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Outside Research Data Request Policy

*Governing the Release of Case-Level Criminal History Data for Research and Statistical Purposes*

The Texas Department of Public Safety (TXDPS) may release case-level criminal history data files to bona fide researchers and research organizations for legitimate research purposes. If data are released, researchers are required to enter into an agreement with TXDPS promising to protect the confidentiality, security and privacy of the data. This policy describes the types of requests that may be supported and the procedures for requesting data.

# Research Project Eligibility Criteria:

TXDPS can support only a few projects each year due to limited resources. In order to be considered, the project must:

* *Comply with eligibility requirements in Texas Government Code 411.083(b).*
* *Provide a clear and direct benefit to Texas criminal justice practitioners. Projects must be designed to generate research findings that directly inform criminal justice programs and practices within the State, or assess the effectiveness of a program operating within the State;*
* *Answer a scientific research question or be used to conduct an evaluation and/or follow-up study, or test a hypothesis using quantitative and/or qualitative data analysis;*
* *Be conducted by persons with requisite academic or other professional qualifications and affiliations for conducting these kinds of analyses. Requests from undergraduate college students to conduct research studies will not be considered. Requests from graduate students may be considered if resources allow. Graduate students are required to have a faculty research advisor.*

TXDPS will review applications to determine whether the request meets eligibility criteria and whether there are resources available to support the project. TXDPS will then respond to the researcher after evaluation of the submitted application.

# Eligible Research Project Process:

If TXDPS determines that a project qualifies to receive Computerized Criminal History (CCH) data after review of the application, the researcher will be contacted. *Completed applications should be sent to GRP\_CJIS\_SITE@dps.texas.gov.*

* *TXDPS will review the submitted application and, if approved, continue to work with the researchers to complete a Data Sharing Agreement (DSA).*
* *The researchers will be asked additional, clarifying questions as needed.*
* *Standard Criminal History files and data points are provided for Research projects. A general file description is posted online with the policy and application.*
* *At any time during a project, TXDPS or the researcher may determine that a project cannot be completed for reasons including, but not limited to, data and resource availability.*
* *TXDPS will notify researchers whose projects do not qualify to receive CCH data.*

# Data Sharing Agreement (DSA):

* *An executed DSA between the researchers and TXDPS is required before case-level criminal history data are released. The DSA protects the confidentiality of data to be provided and contains other non-negotiable provisions.*
* *The provisions of the DSA are non-negotiable given the Department’s obligation to maintain the confidentiality of the sensitive data being provided.*
* *Researchers are responsible for reading and adhering to all terms and conditions of the DSA.*
* *The DSA will describe the project, CJIS data security, and other legal requirements for the project.*
  + *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.*
* *The DSA will be agreed upon by both the researcher and TXDPS before the DSA is signed by either party.*

# Follow-Up processes:

* *TXDPS will work with the researcher to extract the criminal history data and provide it to the researcher via a secure portal.*
* *The data will only be provided in a fixed length TXT (notebook) format.*
* *The data will be extracted and sent to the researcher one time. If additional or updated data is requested, it will be treated as a new data request and will be required to start the process from the beginning.*
* *Researchers may use the information furnished by TXDPS only for the approved research purpose, project, and topic covered by the DSA.*
* *The researchers are required to fully comply with requests from TXDPS to monitor, audit, and review the policies and activities of the researchers in possession of confidential data.*

# Standard Criminal History Data Description:

* *TXDPS provides a standard criminal history file and data points to researchers that have entered into a DSA with TXDPS containing information related to adult arrests for felony and misdemeanor charges. No juvenile data will be provided for any reason.*
* *The standard file contains limited demographic, arrest, and disposition case processing information, as well as sentence data if convicted and state prison custody data. See the Return Format spreadsheet on the webpage for the list of data fields included in the returned data.*
* *Read the Texas* [*Code of Criminal Procedure Chapter 66*](https://statutes.capitol.texas.gov/Docs/CR/htm/CR.66.htm) *to understand what is legislatively mandated to be reported to the Texas Computerized Criminal History. \*Note, not all listed PII in Ch. 66 will be provided to a research project.*
* *Information regarding how to interpret the data can be found on these web pages:* [CJIS and JJIS Reporting | Department of Public Safety (texas.gov)](https://www.dps.texas.gov/section/crime-records/cjis-and-jjis-reporting) *and* [Adult and Juvenile Reporting Codes | Department of Public Safety (texas.gov)](https://www.dps.texas.gov/section/crime-records/adult-and-juvenile-reporting-codes).
* *TXDPS does not have data related to pretrial release.*
* *TXDPS research files do not include data related to correctional admissions and releases for county or local jails.*
* *TXDPS will not provide data for any case that has been sealed or expunged.*
* *TXDPS may accept external data files in specified fixed length TXT format from the researchers containing variables needed to match to TXDPS’ criminal history data files.*

**Questions?**

Questions should be directed to the TXDPS at: GRP\_CJIS\_SITE@dps.texas.gov

*\*The Outside Research Data Request Policy is subject to change without prior notice.*

*Contact: GRP\_CJIS\_SITE@dps.texas.gov for the latest version of the policy.*