



# 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: Holly Morris**

**Section Supervisor: Brittany Chromcak**

**CCH Quality Technicians:**

*(starting from back row, left to right)*

**Tommy Urias**

**Lexi Burchett**

**Deborah Maldonado**

**Traci Thoene**

**Dana White**

**Angie Garrett**

**Judit Pina**

**Carol Ockletree**

**Kerrie Herrera**

**Mike Morales**

**Larry Lewis**

**Betsy Post**

**Brittney Daniel**



# Introduction

- 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 66

**06** Government Code 411

## **ARREST RECORDS**

**07** SID Numbers

**08** Class C Misdemeanors

**11** Age of Victim

**13** Problem Arrests

## **CORRECTIONS**

**14** Correction Process

**16** Electronically Submitted Corrections

**17** 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 66 Code of Criminal Procedure

During the 71<sup>st</sup> Regular Session in 1989, the Texas Legislature made sweeping changes in the criminal justice system. House Bill 2335 and Senate Bill 41 created Chapter 60 of the Code of Criminal Procedures (CCP). In 2017, the 85<sup>th</sup> Legislature passed House Bill 2931, revising certain provisions of the Code of Criminal Procedure, including adding Chapter 66 which replaced Chapter 60 in 2019.

Chapter 66 outlines and defines the Criminal Justice Information Systems (CJIS). The Texas Department of Public Safety (DPS) and the Texas Department of Criminal Justice (TDCJ) were called upon to create a comprehensive system that includes relevant data for criminal justice agencies responsible for the arrest, prosecution, adjudication and correction of criminal offenders.

This data is maintained in a statewide Computerized Criminal History (CCH) database.

- **Article 66.101. COMPUTERIZED CRIMINAL HISTORY SYSTEM DATABASE**
  - The Department of Public Safety shall record data and maintain the computerized criminal history system that serves as the record creation point for criminal history information maintained by the state.
  
- **Article 66.102 INFORMATION CONTAINED IN COMPUTERIZED CRIMINAL HISTORY SYSTEM**
  - 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 66.252. REPORTING OF INFORMATION BY LOCAL ENTITIES**
  - Information for any case where an individual was arrested for a Felony or Misdemeanor offense Class B or greater, shall be reported to DPS and maintained in CCH, from the time an offender is arrested to the time an offender is released.
  - Additionally, Law Enforcement Agencies must submit Class C Family Violence offenses to DPS. All other Misdemeanor Class C offenses are not required by statute but are strongly encouraged to report.

**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.

**In 2019 there were 17,395 authorized agencies that access the TXDPS CCH Secure Website to obtain criminal history information.**

- Of the total agencies, 2758 are criminal justice and 14,637 are non-criminal justice.
- There are 10,821,259 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.**

# Government Code

## Section 411.083

### Dissemination of Criminal History Record Information

# State Identification Numbers (SID's)



- On 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.



- 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.
- 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. House Bill 1528, signed by the governor on June 10, 2019 with an effective date of Sept. 1, 2019, changed portions of the Code of Criminal Procedure, Article 66.252, by amending Subsection (b)(3) and adding Subsection (g), regarding Class C Misdemeanor offense reporting:
  - (b) The arresting law enforcement agency shall prepare a uniform incident fingerprint card and initiate the reporting process for each offender charged with:
    - (1) a felony;
    - (2) a misdemeanor for which a term of confinement may be imposed; or
    - (3) a misdemeanor punishable by fine only that involves family violence, as defined by Section 71.004, Family Code.
  - (g) On disposition of a case in which an offender is charged with a misdemeanor described by Subsection (b)(3), the clerk of the court exercising jurisdiction over the case shall report the applicable information regarding the person's citation or arrest and the disposition of the case to the DPS.
- Please use the Class C offense code list and no longer use 99999999.
- Agencies shall use the arrest disposition code of 235 for Class C Family Violence arrests only. This code allows a court reporting to follow.
- Arresting agencies must continue to use the 233 arrest disposition code for all other Class C arrests. This code is specific for the reporting of Class C Misdemeanors and will close the arrest.
- 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.

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

**MISDEMEANOR CLASS C OFFENSE CODES**

| <b>Offense Code</b> | <b>Citation</b> | <b>Literal</b>                     |
|---------------------|-----------------|------------------------------------|
| 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         |
| 73999999            | CLASS C         | PUBLIC ORDER CRIMES CLASS C        |

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

|                       |   |           |                         |                                   |                                   |                      |                       |                         |                         |                           |                          |                          |                       |     |                          |     |                           |  |       |          |  |
|-----------------------|---|-----------|-------------------------|-----------------------------------|-----------------------------------|----------------------|-----------------------|-------------------------|-------------------------|---------------------------|--------------------------|--------------------------|-----------------------|-----|--------------------------|-----|---------------------------|--|-------|----------|--|
| TRN                   | 123456789X                                  |           | DATE OF ARREST (DDMM)   | 01012005                          | DPS NO. (SD)                      | 12345678             | FBI NO.               | CONTRIBUTOR ORI         | TX0000000               | OUT OF COUNTY (YES)       | <input type="checkbox"/> | OUT OF COUNTY (ORI)      |                       |     |                          |     |                           |  |       |          |  |
| ARREST/IDENTIFICATION | NAME (LAST, FIRST, MIDDLE/INITIAL)          |           | Test Record Middle Jr   |                                   | DATE OF BIRTH (DDMMYY)            | 01011900             | PLACE OF BIRTH (POB)  | TX                      | SEX                     | M                         | ETH                      | N                        | HGT                   | 601 | WGT                      | 195 | OUT OF COUNTY WARRANT NO. |  |       |          |  |
|                       | BRN   | XXX       | FAIR                    | 123456789                         | BALD; GLASSES; MISS L FT          |                      |                       |                         | LEAVE BLANK             |                           |                          |                          |                       |     |                          |     |                           |  |       |          |  |
|                       | AS  | 123456789 | US                      | 12345678                          | TX                                | C                    | 12345678              | TX                      |                         |                           |                          |                          |                       |     |                          |     |                           |  |       |          |  |
|                       | LICENSE CERTIFICATION AND ISSUING AUTHORITY |           |                         |                                   | Realtor-TX Real Estate Commission |                      |                       |                         | Real-99999              |                           |                          |                          |                       |     |                          |     |                           |  |       |          |  |
|                       | ALIAS NAME(S) (LAST)                        |           | Rubble, Bamey; Slim, XX |                                   | ADDRESS                           |                      | 10999 Imagination Ave |                         | CITY                    |                           | Austin                   |                          | STATE                 |     | TX                       |     | ZIP                       |  | 78752 |          |  |
|                       | CHARGING AGENCY (ORI)                       |           | TX0000000               |                                   | CHARGING AGENCY NAME              |                      | Charging Agency Name  |                         | AGENCY ARREST NO. (AGN) |                           | 2468                     |                          | AGENCY CASE NO. (OCA) |     | ABC-123                  |     | FIREARM CODE              |  | K     |          |  |
|                       | TRN   | A001      | SOB                     | DOMESTIC VIOLENCE OFFENSE? Y or N | Y                                 | OFFENSE CODE (A/C/N) | 13999999              | OFFENSE LITERAL (A/C/L) | Insert Offense Literal  |                           |                          |                          |                       |     |                          |     |                           |  |       |          |  |
|                       | VICTIM'S AGE (YE)                           | Class C   |                         | STATUTE CITATION (C/T)            | 00.00 (A)(2) PC                   |                      | LEVEL                 | C                       | FELONY (A/N) 3 or 9     | MISDEMEANOR (A, B or C)   | C                        | DATE OF OFFENSE (DDMMYY) | 01012005              |     | WARRANT HOLDER ORI       |     |                           |  |       |          |  |
|                       | WARRANT HOLDER CASE NO.                     | 235       |                         | ARREST DISPOSITION (A/C/N)        | 01012005                          |                      | PROSECUTOR OR (ORI)   | TX0000000               |                         | TRNS HAZ MATERIAL? Y or N | Y                        | ORIS COM VEHICLE TYPE    | ZY99A ME 06           |     | LICENSE NO. (D/T/E 10/1) |     | Y                         |  |       |          |  |
|                       | PREPARED BY: PLSGAE PRINT                   |           |                         |                                   |                                   |                      |                       |                         |                         |                           | Print Full Name Legibly  |                          |                       |     |                          |     |                           |  |       |          |  |
|                       |   |           |                         |                                   |                                   |                      |                       |                         |                         | DATE                      |                          |                          |                       |     |                          |     |                           |  |       | 01012005 |  |

### MISDEMEANOR CLASS C ARRESTS FAMILY VIOLENCE

When your agency makes an arrest on a Misdemeanor Class C charge that meets the definition of family violence as defined in Family Code 71.004, complete the CR-43 as the above example. **Reporting Family Violence Class C Misdemeanor charges is mandatory.** Fill out the CR-43, including the following fields:

|                     |  |
|---------------------|--|
| TRN                 |  |
| Date of Arrest      |  |
| Contributor ORI     |  |
| Name                |  |
| Date of Birth       | <b>Offense Code – 13999999 - Assault Class C</b>                           |
| Place of Birth      | <b>Offense Literal - The specific literal of the MC being charged</b>      |
| Sex                 | <b>Level &amp; Degree – Use the L/D of MC</b>                              |
| Race                | <b>Domestic Violence - Must have "Y" entered</b>                           |
| Height              | <b>Arrest Disposition – Must use the Arrest Disposition Code 235</b>       |
| Weight              | <b>Arrest Disposition Date</b>   |
| Eye Color           | <b>Prosecutor ORI - If the city prosecutor does not have their own ORI</b> |
| Hair Color          | <b>then use the Charging Agency ORI</b>                                    |
| Skin Tone           |  |
| Citizenship         |  |
| Charging Agency ORI |  |
| TRS Number          |  |

\*You must use the ADN 235 for all Class C charges that meet the definition of family violence as defined in Family Code 71.004.

\*Misdemeanor Class C offense codes are listed in the table at the back of the manual, page Codes 7, you must use the appropriate Class C offense code.

\*All other Class C Misdemeanor offenses are strongly encouraged to be reported using the ADN 233

Arrest 15

|                       |   |                 |                         |                                   |                                   |                      |                       |                         |                         |                           |                          |                          |                       |     |                          |     |                           |  |       |          |  |
|-----------------------|---|-----------------|-------------------------|-----------------------------------|-----------------------------------|----------------------|-----------------------|-------------------------|-------------------------|---------------------------|--------------------------|--------------------------|-----------------------|-----|--------------------------|-----|---------------------------|--|-------|----------|--|
| TRN                   | 123456789X                                  |                 | DATE OF ARREST (DDMM)   | 01012005                          | DPS NO. (SD)                      | 12345678             | FBI NO.               | CONTRIBUTOR ORI         | TX0000000               | OUT OF COUNTY (YES)       | <input type="checkbox"/> | OUT OF COUNTY (ORI)      |                       |     |                          |     |                           |  |       |          |  |
| ARREST/IDENTIFICATION | NAME (LAST, FIRST, MIDDLE/INITIAL)          |                 | Test Record Middle Jr   |                                   | DATE OF BIRTH (DDMMYY)            | 01011900             | PLACE OF BIRTH (POB)  | TX                      | SEX                     | M                         | ETH                      | N                        | HGT                   | 601 | WGT                      | 195 | OUT OF COUNTY WARRANT NO. |  |       |          |  |
|                       | BRN   | XXX             | FAIR                    | 123456789                         | BALD; GLASSES; MISS L FT          |                      |                       |                         | LEAVE BLANK             |                           |                          |                          |                       |     |                          |     |                           |  |       |          |  |
|                       | AS  | 123456789       | US                      | 12345678                          | TX                                | C                    | 12345678              | TX                      |                         |                           |                          |                          |                       |     |                          |     |                           |  |       |          |  |
|                       | LICENSE CERTIFICATION AND ISSUING AUTHORITY |                 |                         |                                   | Realtor-TX Real Estate Commission |                      |                       |                         | Real-99999              |                           |                          |                          |                       |     |                          |     |                           |  |       |          |  |
|                       | ALIAS NAME(S) (LAST)                        |                 | Rubble, Bamey; Slim, XX |                                   | ADDRESS                           |                      | 10999 Imagination Ave |                         | CITY                    |                           | Austin                   |                          | STATE                 |     | TX                       |     | ZIP                       |  | 78752 |          |  |
|                       | CHARGING AGENCY (ORI)                       |                 | TX0000000               |                                   | CHARGING AGENCY NAME              |                      | Charging Agency Name  |                         | AGENCY ARREST NO. (AGN) |                           | 2468                     |                          | AGENCY CASE NO. (OCA) |     | ABC-123                  |     | FIREARM CODE              |  | K     |          |  |
|                       | TRN   | A001            | SOB                     | DOMESTIC VIOLENCE OFFENSE? Y or N |                                   | OFFENSE CODE (A/C/N) | 00009999              | OFFENSE LITERAL (A/C/L) | Insert Offense Literal  |                           |                          |                          |                       |     |                          |     |                           |  |       |          |  |
|                       | VICTIM'S AGE (YE)                           | 00.00 (A)(2) PC |                         | STATUTE CITATION (C/T)            | 00.00 (A)(2) PC                   |                      | LEVEL                 | C                       | FELONY (A/N) 3 or 9     | MISDEMEANOR (A, B or C)   | C                        | DATE OF OFFENSE (DDMMYY) | 01012005              |     | WARRANT HOLDER ORI       |     |                           |  |       |          |  |
|                       | WARRANT HOLDER CASE NO.                     | 233             |                         | ARREST DISPOSITION (A/C/N)        | 01012005                          |                      | PROSECUTOR OR (ORI)   | TX0000000A              |                         | TRNS HAZ MATERIAL? Y or N | Y                        | ORIS COM VEHICLE TYPE    | ZY99A ME 06           |     | LICENSE NO. (D/T/E 10/1) |     | Y                         |  |       |          |  |
|                       | PREPARED BY: PLSGAE PRINT                   |                 |                         |                                   |                                   |                      |                       |                         |                         |                           | Print Full Name Legibly  |                          |                       |     |                          |     |                           |  |       |          |  |
|                       |   |                 |                         |                                   |                                   |                      |                       |                         |                         | DATE                      |                          |                          |                       |     |                          |     |                           |  |       | 01012005 |  |

### MISDEMEANOR CLASS C ARRESTS

When your agency makes an arrest on a Misdemeanor Class C charge, complete the CR-43 as the above example. **Reporting Class C Misdemeanor charges is voluntary.** Fill out the CR-43, including the following fields:

|                     |  |
|---------------------|--|
| TRN                 |  |
| Date of Arrest      |  |
| Contributor ORI     |  |
| Name                |  |
| Date of Birth       | <b>Offense Code – Table listed on page Codes 7</b>                         |
| Place of Birth      | <b>Offense Literal - The specific literal of the MC being charged</b>      |
| Sex                 | <b>Level &amp; Degree – Use the L/D of MC</b>                              |
| Race                | <b>Arrest Disposition – Must use the Arrest Disposition Code 233</b>       |
| Height              | <b>Arrest Disposition Date</b>   |
| Weight              | <b>Prosecutor ORI - If the city prosecutor does not have their own ORI</b> |
| Eye Color           | <b>then use the Charging Agency ORI</b>                                    |
| Hair Color          |  |
| Skin Tone           |  |
| Citizenship         |  |
| Charging Agency ORI |  |
| TRS Number          |  |

\*Misdemeanor Class C offense codes are listed in the table at the back of the manual, page Codes 7, you must use the appropriate Class C offense code.

\*You must use the ADN 233 for all Class C charges. If any other ADN is used, the arrest will be counted on the Completeness Reports and will appear in the Open Arrest Reports.

Arrest 14

# Article 66.102 (h) Age of Victim Mandatory Offenses

- 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.

## Age of Victim

## Mandatory Offenses

### EXAMPLES:

64110018-Trafficking of Person

36010005-Indecency w/Child Sexual Contact

36140001-Indecency w/Child Exposes

11990001-Sexual Assault

11990002-Sexual Assault Child

### AGE OF VICTIM MANDATORY OFFENSES - CCP Ch 66.102(h)

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 to 99 years of age, the number should be entered into the field as a two digit whole number, 08, 10, 15, etc. If the victim is over 99 years of age, then 99 should be entered in the field and the age should be included in the Offense Literal field as 100 yrs, 101 yrs, etc.

|          |  |                 |    |    |
|----------|--|-----------------|----|----|
| 64110018 | TRAFFICKING OF PERSON                          | 20A.02 (b)      | PC | F2 |
| 64110012 | TRAFFICKING PERSON ENGAGE CONDUCT/SEXUAL       | 20A.02(a)(3)    | PC | F2 |
| 64110013 | TRAFFICKING PERSON ENGAGE CONDUCT/SEX/BENEFIT  | 20A.02(a)(4)    | PC | F2 |
| 64110016 | TRAFFICKING CHILD ENGAGE CONDUCT/SEXUAL        | 20A.02(a)(7)    | PC | F1 |
| 64110017 | TRAFFICKING CHILD ENGAGE CONDUCT/SEX/BENEFIT   | 20A.02(a)(8)    | PC | F1 |
| 64110019 | TRAFFIC OF PERSONS <18 PROST/FORCED LABOR      | 20A.02(b)(1)    | PC | F1 |
| 64110020 | TRAFFICKING A PERSON CAUSING DEATH             | 20A.02(b)(2)    | PC | F1 |
| 11990015 | SEX ABUSE OF CHILD CONTINUOUS: VICTIM UNDER 14 | 21.02(b)        | PC | F1 |
| 36010005 | INDECENCY W/CHILD SEXUAL CONTACT               | 21.11(d)        | PC | F2 |
| 36140001 | INDECENCY W/A CHILD EXPOSES                    | 21.11(d)        | 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 |
| 64070001 | COMPELLING PROSTITUTION UNDER AGE 18           | 43.05(b)        | PC | F1 |
| 40040008 | COMPELLING PROST BY FORCE/THREAT/FRAUD         | 43.05(b)        | PC | F2 |
| 64050002 | SEXUAL PERFORM CHILD EMPLOY INDUCE/AUTHORIZE   | 43.25(c)        | PC | F2 |
| 64050001 | SEXUAL PERF BY CHILD <14YRS EMPLOY/DIR/PROMO   | 43.25(c)        | PC | F1 |
| 64050004 | SEXUAL PERFORM CHILD PRODUCE/DIRECT/PROMOTE    | 43.25(e)        | PC | F3 |
| 64050003 | SEXUAL PERF BY CHILD <14 YRS PRODUCE/DIR/PROMO | 43.25(e)        | PC | F2 |

\* 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



# 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.**

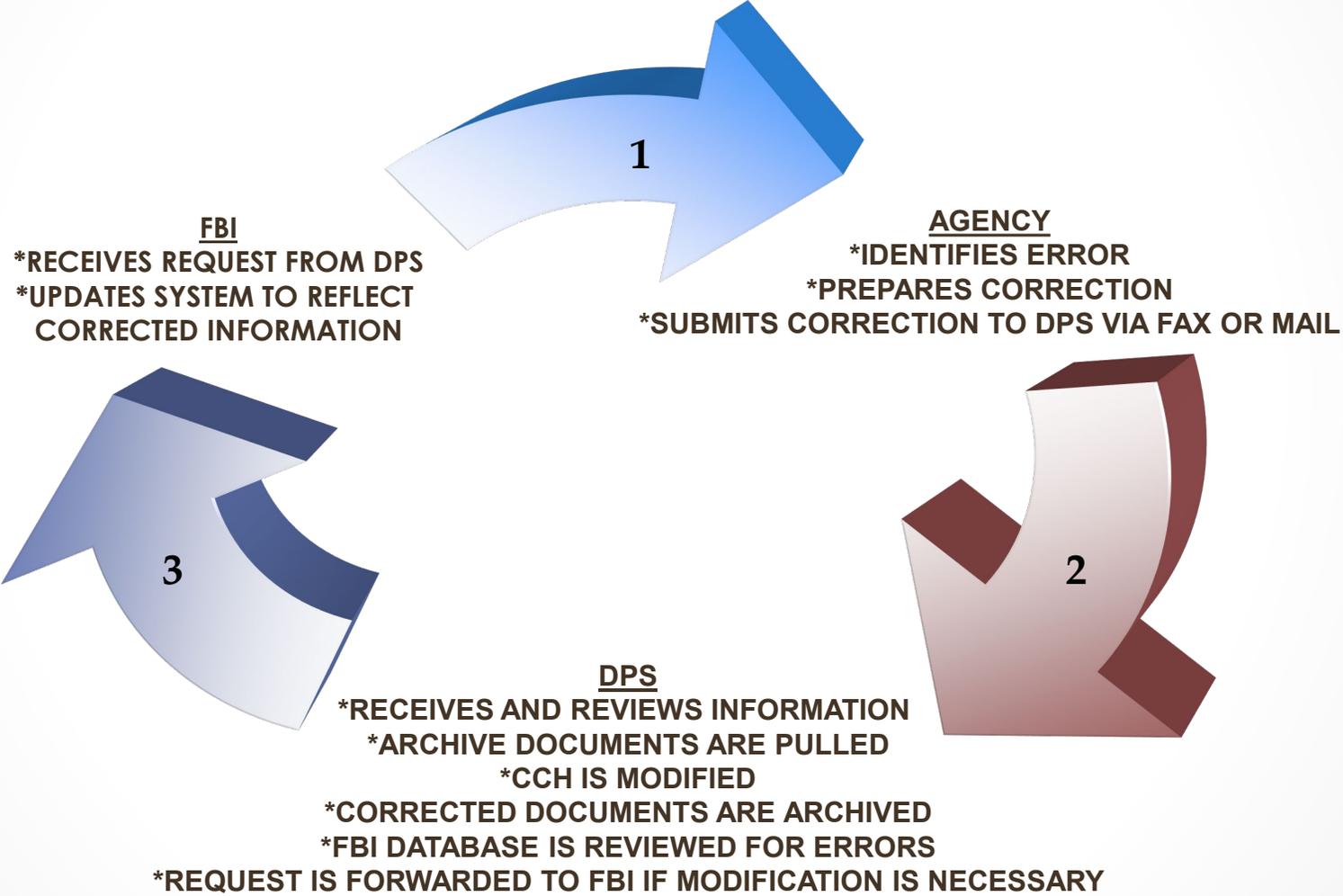
# Corrections

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



# Electronically Submitted Corrections

**Please do not attempt to submit a correction electronically, via Livescan or EDR transactions.**

**An attempt to correct these transactions by re-submitting the transmission will only cause or create further errors and duplicates.**

**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

# Corrections Submitted by Fax or Mail

**CR-43 Example of Corrections**



Texas Department of Public Safety - Computerized Criminal History

**Online EDR**

|  |                 |
|--|-----------------|
| SID Number: 07777777   | Name: ODE, JANE |
| TRN Number: 303900020  | Sex: F          |
| TRS Code: <input type="checkbox"/> Select TRS... <input checked="" type="checkbox"/> | Race: B         |
|  | DOB: 01/01/1950 |
|  | JUV:            |

Print copy of TRN

Add Charge   Add Prosecution   Add Court   Modify Arrest

|                            |   |
|----------------------------|---|
| Date of Entry: 12/07/2008  | Last Updated: 09/29/2014                |
| Date of Arrest: 05/05/2004 | Sequence: 303900020                     |
| Status: A                  | Juv. File:                              |
| Name: HARRISON, JOHN WAYNE | Address: 503 WOLVERTON DR. City: AUSTIN |
| State: TX                  | Zip: 78745                              |
| ORI: TX0681200             | HAZ Code:                               |
| License Plate: 3WJH01      | License State: TX                       |
| License Year: 2004         |   |

|  |  |   |
|--|--|---|
| 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 (ADN): 13990031        | Offense (OFF): ASSAULT CAUSES BODILY INJURY FAMILY MEMBER |
| Offense Literal (ADL): ASSLT CAUSES BODILY | Statute Citation (CIT): PC 22.01(2)(1) | Level and Degree (LDA): MB                                |
| Date of Offense (DOO): 04/04/2004          | Disposition Number (ADN): 220          | Disposition Date (ADA): 05/06/2004                        |
| Disposition Literal (ADD): HELD            | Referred Prosecutor (REF): TX9999999   |   |

from CJIS Site

Correction

Contact Name:  
Phone number:  
Date:

|  |   |  |                           |                                    |                                      |
|--|---|--|---------------------------|------------------------------------|--------------------------------------|
| TRN: 123 456 789X  | DATE OF ARREST: 01012005                        | EPS NO.: 12345678  | FORM: TX0000000           | OUT OF COUNTY OR: YES              | OUT OF COUNTY OR: NO                 |
| NAME (LAST/FIRST/MI): Test, Record Middle Jr                                   | DATE OF BIRTH: 01011900                         | PLACE OF BIRTH: TX   | SEX: M                    | HAIR: W                            | ETH: N                               |
| EYE (HMR BRO) XXX: FAR   | SOCIAL SECURITY NO.: 123456789                  | SCARS, MARKS, TATTOOS, AMPUTATIONS: BALD; GLASSES; MISS L FT | HT: 601                   | WT: 195                            | LEAVE BLANK                          |
| MISC NO.: AS 123456789   | CITY: US  | DRIVER LICENSE NO.: 12345678                                 | STATE: TX                 | TYPE: C                            | RD CARD NO.: 12345678                |
| LICENSE CERTIFICATION AND ISSUING AUTHORITY: Realtor-TX Real Estate Commission | EXPIRES: Real-99999                             |  |                           |                                    |                                      |
| ALIAS NAME(S): Rubble, Barney; Nickname, Silm                                  | ADDRESS: 10999 Imagination Ave                  | CITY: Austin   | STATE: TX                 | ZIP: 78752                         |                                      |
| ARRESTING AGENCY OR: TX0000000   | ARRESTING AGENCY NAME: Fake Co SO or Pretend PD | AGENCY ARREST NO.: 2468                                      | AGENCY CASE NO.: ABC-123  | PREPAR CODE: K                     |                                      |
| TRN: A001  | DOO: S  | DOO: N   | OFFENSE CODE: 11111111    | OFFENSE: Corrected Offense Literal |                                      |
| STATUTE CITATION: 00.00 (A)(2) PC  | LEVEL & DEGREE: 2                               | FEELTY: (1,2,3,4,5)  | DATE OF OFFENSE: 01012005 | WHILE IN HOLDER OR: TX0000100      |                                      |
| MARIJUANA HOLDER CASE NO.: 321-CAB   | ARREST DISPOSITION: 215                         | DISPOSITION DATE: 01012005                                   | PROSECUTOR OR: TX000015A  | TRNS (AD MATERIAL) Y/N: Y          | ORIG COM VEHICLE Y/N: ZXY98A, 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  
TRN  
Name  
Date of Birth  
Date of Arrest  
Offense Data

Do NOT use this form for Criminal History Record corrections

# TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N. LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001  
PHONE: 512/424-2031 – FAX: 512/424-5809  
[www.dps.texas.gov](http://www.dps.texas.gov)

## DPS CORRECTION FORM

Please fill out the form in its entirety as necessary, insufficient information will result in rejection.

|   |   |
|---|---|
| <b>Court Information</b>                |   |
| Court Name:                             | Phone: Fax:   |
| <b>Defendant Information</b>            |   |
| Defendant Name:                         | Date of Birth:  |
| Driver's License Number:                | State: Social Security #:   |
| <b>Incorrect Conviction Information</b> |   |
| Cause/Docket/Ticket Number:             |   |
| Offense/Violation Description:          |   |
| Offense Date:                           | Conviction Date:  |
| <b>Reason for Correction</b>            |   |
| Dismissed/Deferred:                     |   |
| Other:                                  | Reason:   |
| Driver Safety Course:                   | Driving Safety Course Completion Date:                                    |
| Teen Court Program:                     | Teen Court Completion Date:   |
| Wrong Violation/Person:                 | Please fill out the Correct Defendant and/or Conviction Information below |
| <b>Correct Defendant Information</b>    |   |
| Defendant Name:                         | Date of Birth:  |
| Driver's License Number:                | State: Social Security #:   |
| <b>Correct Conviction Information</b>   |   |
| Cause/Docket/Ticket Number:             |   |
| Offense/Violation Description:          |   |
| Offense Date:                           | Conviction Date:  |

A correction to the driver's history can only be fulfilled upon request from the court and therefore the validity of the driver and violation information must be ensured.

- 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 Errors



|   |  |   |  |   |   |  |                              |                      |                           |
|---|--|---|--|---|---|--|------------------------------|----------------------|---------------------------|
| TRN<br><b>123 456 789X</b>                                  |  | DATE OF ARREST<br><b>01012005</b>             | DPS NO.<br><b>12345678</b>                               | FBI NO.   | CONTROLLER OFF<br><b>TX0000000</b>        | OUT OF COUNTY?<br>YES <input type="checkbox"/> | OUT OF COUNTY OFF            |                      |                           |
| NAME (FIRST, MIDDLE, LAST)<br><b>Test, Record Middle Jr</b> |  | DATE OF BIRTH<br><b>01011900</b>              | PLACE OF BIRTH<br><b>TX</b>                              | SEX<br><b>M</b>   | RACE<br><b>W</b>                          | ETH.<br><b>N</b>                               | HT.<br><b>601</b>            | WEIGHT<br><b>195</b> | OUT OF COUNTY WARRANT NO. |
| ARREST/IDENTIFICATION                                       | EYE<br><b>BRO XXX</b>  | HAIR<br><b>FAR</b>                            | SOCIAL SECURITY NO.<br><b>123456789</b>                  | SCARS, MARKS, TATTOOS, AMPUTATIONS<br><b>BALD; GLASSES; MISS L FT</b> |   |  | LEAVE BLANK                  |                      |                           |
|   | BIOL. NO.<br><b>AS 123456789</b>   | CITIZENSHIP<br><b>US</b>                      | DRIVER LICENSE NO.<br><b>12345678</b>                    | STATE<br><b>TX</b>  | TYPE<br><b>C</b>                          | ID CARD NO.<br><b>12345678</b>                 | STATE<br><b>TX</b>           |                      |                           |
|   | LICENSE IDENTIFICATION AND ISSUING AUTHORITY<br><b>Realtor-TX Real Estate Commission</b> |   |  | LICENSE NO.<br><b>Reel-99999</b>                                      |   |  |                              |                      |                           |
|   | ALIAS NAME(S)<br><b>Rubble, Barney; Nickname, Slim</b>                                   |   |  | ADDRESS<br><b>10999 Imagination Ave</b>                               |   | CITY<br><b>Austin</b>                          | STATE<br><b>TX</b>           | ZIP<br><b>78752</b>  |                           |
|   | ARRESTING AGENCY OR<br><b>TX0000000</b>  |   | ARRESTING AGENCY NAME<br><b>Fake Co SO or Pretend PD</b> |   | AGENCY ARREST NO.<br><b>2468</b>          | AGENCY CASE NO.<br><b>ABC-123</b>              | FINGERPRINT CODE<br><b>K</b> |                      |                           |
| THIS<br><b>A001</b>   | DOES THIS<br>OFFENSE<br>INVOLVE<br>DOMESTIC<br>VIOLENCE?<br><b>S</b>                     | IS THIS<br>OFFENSE<br>A<br>TRIAL?<br><b>N</b> | OFFENSE CODE<br><b>00000000</b>                          | OFFENSE<br><b>Insert Offense Literal</b>                              |   |  |                              |                      |                           |
| STATUTE CITATION<br><b>00.00 (A)(2) PC</b>                  |  | LEVEL<br>OF<br>OFFENSE<br><b>2</b>            | FELONY (S, U, F, M, S)<br><b>2</b>                       | MISDEMEANOR (A, M, S)   | DATE OF OFFENSE<br><b>01012005</b>        | WARRANT HOOKER OR<br><b>TX0000100</b>          |                              |                      |                           |
| WARRANT HOLDER CASE NO.<br><b>321-CAB</b>                   | ARREST DISPOSITION<br><b>215 207</b>   | DISPOSITION DATE<br><b>01012005</b>           | PROSECUTOR OR<br><b>TX000015A</b>                        | TRIAL<br>HAZ<br>MATERIAL<br><b>Y</b>                                  | OPEN<br>CON<br>VEHICLE<br>Y/N<br><b>Y</b> | LICENSE NO.<br><b>ZXY98A</b>                   | STATE<br><b>ME</b>           | YEAR<br><b>06</b>    |                           |
| PREPARED BY<br><b>Print Full Name Legibly</b>               |  |   |  |   |   |  | DATE<br><b>01012005</b>      |                      |                           |
| FOR LOCAL AGENCY USE  |  |   |  | DUPLICATE TO<br><b>TRN 234 567 890X</b>                               |   | Name of Person Correcting                      |                              |                      |                           |
|   |  |   |  |   |   | Date of Correction                             |                              |                      |                           |

### 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

# 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.

|                   |   |  |   |         |   |   |
|-------------------|---|--|---|---------|---|---|
| <b>PROSECUTOR</b> | PROSECUTOR ORI<br><b>TX000015A</b>  |  | PROSECUTOR OFFICE<br><b>Fake County Attorney or Pretend District Attorney</b> |         |   |   |
|                   | PROSECUTOR ACTION CODE<br>USE ONLY ONE CODE<br>REFER TO PAF CODE LIST<br><b>D</b> |  | PROSECUTOR ACTION LITERAL<br><b>Only required with the PAF of O</b>           |         | PROSECUTOR ACTION DATE<br><b>02012005</b>   |   |
|                   | CODE  | DOMESTIC<br>VIOLENCE<br>OFFENSE?<br><input type="checkbox"/> | CHANGED OFFENSE CODE<br><input type="checkbox"/>                              | OFFENSE | SENTENCE DURATION   | LEVEL: FELONY (D-12, 24 or 31)<br>A<br>MISDEMEANOR (A or B)<br><input type="checkbox"/> |
|                   | CHARGES FILED IN (COURT OR)   |  | COURT NAME  |         | ADDITIONAL CHARGES BY<br>PROSECUTOR, MADE<br>PRESENT AT ARREST?<br><input type="checkbox"/> |   |
|                   | PREPARED BY<br><b>Print Full Name Legibly</b>                                     |  | DATE:<br><b>02012005</b>  |         |   |   |

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

### 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 prints transmit correctly with the proper identifiers and arrest information to their SID.**
  - **The 2<sup>nd</sup> individual gets submitted with the 1<sup>st</sup> individual's prints and the 2<sup>nd</sup> individual's identifiers and arrest information.**

# 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.

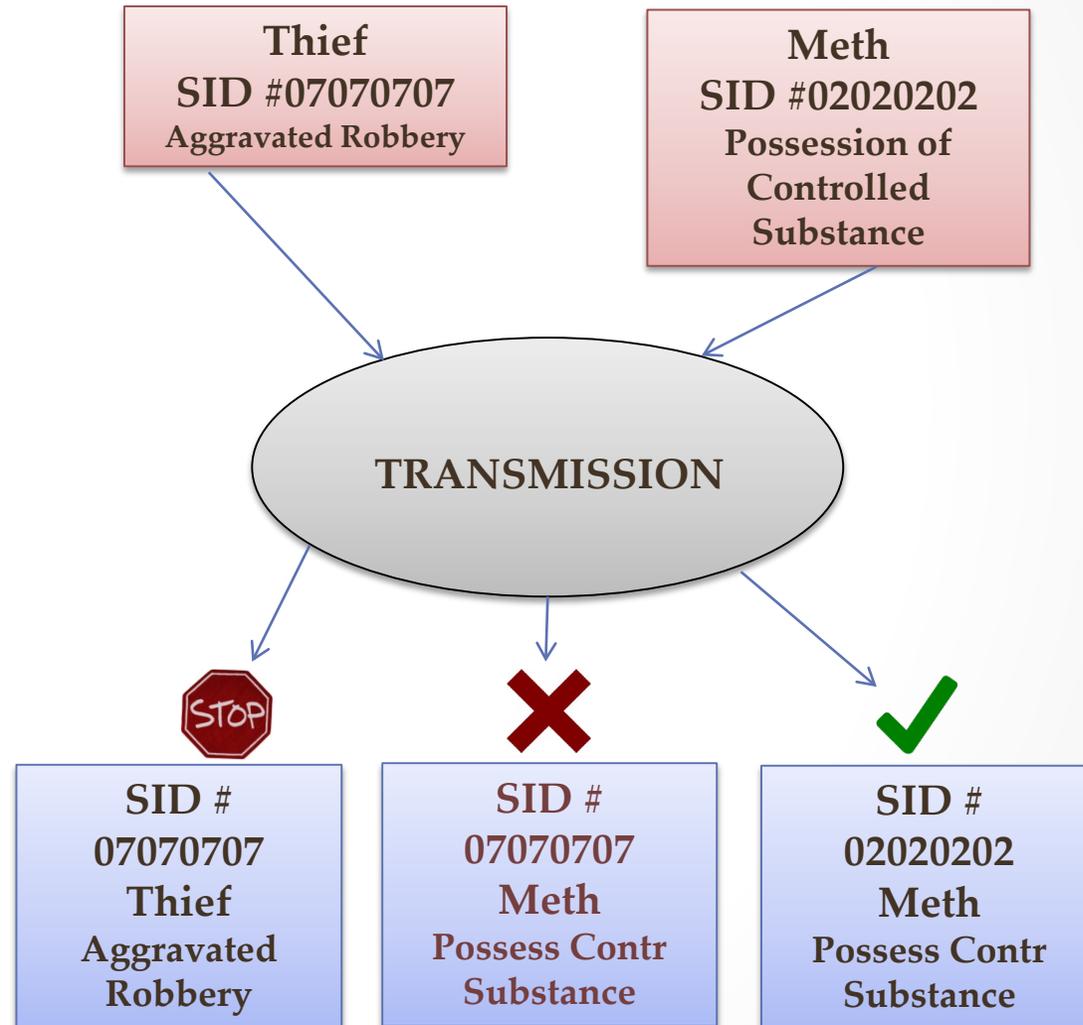
Meth also has an existing criminal record under SID #02020202.

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 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.

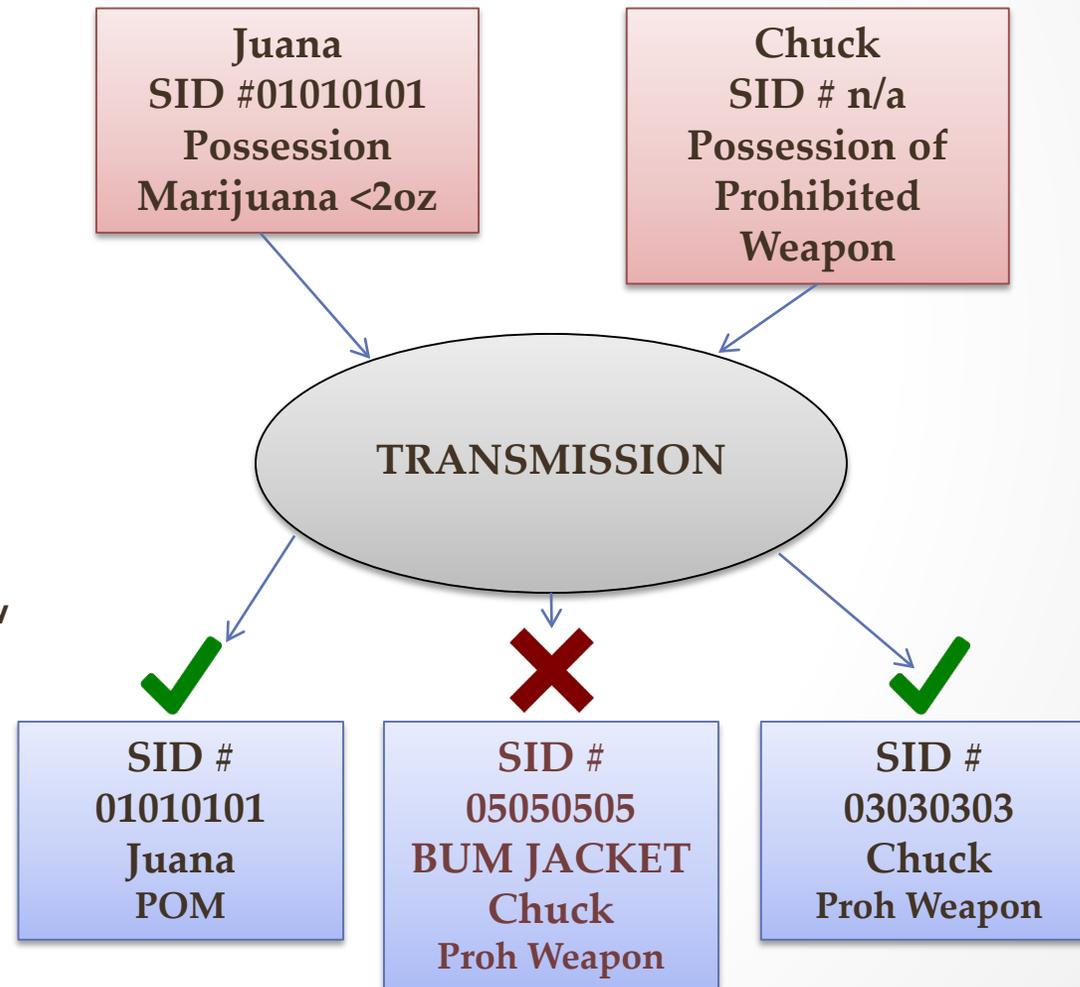
Juana has a criminal record under SID #01010101.

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 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.

# 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.

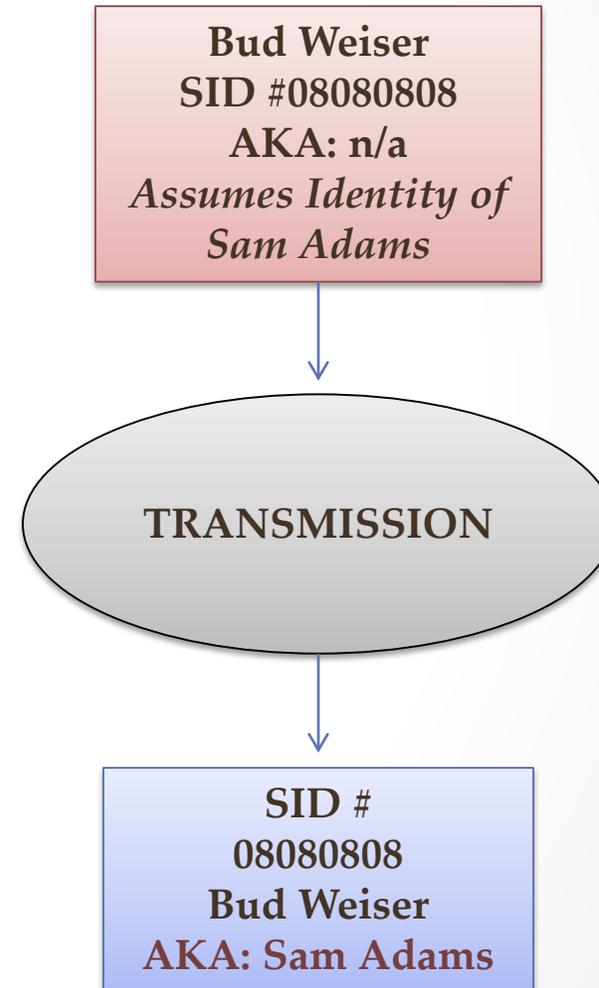
DPS has to determine:

- 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: \_\_\_\_\_ 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)

# 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 411.0421, 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: 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 data 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  
Andy 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(a)(1)(A), 55.01(a)(1)(B)(i), 55.01(a)(2), or 55.01(b) 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 Texas Criminal History 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 <https://www.identoGO.com>. Results will be emailed, or mailed to the address provided by the individual.
- Individuals can obtain a copy of their FBI criminal record at select FAST locations as well. Appointments may be scheduled online at <https://uenroll.identogo.com/> or by calling (877)783-4187. Results will be emailed in 3-5 days, or mailed to the address provided.
- Another option is to obtain a criminal record directly from the FBI. The cost of this service is \$18.00. Current processing time is 2-4 weeks, plus mailing time. Instructions can be found at <https://www.fbi.gov/services/cjis/identity-history-summary-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*

# Statewide/ Federal Background Checks



# Helpful Contacts

*for additional assistance, contact the appropriate section below:*

## LIVESCAN TRANSMISSION PROBLEMS:

- **Chrystal Davila, Biometric Coordinator**  
[livescan@dps.texas.gov](mailto:livescan@dps.texas.gov)  
ph. (512) 424-7026

## ELECTRONIC DISPOSITION REPORTING (EDR) PROBLEMS:

- **Cassandra Richey, EDR Coordinator**  
[cassandra.richey@dps.texas.gov](mailto:cassandra.richey@dps.texas.gov)  
ph. (512) 424-2479

## SID CONFIRMATION/MISRAPS:

- **Crime Records- Fingerprint Section**  
[fp.processing@dps.texas.gov](mailto:fp.processing@dps.texas.gov)  
ph. (512) 424-5248

## CRIMINAL HISTORY RECORD CORRECTIONS:

- fax (512) 424-2476

## CJIS/JJIS SUPPLIES:

- ph. (512) 424-2367 / fax (512) 424-5599

## CRIMINAL HISTORY INQUIRY UNIT

- ph. (512) 424-5079

## FINGERPRINT SECTION:

- ph. (512) 424-5248

## DRIVERS LICENSE CONVICTION REPORTING:

- **DPS Enforcement and Compliance (ECS)**  
[convictionreporting@dps.texas.gov](mailto:convictionreporting@dps.texas.gov)  
[convictionreportingcorrections@dps.texas.gov](mailto:convictionreportingcorrections@dps.texas.gov)  
ph. (512) 424-2031 / fax (512) 424-5809 or 2231

## DRIVER LICENSE ERRORS:

- **DPS Driver License Bureau**  
[DriverLicenseErrors@dps.texas.gov](mailto:DriverLicenseErrors@dps.texas.gov)  
ph. (512) 424-5806

## DRIVER LICENSE FRAUD:

- **DPS Joint Crime Information Center**  
[txjcic@dps.texas.gov](mailto:txjcic@dps.texas.gov)  
ph. (512) 424-7981

## DRIVER LICENSE SUSPENSIONS:

- ph. (512) 424-2600

## DIC-17 ASSISTANCE:

- ph. (512) 424-2031

## DNA KITS:

- ph. (512) 424-2387

**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)**



**ADULT AND JUVENILE REPORTING CODES**

**[https://www.dps.texas.gov/administration/crime\\_records/pages/cjisRptngCodes.htm](https://www.dps.texas.gov/administration/crime_records/pages/cjisRptngCodes.htm)**

**CCH DATA DICTIONARY**

**[http://dps.texas.gov/administration/crime\\_records/pages/cchSpecs.htm](http://dps.texas.gov/administration/crime_records/pages/cchSpecs.htm)**

