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)

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The need to protect our nation’s citizens has led to heightened security measures in recent years. 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.
# Table of Contents

**Criminal Procedures**
- 05 Chapter 60
- 06 Government Code 411

**Arrest Records**
- 07 SID Numbers
- 08 Class C Misdemeanors
- 10 Age of Victim
- 12 Problem Arrests

**Corrections**
- 13 Correction Process
- 15 Electronically Submitted Corrections
- 16 Corrections Submitted by Fax or Mail
- 19 Duplicate TRN

**Switched Print/Switched Record (SP/ SR)**
- 23 Intro to SP/ SR
- 24 Arrest Switched Record
- 26 Switched Print/ Switched Record

**Misuse of Identity**
- 30 Misuse of ID Record
- 33 Declaration
- 35 Expunction

**Miscellaneous Information**
- 36 Background Checks
- 37 DPS Contacts
- 38 ERU Contact Information
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 60.05 TYPES OF INFORMATION COLLECTED
  - Information relating to offenders, arrests, prosecutions, the disposition of cases by courts, sentencing, and the handling of offenders received by a correctional agency, facility, or other institution.

- 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, from the time an offender is arrested to the time an offender is released.

In 2017, the 85th Legislature passed House Bill 2931, revising certain provisions of the Code of Criminal Procedure, including adding Chapter 66 to read as follows effective January 1, 2019:

CODE OF CRIMINAL PROCEDURE
TITLE 1. CODE OF CRIMINAL PROCEDURE
CHAPTER 66. CRIMINAL HISTORY RECORD SYSTEM
SUBCHAPTER A. GENERAL PROVISIONS
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 17,287 authorized agencies that access the TXDPS CCH Secure Website to obtain criminal history information.

- Of the total agencies, 2,645 are criminal justice and 14,642 are non-criminal justice.
- There are 8,548,100 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.
January 1, 2016, the automated Fingerprint Identification System (AFIS) was upgraded to the Multimodal Biometric Identification System (MBIS).

MBIS is a biometric identification system that employs technology to automate the processing of arrest and applicant fingerprint submissions. It also provides criminal justice agencies the ability to search latent fingerprints and palm-prints found at crime scenes. Additionally, MBIS stores other biometrics, such as mugshots and irises.

With the upgrade, effective February 1, 2016 MBIS began issuing SID numbers in the 16 million range, and we are now in the 17 million range.

We no longer distinguish between criminal and non-criminal State Identification Numbers (SID).
Reporting Class C Misdemeanor Arrests

- In Sept 2009 Crime Records Services 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.

- Chapter 51 Section 51.03 and Chapter 58 Section 58.104(a) of the Texas Family Code prohibits Texas DPS 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.

Arresting agencies 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 ARRESTS

When your agency reports a Misdemeanor Class C arrest, complete the CR-43 or CR-44 Arrest Segment as the examples on the next pages. Include the following information:

CR-43
TRN Number – Pre-printed on CR-43 forms
Contributor ORI
Name
Date of Birth
Place of Birth
Sex
Race
Height
Weight
Eye Color
Hair Color
Skin Tone
Citizenship
Arresting Agency ORI
TRS Number – Pre-printed A001 on CR-43 forms
Date of Arrest
Offense Code – Use the offense code specific to the Class C being charged
Level & Degree – C in the Misdemeanor Box
Arrest Disposition – Use the Disposition Code 233
Arrest Disposition Date
Prosecutor ORI

CR-44
TRN Number – Copied exactly from the CR-43 form
Sex – Copied exactly from the CR-43 form
Race – Copied exactly from the CR-43 form
Name – Copied exactly from the CR-43 form
Arresting Agency ORI
TRS Number – This will increase with each additional charge, A002, A003, A004, etc.
Date of Arrest – Copied exactly from the CR-43 form
Offense Code – Use the offense code specific to the Class C being charged
Level & Degree – C in the Misdemeanor Box
Arrest Disposition – Use the Disposition Code 233
Arrest Disposition Date
Prosecutor ORI

These are all mandatory fields for arresting agencies. All others are either optional or conditionally mandatory.

You must use the Disposition Code of 233. This code is specific for the reporting of Class C Misdemeanors and will close the arrest.

MISDEMEANOR CLASS C OFFENSE CODES

<table>
<thead>
<tr>
<th>Code</th>
<th>Citation</th>
<th>Literal</th>
</tr>
</thead>
<tbody>
<tr>
<td>12399999</td>
<td>CLASS C ASSAULT CLASS C</td>
<td></td>
</tr>
<tr>
<td>15029999</td>
<td>CLASS C THREAT CLASS C</td>
<td></td>
</tr>
<tr>
<td>23999999</td>
<td>CLASS C THEFT CLASS C</td>
<td></td>
</tr>
<tr>
<td>24999999</td>
<td>CLASS C STOLEN VEHICLE CLASS C</td>
<td></td>
</tr>
<tr>
<td>25999999</td>
<td>CLASS C FORGERY CLASS C</td>
<td></td>
</tr>
<tr>
<td>26999999</td>
<td>CLASS C FRAUD CHECKS CLASS C</td>
<td></td>
</tr>
<tr>
<td>27999999</td>
<td>CLASS C EMBEZZLEMENT CLASS C</td>
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</tr>
<tr>
<td>39999999</td>
<td>CLASS C GAMBLING CLASS C</td>
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<tr>
<td>40999999</td>
<td>CLASS C COMMERCIALIZED SEX OFFENSE CLASS C</td>
<td></td>
</tr>
<tr>
<td>41999999</td>
<td>CLASS C LIQUOR VIOLATION CLASS C</td>
<td></td>
</tr>
<tr>
<td>46999999</td>
<td>CLASS C OBSTRUCT POLICE CLASS C</td>
<td></td>
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<td>49999999</td>
<td>CLASS C FLIGHT ESCAPE CLASS C</td>
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<td>50999999</td>
<td>CLASS C OBSTRUCTION OF JUSTICE CLASS C</td>
<td></td>
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<td>51999999</td>
<td>CLASS C BRIBERY CLASS C</td>
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<td>52999999</td>
<td>CLASS C WEAPON OFFENSE CLASS C</td>
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<td>53999999</td>
<td>CLASS C PUBLIC PEACE CLASS C</td>
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<tr>
<td>54999999</td>
<td>CLASS C TRAFFIC OFFENSE CLASS C</td>
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<tr>
<td>55999999</td>
<td>CLASS C HEALTH AND SAFETY VIOL CLASS C</td>
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<tr>
<td>57999999</td>
<td>CLASS C INVASION OF PRIVACY CLASS C</td>
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</tr>
<tr>
<td>58999999</td>
<td>CLASS C SMUGGLING CLASS C</td>
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<tr>
<td>59999999</td>
<td>CLASS C ELECTION LAW VIOL CLASS C</td>
<td></td>
</tr>
<tr>
<td>61999999</td>
<td>CLASS C TAX REVENUE VIOL CLASS C</td>
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<td>62999999</td>
<td>CLASS C CONSERVATION VIOL CLASS C</td>
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<tr>
<td>70999999</td>
<td>CLASS C CRIMES AGAINST PERSON CLASS C</td>
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<td>71999999</td>
<td>CLASS C PROPERTY CRIME CLASS C</td>
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</tr>
<tr>
<td>72999999</td>
<td>CLASS C MORALS AND DECENCY CLASS C</td>
<td></td>
</tr>
</tbody>
</table>

Use one of these offense codes to report the Class C Misdemeanors.
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 is less than one year of age, 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.

<table>
<thead>
<tr>
<th>Age of Victim Mandatory Offenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>EXAMPLES:</td>
</tr>
<tr>
<td>64110018-Trafficking of Person</td>
</tr>
<tr>
<td>36010005-Indecency w/Child Sexual Contact</td>
</tr>
<tr>
<td>36140001-Indecency w/Child Exposes</td>
</tr>
<tr>
<td>11990001-Sexual Assault</td>
</tr>
<tr>
<td>11990002-Sexual Assault Child</td>
</tr>
</tbody>
</table>
AGE OF VICTIM MANDATORY OFFENSES - CCP Ch 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. If it is a two year old age of one year, 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 two digit whole number, 08, 10, 15, etc.

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Code</th>
<th>Description</th>
<th>Field</th>
</tr>
</thead>
<tbody>
<tr>
<td>64110018</td>
<td>TRAFFICKING OF PERSON</td>
<td>20A.02(b)</td>
<td>PC</td>
<td>F2</td>
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<tr>
<td>64110012</td>
<td>TRAFFICKING PERSON ENGAGE CONDUCT/SEXUAL</td>
<td>20A.02(a)(3)</td>
<td>PC</td>
<td>F2</td>
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<tr>
<td>64110013</td>
<td>TRAFFICKING PERSON ENGAGE CONDUCT/SEX/BENEFIT</td>
<td>20A.02(a)(4)</td>
<td>PC</td>
<td>F2</td>
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<tr>
<td>64110016</td>
<td>TRAFFICKING CHILD ENGAGE CONDUCT/SEXUAL</td>
<td>20A.02(a)(7)</td>
<td>PC</td>
<td>F1</td>
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<tr>
<td>64110017</td>
<td>TRAFFICKING CHILD ENGAGE CONDUCT/SEX/BENEFIT</td>
<td>20A.02(a)(8)</td>
<td>PC</td>
<td>F1</td>
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<tr>
<td>64110019</td>
<td>TRAFFIC OF PERSONS &lt;16 PROST/FORCED LABOR</td>
<td>20A.02(b)(1)</td>
<td>PC</td>
<td>F1</td>
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<tr>
<td>64110020</td>
<td>TRAFFICKING A PERSON CAUSING DEATH</td>
<td>20A.02(b)(2)</td>
<td>PC</td>
<td>F1</td>
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<tr>
<td>11990015</td>
<td>SEX ABUSE OF CHILD CONTINUOUS: VICTIM UNDER 14</td>
<td>21.02(b)</td>
<td>PC</td>
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<tr>
<td>56610005</td>
<td>INDECENCY W/CHILD SEXUAL CONTACT</td>
<td>21.11(d)</td>
<td>PC</td>
<td>F2</td>
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<tr>
<td>36140001</td>
<td>INDECENCY W/CHILD EXPOSES</td>
<td>21.11(d)</td>
<td>PC</td>
<td>F3</td>
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<tr>
<td>11990001</td>
<td>SEXUAL ASSAULT</td>
<td>22.011(a)(1)</td>
<td>PC</td>
<td>F2</td>
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<tr>
<td>11990002</td>
<td>SEXUAL ASSAULT CHILD</td>
<td>22.011(a)(C)</td>
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<tr>
<td>11990010</td>
<td>SEXUAL ASSLT PROM/PURPORT SPOUSE UNDER 14 YOA</td>
<td>22.011(b)(2)(A)</td>
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<tr>
<td>11990009</td>
<td>SEXUAL ASSLT PROM/PURPORT SPOUSE</td>
<td>22.011(b)(2)(B)</td>
<td>PC</td>
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<td>11990011</td>
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<td>22.011(f)</td>
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<tr>
<td>11990005</td>
<td>AGG SEXUAL ASSAULT OF ELDERLY/DISABLED PERSON</td>
<td>22.021(b)(2)(C)</td>
<td>PC</td>
<td>F1</td>
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<td>11990004</td>
<td>AGG SEXUAL ASSAULT CHILD</td>
<td>22.021(a)(2)(C)</td>
<td>PC</td>
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<tr>
<td>10990013</td>
<td>AGG KIDNAPPING BI/SEXUAL ABUSE</td>
<td>20.04(a)(4)</td>
<td>PC</td>
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<td>22990007</td>
<td>BURGLARY HABITATION INTEND SEX OFFENSE</td>
<td>50.02(d)</td>
<td>PC</td>
<td>F1</td>
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<tr>
<td>64070001</td>
<td>COMPelling PROSTITUTION UNDER AGE 18</td>
<td>43.05(b)</td>
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<tr>
<td>40040008</td>
<td>COMPelling PROST BY FORCE/THREAT/FRAUD</td>
<td>43.05(b)</td>
<td>PC</td>
<td>F2</td>
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<tr>
<td>64050002</td>
<td>SEXUAL PERFORM CHILD EMPLOY INDUCE/AUTHORIZE</td>
<td>43.25(c)</td>
<td>PC</td>
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<tr>
<td>64050001</td>
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<tr>
<td>64050004</td>
<td>SEXUAL PERF BY CHILD PRODUCE/DIRECT/PROMOTE</td>
<td>43.25(c)</td>
<td>PC</td>
<td>F3</td>
</tr>
<tr>
<td>64050003</td>
<td>SEXUAL PERF BY CHILD &lt;14 YRS PRODUCE/DIR/PROMO</td>
<td>43.25(c)</td>
<td>PC</td>
<td>F2</td>
</tr>
</tbody>
</table>

* 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.

Codes 8
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.
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 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.**
Correction Process

1. AGENCY
   * Identifies error
   * Prepares correction
   * Submits correction to DPS via fax or mail

2. FBI
   * Receives request from DPS
   * Updates system to reflect corrected information

3. DPS
   * Receives and reviews information
   * Archive documents are pulled
   * CCH is modified
   * Corrected documents are archived
   * FBI database is reviewed for errors
   * Request is forwarded to FBI if modification is necessary
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.

Limited corrections are available through the CJIS site for arresting agencies and prosecutors. Please contact your CJIS rep, or call CJIS Field Support at 512-424-2478, for more information.
When making this request, include the following information on your corrections:

- Contact Name
- Phone Number
- Date

Corrects Submitted by Fax or Mail

Print copy of TRN from CJIS Site

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 see FAQ of this form 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 Date
Do NOT use this form for Criminal History Record corrections.
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. 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  

ER - 3
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.
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.
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:

1. 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 line 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 DFS. Please use blue or black ink for all corrections.

2. Send a memo on agency letterhead stating that the offense is a duplicate and requesting that the DFS 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 Date
   The Duplicate TRN
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 1st individual’s fingerprints get submitted with the 2nd individual’s identifiers and arrest information.
  - The 2nd individual’s prints transmit correctly with the proper identifiers and arrest information to their SID.
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 also has an existing criminal record under SID #02020202.

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

Thief’s arrest is not applied to her criminal record under SID #07070707. Why?

Meth’s book-in/arrest information has been attached to Thief’s fingerprints creating a Bum arrest under Thief’s criminal history record.

We’re missing correct information for Thief.
The Switched Print/Switched Record (SP/SR)

- **Scenario:**
  - Two individuals are arrested and fingerprinted on the same day.
  - The 1st individual’s prints transmit correctly with the proper identifiers and arrest information to their SID.
  - The 1st individual’s prints transmit again, this time with the 2nd individual’s identifiers and arrest information, creating a new “BUM” SID.
  - The 2nd individual’s prints transmit correctly with the proper identifiers and arrest information to their SID.

- **Result:**
  - (SP/SR)—A 3rd arrest record is created and a new SID or “BUM” SID is issued.
  - This new SID contains:
    - An arrest with the 1st individual’s fingerprints attached to the 2nd individual’s arrest information and identifiers.
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 Prints/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 handout (ER-6) for example of switched record correction form.

- 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.
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: ________________ DOB: ________________
SID: ________________

Arrestee 2: Name: ________________ DOB: ________________
SID: ________________

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)
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 411.0421, 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.**

See handout (ER-8) for example of Declaration of Misuse of ID form.
EXAMPLE

DECLARATION OF IDENTITY MISUSE/THEFT & CONSENT DOCUMENT

NAME: Adams, Samuel
POB: TX CTZ: US SEX: M RACE: W ETHNICITY: N HGT: 5'00 WGT: 220
HAIR BRO
DATE OF BIRTH: 01/23/1946 SOCIAL SECURITY NUMBER: 123-45-6769
DATE OF THEFT OR REPORT: 09/20/2016 OCA: 16-12345
ADDRESS OF INDIVIDUAL FILING REPORT:
Street/PO Box: 123 Main Street City/State/Zip: Nowhere, Texas 55555
Optional Information:
SCARS/MARKS/TATTOOS: SC Neck, Tat UR Arm
DRIVER LICENSE NUMBER: 87654421 DL STATE: TX DL EXP: 2020

AFAs (or other supplemental data): Adams, Sam; Babbo XX

By signing this document, hereby provide permission to 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 provide for future identification verification purposes. I am also providing permission to enter my photographs and fingerprints into any file 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 (NCIC) respectively for any authorized purposes. I am providing this data voluntarily as 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 file 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 no thereafter be accessible via TICNIC terminals, but it will be retained as a permanent record in the TxDPS APIS and the FBI as a record of the entry 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.)

Compliant Signature 09/28/2016

(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 my social security number is voluntary; it is being requested pursuant to 28 U.S. § 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/County Attorney Signature 09/28/2016

Sherrif Signature Agency ORI Date 09/28/2016

Please mail to:
Texas Department of Public Safety
Crime Records Service – MSC 0230
ATTN: Error Resolution
P.O. Box 4143
Austin, Texas 78765-4143
Art. 55.01. RIGHT TO EXPUNCION.

(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 EXPUNCION.

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.
- 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, Service Code 11FT12, by calling (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. Results will be emailed in 2-3 days.

- Another option is to obtain a criminal record directly from the FBI. The cost of this service is $18.00. Current processing time is 14-16 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-Summary Request
  1000 Custer Hollow Road
  Clarksburg, WV  26306
Helpful Contacts
For additional assistance, contact the appropriate section below:

LIVESCAN TRANSMISSION PROBLEMS:
- Loann Garcia, Livescan Coordinator
  livescan@dps.texas.gov
  (512) 424-2409

ELECTRONIC DISPOSITION REPORTING (EDR) PROBLEMS:
- Cassandra Richey, EDR Coordinator
  cassandra.richey@dps.texas.gov
  (512) 424-2479

SID CONFIRMATION/ MISRAPS:
- Crime Records- Fingerprint Section
  fp.processing@dps.texas.gov
  (512) 424-5248

CRIMINAL HISTORY RECORD CORRECTIONS:
- fax (512) 424-2476

DRIVERS LICENSE CONVICTION REPORTING:
- DPS Enforcement and Compliance (ECS)
  convictionreporting@dps.texas.gov
  (512) 424-2031 / fax (512)424-5809 or 2231

DRIVER LICENSE ERRORS:
- DPS Driver License Bureau
  DriverLicenseErrors@dps.texas.gov
  (512) 424-5806

DRIVER LICENSE FRAUD:
- DPS Joint Crime Information Center
  txjcic@dps.texas.gov
  512-424-7981

DRIVER LICENSE SUSPENSIONS:
- 512-424-2600
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