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Texas Department of Public Safety Computerized Criminal History Data Request Application

Grantee(s), Click or tap here to enter text., is/are the Principal Investigator(s) for this project and the person(s) representing the agency/institution.

1. **Select the appropriate subsection of** [**Government Code (GC) 411.083(b)**](https://statutes.capitol.texas.gov/Docs/GV/htm/GV.411.htm#411.083) **that qualifies your agency/institution to receive Criminal History Record Information (CHRI) from the Texas Department of Public Safety (TXDPS).**

411.083(b)(1) à respond to the question below and then proceed to question #5

*\*According to the Texas Code of Criminal Procedures 66.001(5) a criminal justice agency is a federal or state agency that is engaged in the administration of criminal justice under a statute or executive order and allocates a substantial part of the agency’s annual budget to the administration of criminal justice. Does your agency meet the definition of a criminal justice agency according to CCP 66.001(5)?*

Yes  No

411.083(b)(2) à respond to the question below and then proceed to question #5

\**Provide the Federal Statute, State Statute, or Executive Order that authorizes your agency to receive criminal history record information. The relevant Texas State Statute would be in GC 411, Subchapter F.*

Click or tap here to enter text.

411.083(b)(4)(A) à respond to the question below and then proceed to question #2 below

\**As listed in the Texas Data Request Policy, part of the Research Project Eligibility is that*  *the project must be conducted by persons with requisite academic or other professional*  *qualifications. Below, provide names and the relevant qualifications of individual(s)*  *conducting the research project.*

Click or tap here to enter text.

411.083(b)(4)(B) à respond to the question below and then proceed to question #2 below

\**As listed in the Texas Data Request Policy, part of the Research Project Eligibility is that*  *the project must be conducted by persons with requisite academic or other professional*  *qualifications. Below, provide names and the relevant qualifications of individual(s)*  *conducting the research project. Code of Federal Regulations, Part 22, Title 28 requires*  *that the project is funded by resources from ‘the Act’ (Omnibus Crime Control and Safe*  *Streets Act of 1968).*

Click or tap here to enter text.

411.083(b)(5) à respond to question #3 and then proceed to question #5

411.083(b)(6) à respond to question #4 and then proceed to question #5

1. **Per Texas GC 411.083(b)(4) and federal statute, Title 28 Code of Federal Regulations (CFR) Part 22, TXDPS Computerized Criminal History (CCH) data will be released to a research organization or public or private institution of higher education that is in part or in whole funded by a criminal justice grant and/or government funds. Provide the specific government agency that your project has received the funds from. Include documentation of the grant funding as well as the signed MOU/Agreement between your project and the grant funding agency. Include the documented proof regarding the funding source of the project.**

Click or tap here to enter text.

\*Note: If qualifying under 411.083(b)(4)(A) your agency/institution will need to submit a copy of the grant award letter along with this form. If qualifying under 411.083(b)(4)(B) your agency/institution will need to submit a copy of the grant award letter and your Privacy Certificate along with this form. If you are using a grant or government funded salary to support your qualification to receive data, you will need to also submit a letter signed by accounting/institution president verifying your salary is grant or government funded and identifying information for the funding of your salary.

Once you have completed your response to question #2 above, proceed to question #5.

1. **Per Texas GC 411.083(b)(5) the agency/institution requesting data must have a specific agreement with a criminal justice agency to provide services required for the administration of criminal justice. The agreement must specifically authorize access to information, limit the use of information to the purposes for which it is given, ensure the security and confidentiality of the information, provide sanctions for violations of these requirements and the services must be performed in a manner prescribed by TXDPS. In the space below enter the agency you are providing services for along with your point of contact at the agency.**

Click or tap here to enter text.

\*Note: If qualifying under 411.083(b)(5) your agency/institution will need to submit a copy of the fully executed (signed and dated) agreement between your agency/institution and the agency you are providing services for.

Once you have completed your response to question #3 above, proceed to question #5.

1. **Per Texas GC 411.083(b)(6) the agency/institution requesting data must have a specific agreement with a noncriminal justice agency to provide services related to the use of CHRI. The agreement must specifically authorize access to information, limit the use of information to the purposes for which it is given, ensure the security and confidentiality of the information, provide sanctions for violations of these requirements and the services must be performed in a manner prescribed by TXDPS. In the space below enter the agency you are providing services for along with your point of contact at the agency.**

Click or tap here to enter text.

\*Note: If qualifying under 411.083(b)(6) your agency/institution will need to submit a copy of the fully executed (signed and dated) agreement between your agency/institution and the agency you are providing services for.

Once you have completed your response to question #4 above, continue with responses to the remaining questions/statements below.

1. **What is the purpose of the project? Include documented proof that the project is related to the administration of criminal justice.**

Click or tap here to enter text.

1. **What entities will be involved in the project? Include names and the person’s role/responsibility in the project.**

Click or tap here to enter text.

\*Note: If multiple entities will be involved with the project and have access to the data, each entity must be signatories on the DSA for the project.

1. **Demonstrate how you will meet the security requirements for Criminal History Information (CHI) in the FBI CJIS Security Policy throughout the research period. Include information on the encryption that will be used on every device and physical location where the data will be stored, transported, or used/accessed on.**

* **Specific areas of compliance within the CJIS Security Policy include sections:**
  + **5.8 Media Protection (MP)**
  + **5.10 SC-13 and SC-28 Encryption for CJI**
  + **5.12.1 Personnel Screening Requirements for Individuals Requiring Unescorted Access to Unencrypted CJI**
  + **After reviewing your application and project, TXDPS may inform the grantee(s) that there are additional sections of the CJIS Security Policy that must be met based on the scope of the project.**

Click or tap here to enter text.

* + **The data will be sent via a DPS owned online secure portal. Attach a Media Protection Policy drafted for your agency/institution that complies with section 5.8 of the CJIS Security Policy. Additional comments can be typed/entered below, but an official Media Protection Policy will be required to be attached to your application for consideration.**

Click or tap here to enter text.

* + **Provide documented proof that all devices where the Criminal Justice Information (CJI) will be at any point during your processing complies with CJIS Security Policy, specifically the Encryption for CJI requirements (5.10) of NIST Certified encryption. Providing a copy of the device’s NIST Certificate/s will be considered meeting this requirement.**

Click or tap here to enter text.

1. **Anonymizing the data is the responsibility of the person/project that receives the data. While PII is not included in the provided data, projects must not contain any data that can be linked to a single individual. Describe how your project complies with that requirement.**

Click or tap here to enter text.

1. **Explain how you will destroy the data after the research is completed. Provide specific programs and protocols that will be used to scrub the CCH data from all locations.**
   * **CJIS Security Policy destruction of data sections:**
     + **5.8 Media Protection (MP)**
     + **5.15 System and Information Integrity (SI)**
     + **After reviewing your application and project, TXDPS may inform the grantee(s) that there are additional sections of the CJIS Security Policy that must be met based on the scope of the project.**

Click or tap here to enter text.

1. **No Personal Identifying Information (PII) or Juvenile Data will be included in the provided data.**

*Grantee acknowledges and agrees to the above statement (#10).*

1. **The Computerized Criminal History (CCH) data that will be returned to you is to be used only for the project specified in the signed DSA. It cannot be distributed to any third party that is not a signatory of the DSA for any reason or used for any other project or research.**

*Grantee acknowledges and agrees to the above statement (#11).*

1. **The data extraction will be completed one time and provided to the agency/institution one time. If an updated data extraction is needed, TXDPS requires that the agency restart the data request process.**

*Grantee acknowledges and agrees to the above statement (#12).*

1. **If the project is approved by TXDPS to receive CCH Data, the next step in the process will be completing a Data Share Agreement. There is no set time frame of how long the DSA processing will take. TXDPS cannot guarantee the DSA will be signed and the data sent by any specific date or time frame.**

*Grantee acknowledges and agrees to the above statement (#13).*

1. **TXDPS cannot provide opinions, analysis, conclusions, or in any way assist with interpreting the data sent to the researcher/project. TXDPS provides the raw data and the codes needed to translate the data to the researcher.**

*Grantee acknowledges and agrees to the above statement (#14).*

1. **TXDPS participation in the project in question is voluntary and may be terminated at any time.**

*Grantee acknowledges and agrees to the above statement (#15).*

1. **TXDPS reserves the right to request any additional documentation necessary to make an informed decision as to if your agency/institution is eligible to receive CHRI.**

*Grantee acknowledges and agrees to the above statement (#16).*