

TEXAS CJIS SYSTEMS ACCESS POLICY

**APPLICANT’S, EMPLOYEE’S, AND CONTRACTOR’S
CRIMINAL HISTORY RECORD INFORMATION**

<u>APPLICATION FOR CJIS ACCESS</u>	<u>PERSON WHO ALREADY HAS CJIS ACCESS</u>
FELONY CONVICTION Permanent Disqualifier	Permanent Revocation of Access
FELONY DEFERRED ADJUDICATION Permanent Disqualifier	Suspension of Access for 20 years from final disposition
CLASS A MISDEMEANOR CONVICTION Permanent Disqualifier	Suspension of Access for 10 years from final disposition
CLASS A MISDEMEANOR DEFERRED ADJUDICATION Permanent Disqualifier	Suspension of Access for term of deferral
CLASS B MISDEMEANOR CONVICTION Disqualifier for 10 years from final disposition	Suspension of Access for 10 years from final disposition
CLASS B MISDEMEANOR DEFERRED ADJUDICATION Disqualifier for 10 years from final disposition	Suspension of Access for term of deferral
OPEN ARREST FOR ANY CRIMINAL OFFENSE (FELONY OR MISDEMEANOR) Disqualifier until disposition	Maintain Access pending court disposition
FAMILY VIOLENCE CONVICTION OR DEFERRED ADJUDICATION Permanent Disqualifier	Permanent revocation of Access

This System Access Policy applies to commissioned peace officers, terminal operators and others with network access to CJI systems, as well as, an employee who may have access to an area where this information is received, maintained or stored either manually or electronically if having access is not part of their job. (i.e. custodian, maintenance). Agencies are required to adjudicate applicants to the policy every time an individual/contractor is to be employed/contracted by an agency. Agencies should not assume an individual that had access at one Agency will automatically have access at the new Agency.

Both Class A and Class B convictions/deferred adjudications can receive an agency sponsored waiver after 5 years from final disposition. If approved, agency sponsored waivers are only valid at that agency and cannot transfer with the individual.

Waivers submitted where the individual has multiple convictions/deferred adjudications for class A misdemeanors or above will NOT be considered unless the individual holds an active valid license from the Texas Commission on Law Enforcement (TCOLE). The Department will not revoke a peace officer’s access as long as the TCOLE license remains valid and active regardless of any criminal history background.

Offenses that were committed while the individual was a juvenile will receive the same consideration and will be held to the same standard as adult offenses.

Deferred Adjudications where the subject’s conviction has been set aside resulting in the proceedings being dismissed and the individual discharged are not considered a permanent disqualifier. The criminal history will display a disposition coding of PROCEED DISM/DEF DISCHARGED. Please note a subject being solely discharged from deferred adjudication is a permanent disqualifier.