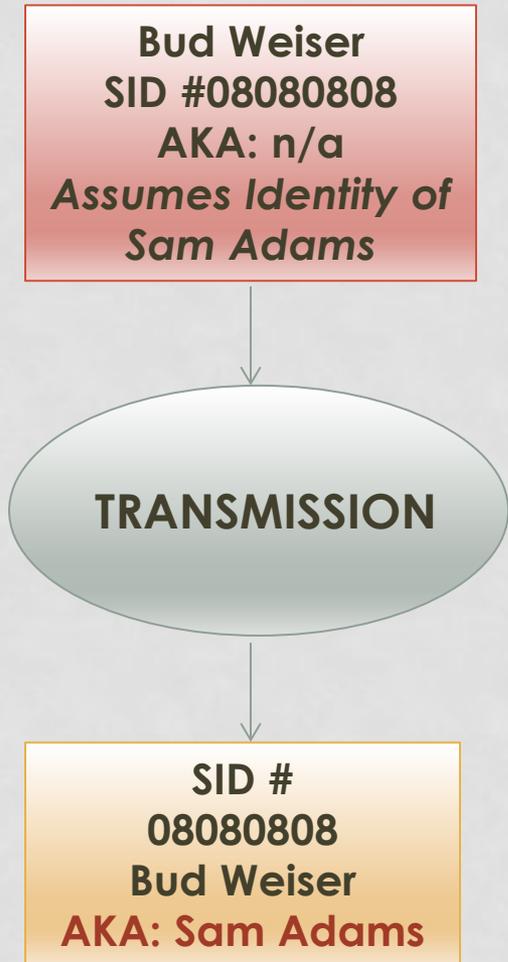
The name Sam Adams applies to SID #08080808 as an alias.

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

DPS has to determine:

- If Sam Adams was actually arrested on this arrest date.  
Or...
- If Bud Weiser misused/assumed Sam Adam'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.



TEXAS DEPARTMENT OF PUBLIC SAFETY  
ERROR RESOLUTION UNIT  
CORRECTION FORM – ASSUMED IDENTITY

(Submitting Agency)  
(Address)

Date: \_\_\_\_\_

Arrestee 1: Name: \_\_\_\_\_  
SID: \_\_\_\_\_

DOB: \_\_\_\_\_

Arrestee 2: Name: \_\_\_\_\_  
SID: \_\_\_\_\_

DOB: \_\_\_\_\_

Date of Arrest: \_\_\_\_\_

A search was conducted for two defendants pertaining to Date of Arrest:  
\_\_\_\_\_. Results of a fingerprint comparison have concluded that **Arrestee 1:**

\_\_\_\_\_ assumed the identity of **Arrestee 2.**

\_\_\_\_\_ did not assume the identity of **Arrestee 2.**

Attached are copies of the correct CR-43 arrests and fingerprints for **Arrestee 1**  
and **Arrestee 2.**

Respectfully Submitted,

(Agency Representative)

# 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.



### **Declaration of Misuse of ID**

Effective September 1, 1999 in accordance to Texas House Bill 76(R) 153, requires the department upon receiving the declaration under Section 411.0421 Government Code to create a record of the individual's identity, including a record of the individual's unique password, in the criminal history record information maintained by the department under Subchapter F. The department shall ensure that this record, including the unique password, is available online to any entity authorized to receive information from the department under Subchapter F.

### **CRITERIA FOR ENTRY:**

- 1) An individual must contact the Local Sheriff's Office to make a report that his/her ID has been stolen.
- 2) The Sheriff's Office is responsible for taking the individual's fingerprints and submitting them to the department (DPS) for verification. After fingerprint verification, notification of the person's identity is sent from DPS (via teletype) to the Sheriff's Office.
- 3) If the Sheriff and Prosecuting Attorney determine that the individual's identity has truly been misused, a declaration is signed by the complainant, Prosecutor and Sheriff stating that the individual making the report has had his/her identity used fraudulently by another person without consent. The Declaration must include the individual's **name, race, sex, date of birth, height, weight, hair color, and date of report, social security number, driver's license number, originating agency case number (OCA), Agency ORI, and a unique password.**

The password is specified by the person whose identity was used fraudulently. The password is used for identity verification and may be a maximum of **20** alpha, numeric characters, special characters, or spaces.

Once the Sheriff's office makes an entry into TCIC/NCIC 2000 using the transaction code "EID" a copy of the signed declaration and the individual's fingerprints must be mailed to the following address:

**Texas Department of Public Safety  
Law Enforcement Support/CRS  
Attn: Error Resolution  
P.O. Box 4143  
Austin, Texas 78765-4143**

**RETENTION PERIOD:** Records entered into this file will remain in the TCIC/NCIC 2000 until the date of purge (DOP) indicated in the record or **five years** after the date of entry unless the entering agency cancels it.

Contact the TCIC Control Center at 512-424-2088 or MNEMONIC ADDRESS "CRDP" for further assistance or questions regarding this file.

\*\*You may also refer to the Texas Criminal Code of Procedures, Chapter 55, and Article 55.01(d), which references the expunction of identity theft.

EXAMPLE

DECLARATION OF IDENTITY MISUSE/THEFT & CONSENT DOCUMENT

NAME: Adams, Samuel  
 POB: TX CTZ: US  
 SEX: M RACE: W ETHNICITY: N HGT: 600 WGT: 220  
 HAIR BRO  
 DATE OF BIRTH: 01/23/1945 SOCIAL SECURITY NUMBER: 123-45-6789  
 DATE OF THEFT OR REPORT: 09/28/2016 OCA: 16-12345  
 ADDRESS OF INDIVIDUAL FILING REPORT:  
 Street/PO Box: 123 Main Street  
 City/State/Zip: Nowhere, Texas 99999  
 PASSWORD (alpha/numeric combination of 20 characters or less): ABC123  
Optional Information:  
 SCARS/MARKS/TATTOOS: SC Neck, Tat UR Arm  
 DRIVER LICENSE NUMBER: 87654321 DL STATE: TX DL EXP: 2020

AKAs (or other supplemental data): Adams, Sam; Bubba, XX

By signing this document, I hereby provide permission for law enforcement officials to enter my personal data into the Texas Department of Public Safety's (TxDPS) Automated Fingerprint Identification System (AFIS) and both the TXDPS and the Federal Bureau of Investigation's (FBI) Identity Theft files. This information may include, but is not limited to, physical descriptors and identifying information I have provided for future identification verification purposes. I am also providing permission to enter my photograph and fingerprints into this file when/where that capability is available. I understand that the information will be available to entities having access to the TxDPS Crime Information Center and FBI's National Crime Information Center (TCIC/NCIC respectively) files for any authorized purposes. I am providing this data voluntarily as a means to memorialize my claim of identity theft and to designate a unique password to be used for future identity verification purposes.

I understand that the DPS and FBI intend to remove this information from the active files no later than five years from the date of entry. I understand that I may at any time submit a written request to the entering agency to have this information removed from the active identity theft file at an earlier date. I further understand that information removed from the active file will not thereafter be accessible via TCIC/NCIC terminals, but it will be retained as a permanent record in the TXDPS AFIS and the FBI as a record of the entries until such time as its deletion may be authorized by the National Archives and Records Administration (NARA).

I understand that this is a legally binding document reflecting my intent to have personal data entered into the TxDPS and FBI's Identity Theft files. I declare under penalty of perjury that the foregoing is true and correct. (See 28 U.S.C. § 1746)

Samuel Adams

09/28/2016

Complainant Signature

Date

(DECLARATION – PAGE 2)

NAME: Samuel Adams

OCA: 16-12345

The Privacy Act of 1974 (5 United States Code § 552a) requires that Federal, state, or local agencies inform individuals whose social security number is being requested whether such disclosure is mandatory or voluntary, the basis of authority for such solicitation, and the uses which will be made of it. Accordingly, disclosure of your social security number is voluntary; it is being requested pursuant to 28 U.S.C. § 534 and Texas Government Code, Section § 411.0421 for the purposes described herein. The social security number will be used as an identification tool; consequently, failure to provide the number may result in a reduced ability to make such identifications or provide future identity verifications.

This Identity Theft Declaration and Consent Form is filed, in conjunction with 28 U.S.C. § 534 and Texas Government Code, Section § 411.0421 as a result of the named individual's identity being used by another person to frustrate proper law enforcement without their consent.

District Attorney

09/28/2016

District/County Attorney Signature

Date

Shirley Taylor

TX0000000

09/28/2016

Sheriff Signature

Agency ORI

Date

Please mail to:

Texas Department of Public Safety  
 Crime Records Service – MSC 0230  
 ATTN: Error Resolution  
 P.O. Box 4143  
 Austin, Texas 78765-4143

# MISUSE OF IDENTITY EXPUNCTION

## Art. 55.01. RIGHT TO EXPUNCTION.

(d) A person is entitled to have any information that identifies the person, including the person's name, address, date of birth, driver's license number, and social security number, contained in records and files relating to the arrest of another person expunged if:

(1) the information identifying the person asserting the entitlement to expunction was falsely given by the person arrested as the arrested person's identifying information without the consent of the person asserting the entitlement; and

(2) the only reason for the information identifying the person asserting the entitlement being contained in the arrest records and files of the person arrested is that the information was falsely given by the person arrested as the arrested person's identifying information.

## 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 for TXIReview at (888)467-2080. Appointments may also be scheduled online at <http://www.identoGO.com>. The cost of this service is \$25.00. Results will be mailed to the address provided by the individual.
- Individuals can obtain a copy of their FBI criminal record at select FAST locations as well. The cost of this service is \$45.00. Appointments may be scheduled online at <http://www.identoGO.com/FBICheck> or by calling (877)783-4187.
- Another option is to obtain a criminal record directly from the FBI. The cost of this service is \$18.00. Current processing time is 13-15 weeks, plus mailing time. Instructions can be found at <http://www.fbi.gov/about-us/cjis/background-checks>. The individual will mail the required items—signed applicant information form, fingerprints card, and payment—to:

*FBI CJIS Division-Record Request  
1000 Custer Hollow Road  
Clarksburg, WV 26306*

# HELPFUL CONTACTS

For questions regarding Livescan transmission problems contact:

Loann Garcia, Livescan Coordinator

[livescan@dps.texas.gov](mailto:livescan@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/Conviction Reporting contact:

DPS Enforcement and Compliance (ECS)

[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

For Driver License Fraud contact:

DPS Joint Crime Information Center

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

512-424-7981

**Texas Department of Public Safety Website:**  
**[www.dps.texas.gov](http://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)**