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# CRIMINAL JUSTICE RAP BACK PARTICIPATION GUIDE

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## **CRIMINAL JUSTICE RAP BACK PROGRAM OVERVIEW**

The core function of the Criminal Justice Rap Back Program of Texas is to notify authorized entities when a person who has fingerprints on file with the FBI is arrested or has criminal activity associated with those fingerprints.

This capability provides a significant benefit to criminal justice agencies by providing notifications on individuals under authorized investigation or supervision.

Accordingly, at the discretion of the agency, the Criminal Justice Rap Back Program functions can be applied to the fingerprints of probationers, parolees, sex offenders, persons under direct court supervision, and other officially supervised persons.

In addition, law enforcement agencies can place Criminal Justice Rap Back subscriptions on suspects and other persons involved in their investigations.

There is no fee to participate in the Criminal Justice Rap Back Program of Texas.

## **AGENCY/USER REQUIREMENTS**

### **AUTHORITY TO ACCESS SITE**

The Criminal Justice Agency accessing the Criminal Justice Rap Back Site must have a criminal justice ORI assigned by the FBI CJIS Division.

### **CONSENT TO SYSTEM MONITORING AND AUDIT**

By participating in the Criminal Justice Rap Back Program of Texas and by using the Criminal Justice Rap Back Site, users understand that this system is restricted to authorized users only. System usage is monitored and recorded, and is subject to audit. Unauthorized access and/or misuse of the system is prohibited and may result in criminal and/or civil penalties. Use of the system indicates consent to monitoring, recording, and audit.

### **INDIVIDUAL USER ACCOUNTS**

Users may only access this site with an assigned User ID. No person is permitted to use this site using another person's User ID and Password.

### **AUTHORITY TO SUBSCRIBE**

The Subscribing Criminal Justice Agency may only subscribe to persons:

- Under statutory or court ordered supervision; or
- Under authorized investigations.
  - Investigative subscriptions can only be established in relation to law enforcement cases assigned an official agency case number that still have a charge within its statute of limitations.

- Agencies can subscribe to only those individuals whom they can legally run an online Interstate Identification Index (III) criminal history query transaction.

Additionally, the Subscribing Agency must have complete confidence in a subject's identity prior to setting a subscription on the identity.

#### EXAMPLE: CRIMINAL INVESTIGATION

The robbery division of Dallas Police Department has a suspect for one of their cases. The investigator periodically needs an updated criminal history on this suspect, which can be requested through TLETS. The investigator wants to know if any arrests or warrants have been issued on this suspect.

The investigator can create a Criminal Justice Rap Back subscription to receive notifications regarding any arrest or warrants on the suspect. The Criminal Justice Rap Back Program will eliminate the need to continue requesting criminal history information through TLETS and will provide an automatic email notification whenever a new event occurs.

#### EXAMPLE: CRIMINAL SUPERVISION

The Garza County Juvenile and Adult Probation Office is required to monitor activities on their current supervised individuals. An adult probation officer has a supervised individual that has been arrested and released from custody. The probation officer needs to know when a revocation warrant has been issued on that individual for the arrest.

The officer can create a Criminal Justice Rap Back subscription in order to receive automatic notification of any warrants that have been issued on that individual.

#### VALID CASE NUMBER

All subscriptions set in the Criminal Justice Rap Back Site are required to have a valid case number. The purpose of this requirement is to ensure the agency has the [Authority to Subscribe](#) to the individual.

#### REQUIREMENT TO PROTECT DATA

The Criminal Justice Rap Back Program of Texas does not create any new authority for agencies to receive criminal history record information (CHRI). It is simply a new manner through which criminal justice agencies can request and receive CHRI. Accordingly, CHRI disseminated for criminal justice purposes from the Criminal Justice Rap Back Program of Texas is subject to the same legal and policy restrictions as the use of any CHRI disseminated from CJIS for criminal justice purposes.

The Subscribing Agency must continue to use appropriate caution after receipt of any Rap Back Subscription Responses or Rap Back Notifications.

The CJIS Security Policy outlines the requirements for all criminal justice agencies that access criminal justice information. The CJIS Security Policy may be found at the link below.

<http://dps.texas.gov/SecurityReview/documents.htm>

## SUBSCRIPTION EXPIRATION, VALIDATION, AND CANCELLATION

- For subscriptions on individuals under supervision (probation, parole, sex offender, etc.) the expiration date is set to five years from the date the subscription is created.
  - The Subscribing Agency is required to cancel the subscription once the individual is no longer under supervision.
  - If the supervision period is longer than five years, the subscription can be extended an indefinite number of times as long as the person remains on supervision.
  - Yearly validations of subscriptions are required to ensure the subscription is still necessary. The Subscribed Agency can review subscriptions set to expire in their “Subscriptions requiring Validation” worklists.
  - If the subscription is not extended or cancelled by the validation date, it will be automatically cancelled.
  
- For subscriptions on individuals under investigation, the expiration date is set to one year from the date the subscription is created.
  - The Subscribing Agency is required to cancel the subscription once the individual is no longer under investigation.
  - If the investigation lasts more than a year, the subscription can be extended an indefinite number of times as long as the person remains under investigation in relation to a case assigned an official agency case number that still has a charge within its statute of limitations.
  - Yearly validations of subscriptions are required to ensure the subscription is still necessary. The Subscribed Agency can review subscriptions set to expire in their “Subscriptions requiring Validation” worklists.
  - If the subscription is not extended or cancelled by the validation date, it will be automatically cancelled.

## GETTING STARTED

Once your agency has reviewed and understands the requirements above, your agency can request access to the DPS Secure Site for the Criminal Justice Rap Back Program of Texas. The following items need to be completed to successfully obtain access.

### LETTER OF INTENT

A Letter of Intent is required to create a Criminal Justice Rap Back Site account. The letter will be uploaded when requesting an account. The same letter can be used for multiple user accounts and should not be specified for a specific user.

The Letter of Intent Must:

- Be drafted on agency letterhead
- Include the agency's active criminal justice ORI number
- Include the agency's intended use for the account (Criminal Supervision or Criminal Investigations)
- Identify whether the account is to be used for the entire agency or a specific unit in the agency; and
- Be signed by a top official who has the authority to contractually obligate the agency, such as a Chief, Sheriff, or District Attorney

#### EXAMPLE: DALLAS POLICE DEPARTMENT CID

*Dallas Police Department's CID unit (TXDPD0000) requests access to the Criminal Justice Rap Back Site for use in Investigations. We have read and agree to all requirements for using the Criminal Justice Rap Back Site.*

*Signed by the Chief of Police*

#### EXAMPLE: ANGELINA COUNTY CSCD

*Angelina County CSCD is requesting access to the Criminal Justice Rap Back Site in order to assist Parole Officers in the supervision of parolees. This account will be used for any CSCD employee requesting access to the site.*

*TX003015G*

*Signed by the Director*

## REQUEST ACCOUNT

1. Go to <https://secure.txdps.state.tx.us/FACT/> and select New Users in the main page or New User Sign Up in the sidebar.
2. Enter your work email.
  - a. "Position" email addresses such as "detective1@agency.gov" will not be accepted.
  - b. If you have access to the FACT Clearinghouse and/or CCH applications on the DPS Secure Site using an email address as your User ID, a different email must be used for account creation.
  - c. If you have access to the Sex Offender Registration application on the DPS Secure Site and would like to use your existing login credentials, please contact the Rap Back Unit at [rapbackunit@dps.texas.gov](mailto:rapbackunit@dps.texas.gov) for further instructions.
3. Follow the steps provided on the website. Upload the Letter of Intent in the Intended Use Document field.
4. Additional users for the account must submit their own applications, and may use the same Letter of Intent as the original account request.

## ACCOUNT APPROVAL

The Rap Back Unit will review the application. Once the request for access has been approved, an email including an activation link will be sent to the individual requesting access on behalf of the agency. The individual can use this link to begin utilizing the Criminal Justice Rap Back Site.

The Rap Back Unit will also provide the user with the Criminal Justice Rap Back User Guide through the Message Center, which will assist in navigating the site and creating Criminal Justice Rap Back subscriptions.

# SUBSCRIPTION SETTINGS

## REQUIRED FIELDS

### ORIGINATING CASE NUMBER

All subscriptions set in the Criminal Justice Rap Back Site are required to have a valid case number. The purpose of this requirement is to ensure the agency has the [Authority to Subscribe](#) to the individual.

### RAP BACK CATEGORY (RBC)

- Criminal Justice Supervision (CS)
- Law Enforcement Investigative (CI)

### RAP BACK TRIGGERS (RBT)

Subscribing Agencies will always be notified when their subscribed persons are re-arrested and the FBI CJIS Division is notified of the arrest (Trigger 1). In addition, the Subscribing Agency may elect to receive Rap Back Activity Notifications on any or all of the other available triggering events.

1. Criminal Retain Submission
  - a. This is the only mandatory trigger
  - b. Includes criminal tenprint retain transactions (Arrest Events) and National Fingerprint File (NFF) Criminal Print Identification (CPI) submissions
2. Dispositions
4. Update (Expungement/Partial Expungement)
5. Want Addition
6. Want Deletion
7. Want Modification
8. SOR Addition
9. SOR Deletion
10. SOR Modification
12. Death Notices

### RAP BACK DISCLOSURE INDICATOR (RBDI)

The Rap Back Disclosure Indicator (RBDI) determines the visibility of subscriptions on Identity History Summaries (Rap Sheets) sent to other criminal justice agencies from CJIS for criminal justice purposes.

**If the RBDI = Yes, it is very important to use the [Rap Back Attention Indicator \(RBATN\)](#) field as the Identity History Summary will show TXDPS as the subscribing agency.**

- Supervision (CS) subscriptions will always display on Rap Sheets provided to criminal justice agencies for criminal justice purposes, and the RBDI will always be set to Yes.
- Investigative (CI) subscriptions can be set to display on criminal justice Rap Sheets or not, depending on the preference of the Subscribing Agency.

## OPTIONAL FIELDS

### ATTENTION INDICATOR (ATN)

The Attention Indicator (ATN) field is for **internal** agency use. It should contain the designation of the individual to whose attention a response is to be directed.

- The maximum number of characters in this field is 30.
- Periods cannot be used in this field.
- Example: DET JOHN SMITH 555-555-5555

This field should not be confused with the [Rap Back Attention Indicator \(RBATN\)](#) field.

### RAP BACK ATTENTION INDICATOR (RBATN)

The Rap Back Attention Indicator (RBATN) field is for **external** agency use. This field should contain the designation of the individual or section in the Subscribing Agency for other agencies to contact if they have any questions or notifications pertaining to the subscription.

- This field will only display if the [RBDI field](#) = Yes.
  - **If this is the case, it is very important to use the RBATN field as the Identity History Summary will show TXDPS as the subscribing agency.**
- The maximum number of characters in this field is 50.
- Periods cannot be used in this field.
- Example: AUSTIN PD, INVESTIGATION UNIT, 555-555-5555

## RAP BACK NOTIFICATIONS (RBNS)

When an event in a subscription's selected [Triggers](#) (such as an arrest) occurs, the Criminal Justice Rap Back Site will send an email notifying your agency of the new event. You will be able to see the new event details along with an updated Identity History Summary within the Criminal Justice Rap Back Site.

If an event notification is received and your agency determines that they no longer have the [Authority to Subscribe](#), the subscription must be cancelled.