CR NEWS

HIGHLIGHTS:

TEXAS GANGS

Growth

The TxGang database continues to grow at an astounding pace. In the month of August alone, more than 1,100 gang members were added by various agencies from around the state, bringing the total number of gang members recorded in the database to over 30,000. In September that number is projected to reach over 33,000. The number of agencies utilizing the database is approaching 400, with one quarter of Texas agencies actively entering and maintaining their gang records. There are now 1,500 active users, and awareness continues to spread as these users actively promote the database to other agencies. Additionally, the Texas Code of Criminal Procedure 61.02 (b) requires sheriff's offices in counties of 100,000 or more and police departments in municipalities of 50,000 or more to actively track and report gang members to TxGang. The results of the 2010 Census have been posted and analyzed, and with the growth in the Texas population there has been a corresponding increase in the number of agencies required to report to the database. Efforts are underway to help these newly required agencies fulfill their reporting duties.

Training and Updates

Training on the Code of Federal Regulations, Title 28, Part 23 is still required every two years for users of the database. Training links are provided on the TxGang login page. Any agency wanting instruction on the use of the database may contact the TxGang administrators at txgang@dps.texas.gov to schedule an in person training session, a web based training session, or a telephone walk through. Questions about the database may be sent to the same address.

There have been a number of updates to the database, most notably an increase in data awareness/manipulation for agencies, which can now search their gang records by those members who lack a SID or DL. Agencies who are legally in a position to do so may also now create or edit records on behalf of other agencies in their purview.

Access

As always, access to TxGang is contingent upon authority to access the database, an agency agreement, and an individual application for anyone needing access. Agencies with an interest in the database should contact TxGang administrators at the above email address.

CRS DIRECTORY

CRS MANAGEMENT
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Rochelle Gutierrez	Billing Technician	rochelle.gutierrez@dps.texas.gov	512-424-2912
TierraHeine	CJIS/JJIS Forms and Fingerprint Card Supplies **Fax order form to**		512-424-5599
	Order Forms located at ftp://crspub.dps.texas.gov/		
Assistance Line	Record Checks		512-424-5079
Assistance Line	Secure Site		512-424-2474

CRIMINAL HISTORY RECORD INFORMATION PROCESSING BUREAU
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(Vacant)	EDR Coordinator		512-424-2407
CJIS Site Assistance Line			512-424-2500
Error Resolution Assistance Line			512-424-7256

FINGERPRINT PROCESSING BUREAU
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24 hour Fingerprint Assistance Line			512-424-5248

CRIME INFORMATION BUREAU
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Vacant	TCIC Audit Supervisor	Vacant	512-424-2897
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John Hale	TLETS Trainer	john.hale@dps.texas.gov	512-424-5181

UNIFORM CRIME REPORTING BUREAU
Rosemary Webb	Manager	rosemary.webb@dps.texas.gov	512-424-2418
UCR Assistance Line			512-424-2091
Earl Adams	Supervisor, UCR Field Reps	thomas.adams@dps.texas.gov	512-424-2983
Pam Nickel	IBR Supervisor, UCR	pam.nickel@dps.texas.gov	512-424-2979

SEX OFFENDER REGISTRATION BUREAU
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TEXAS DATA EXCHANGE (TDEx) BUREAU
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TDEx Assistance Line			512-424-2629

What is an offline search?

An offline search is a tool that serves the needs of criminal justice agencies by electronically scanning transaction data posted against the TLETS, TCIC, NCIC, CCH or III systems and providing a representative report of that data. Typically, requests are associated with an on-going case where the human subject is unknown but a license plate is known and the offline search requesting agency is hoping to find where other law enforcement agencies have inquired upon the vehicle, and can provide their own incident report of the event including any driver or vehicle occupants that were associated with the vehicle inquiry. Offline search requests are also frequently used to investigate and/or address citizen complaints related to classified information being accessed and/or released by criminal justice agency employees without authority to do so.

To request an offline search the criminal justice agency is to provide the following information.
- The agency's name and/or ORI;
- The name of the actual investigator and/or requestor, their title, telephone number, email address and fax number;
- The agency's case/investigation number;
- A short explanation of the reason for the request;
- The time period to search (date to date);
- The subject information to be searched within the various systems. This will include any of: Name/DOB, DL/OLN, SOC/SSN, MNU, LIC, VIN, BHN, REG, SER, FBI#, SID#, NIC#, TIC#, Criminal History Requestor, Attention or Operator Field.

Requests must be made by law enforcement or criminal justice agency personnel. Results will be sent directly to the requestor named within the request. DO NOT EMAIL REQUESTS THAT CONTAIN DRIVER LICENSE OR SOCIAL SECURITY NUMBERS- SEND THOSE VIA FAX.

Information from the TLETS system is only available for approximately the past calendar year from the date of the actual request. Transaction data solely available from TxDPS via the TLETS offline searches includes driver license information requests and vehicle registration inquiries. The TLETS terminal operator ID information is only stored within the TLETS transaction data.

Transaction information from the CCH system is available for 01/01/2006 through current date.

Transaction information from the TCIC system is available for 11/01/2006 through current date.

Transaction information from the NCIC system is available from 1987 until current date.

Both TCIC and NCIC offline searches can determine if subject information has ever been active in the independent databases. For example, due to the severe drought Texas has experienced, a vehicle was discovered in a lake. The agency of jurisdiction wanted to know if the license plate or VIN had ever been reported as stolen or linked to a Missing Person record.

Results will only be transmitted from TxDPS via fax, USPS or overnight mail to insure US CFR Title 28 requirements are met. Send offline search requests to Pam.Pierce@dps.texas.gov   OR   via fax to 512/424-7164.

RFI Field mandatory as of 1/1/12

Computerized Criminal History Record Information stored in TCIC/NCIC is not available to the public via TLETS. Certain restrictions apply to the purposes for which it can be requested and how it may be disseminated. CHRI may be requested through the TLETS terminal by criminal justice agencies for the administration of criminal justice or the background investigation of a criminal justice applicant. The *CJIS Security Policy* states that an automated log shall be maintained for a minimum of one (1) year on all NCIC and III transactions (Section 5.4.7 of the *CJIS Security Policy*, Version 5.0). The III portion of the automated log shall clearly identify both the operator and the authorized receiving agency. III logs shall also clearly identify the requester and the secondary recipient. The identification on the log must take the form of a unique identifier that must remain unique to the individual requester and to the secondary recipient throughout the minimum one year retention period.

In addition to the use of purpose codes and logging information, all users shall provide a reason for all III inquiries whenever requested by NCIC System Managers, CSA's, local agency administrators, or their representatives. (See *CJIS Security Policy*, Version 5.0, section 4.2.4.1)

To assist with meeting this requirement, TLETS-provided screens for criminal history inquiries gained a new field, RFI (Reason For Inquiry) in September of 2007. At initial implementation, all personnel were encouraged to submit information in this field whenever possible and agencies with interfaced systems were encouraged to work towards implementation of this field within their transactions.

This field will become mandatory and subject to audit beginning January 1, 2012 for ALL TLETS agencies, even those agencies interfaced with their own program coding such as with local agency mainframe, RMS or CAD systems. Forward this message to any internal or contract personnel responsible for local agency TLETS transaction formatting/coding accordingly. Specifications for Texas criminal history record information queries are posted at: http://www.dps.texas.gov/tcic2000project/TLETS-Specifications

The RFI field may contain up to 75 characters (alphabetic/numeric/special characters). Some examples of appropriate entries for the RFI field would be warrant entry, validation, pen pack, jail investigation, booking classification, traffic stop, drug investigation, jailer applicant, employee evaluation. Inclusion of case or investigation numbers is highly encouraged but not required.

Questions regarding this policy update should be sent via email to: tcic.operations@dps.texas.gov

USE OF CRIMINAL HISTORY RECORD INFORMATION

Per Government Code 411.084, please remember criminal history record information (CHRI) obtained from the Department of Public Safety (DPS) is for the exclusive use of the authorized recipient and may be disclosed or used by the recipient only and only to the extent that disclosure or use is authorized. Additionally, an agency or an individual may not confirm the existence or nonexistence of CHRI to any person that is not eligible to receive the information.

Per Government Code 411.085, a person commits an offense if the person knowingly or intentionally obtains CHRI in unauthorized manner, uses the information for an unauthorized purpose, or discloses the information to a person who is not entitled to the information. An offense under 411.085 is a Class B misdemeanor, unless the information was obtained, used, or disseminated for remuneration, which becomes a felony of the second degree.

Any questions concerning the access, use, dissemination, or destruction of CHRI should be directed to crimerecords.compact@dps.texas.gov.

APPLICANT FINGERPRINTING NEWS

The Safran Group, the parent company of Morpho and MorphoTrak, has completed the acquisition of L-1 Identity Solutions. Safran shares L-1's core business mission of ensuring the protection and security of personal identities, assets and rights. This acquisition includes all three divisions of L-1: Biometrics, Secure Credentialing and Enrollment Services.

We look forward to your continued support and confidence in our business. As always, we will continue to provide you with the best secure identity management products, solutions and services in the world. Rest assured there will be no interruptions in our service to you.

ARREST AND APPLICANT CARDS

When submitting Arrest and Applicant Cards:
♦   Please ensure all document information is legible and the information is not too light or too dark.
♦   Please refrain from using highlighters on documents.

TEXAS DATA EXCHANGE (TDEx)

The Texas Data Exchange (TDEx) is an ever evolving system. In an effort to make TDEx a more effective investigative tool for law enforcement, enhancements are constantly being made to improve the database. Most of the enhancements that are made come from suggestions made by TDEx users. The users would know best what features would make TDEx a better tool for them.

There have been several enhancements made to the system over the last quarter. To start with, users are no longer required to have a secure e-mail address in order to access TDEx. This was a requirement in the past because of a feature in TDEx that allowed a user to place a "Watch" on an individual and have an e-mail sent to them when that individual had contact with one of the contributing agencies to TDEx. Because of the sensitivity of the information being provided in the e-mail, public domain e-mails were prohibited. Changes to the information in those e-mails made secure addresses no longer necessary.

Judging from the feedback that we've received from our users, the most popular enhancement to TDEx is the ability to view Driver License photos. In the past, this feature was available only to TDEx users who were sworn officers. Now, all users have access to this feature. If a record in TDEx contains a TX DL number, users can click on a link that will allow them to view the related photo.

Some of the other changes to TDEx include the ability to log in with an e-mail address instead of a username, the ability to export photos from the Currently Incarcerated report, and the ability to insert a "wild card" when running a search on a partial license plate. Before this latest enhancement, users were required to provide three consecutive characters in order to conduct the partial plate search. The new "wild card" feature makes it no longer necessary for those characters to be consecutive.

With all the changes that are constantly being made to TDEx, one thing HAS NOT changed. TDEx is only to be used for the investigation of crimes. TDEx IS NOT to be used to conduct employee background checks. Even if the prospective employee provides a signed consent form, TDEx still cannot be used for that purpose.

To see the changes or to request a TDEx account, log on to www.tdex.state.tx.us. If there are any questions or comments concerning TDEx, please call 512-424-2629.

HB961 UPDATE

After further evaluation of 58.211 FC, the Department is still required to notify the Juvenile Department that the person's record no longer meets the qualifications for restricted access. This means that if the person received a conviction or deferred for a class B misdemeanor or above they would not qualify to have their record restricted.

UCR Contributors:

During the 81st Texas Legislative session, HB2014 was passed, which requires the Department of Public Safety to collect information concerning the number of incidents under Penal Code 20A.02, Trafficking of Persons and Penal Code 43.05, Compelling Prostitution.

This data collection will begin with calendar year 2012. This will be a monthly data collection, much like the Family Violence and Sexual Assault data collections, where if you had any or no Human Trafficking/Compelling Prostitution incidents, you will indicate on a "status" sheet. At this time, the number of incidents is all that is required, not the actual incidents.

We are currently developing the form to collect this information and will add them to the DPS forms link on Texas DPS website for downloading.

The Uniform Crime Reporting Bureau realizes that our local law enforcement agencies have had to cut budgets and in some cases, personnel, and we hope that the latest data collection is not too taxing on current personnel. As always, we here in the UCR Bureau and the Department of Public Safety, appreciate your participation in the UCR Program.

If you have any questions you can email our office at ucr@dps.texas.gov or call 512.424.2091.

UCR Contacts: 512.424.2091(p)	512.424.5705(f)	ucr@dps.texas.gov
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Mickey Dorsey (Rep)	512.424.3330	mickey.dorsey@dps.texas.gov
Rhonda Curtis (Rep)	512.424.3337	rhonda.curtis@dps.texas.gov
Tom Sharp (Rep)	512.424.3334	jesse.sharp@dps.texas.gov

CJIS REPORTING

New Legislation!

SB364 added Sec. 411.049 to the Government Code. This created a new requirement for the department to compile and maintain statistical information on the prosecution of offenses related to operating a motor vehicle while intoxicated. The report will include the following:

- Number of arrests
- Number of arrests resulting in release with no charges
- Charges resulting in a pleas of not guilty
- Charges resulting in a plea of guilty or nolo contendere
- Charges resulting in a conviction of original charge
- Charges resulting in a conviction of an offense other than originally charged
- Charges resulting in a dismissal

The statue also requires the department to include a list of law enforcement agencies, prosecuting attorney offices, and courts that fail to timely report or that report incomplete information.

The department will not require new or additional reporting to create the report. We will be generating the report from data reported under Chapter 60 CCP to the Computerized Criminal History.   If you have any questions please email angie.kendall@dps.texas.gov.

ELECTRONIC ARREST REPORTING (EAR)/LIVESCAN

Are your systems up to date:

Version 13 Offense Codes are now available on our FTP site, ftp://crspub.txdps.state.tx.us. Please contact your JMS/RMS/Livescan vendor to add the new complete offense code list to your systems.

If your agency has an arrest that requires a DPS region ORI, please make sure you use your county specific DPS region ORI. If the ORI is not available on your system, you'll need to contact your vendor for an ORI list update.

All agencies should be using the new county specific DPS region ORIs.

For Example: Travis County Sheriff's Office DPS Region ORI

In the past - TXDPS6500

Now - TXDPS6522

LEGISLATIVE UPDATES: BILLS AFFECTING THE TEXAS SEX OFFENDER REGISTRATION PROGRAM

The 82nd Texas Legislature concluded this year and legislators made minor changes to the Texas Sex Offender Registration Program (Chapter 62, Code of Criminal Procedure). In addition, two new state entities were created that will be involved with Sex Offender Registration.   Highlights of changes are as follows:

House Bill 530 amends the definition of local law enforcement authority in Chapter 62. "Local law enforcement authority" means, as applicable, the office of the chief of police of a municipality, the office of the sheriff of a county in this state, or a centralized registration authority.

Senate Bill 24 adds additional offenses that require registration. These offenses involve certain Trafficking of Persons violations.

Registration is now required for offenses that involve the trafficking of persons through force, fraud, or coercion and causes the person to engage in specified types of prostitution. Persons who receive a benefit from participating in a venture that involves activity or engages in sexual conduct with a person trafficked described above will also have a duty to register.

Persons who traffic children and causes the child to engage in or become the victim of:

- ♦ Continuous Sexual Abuse of Young Child or Children
- ♦ Indecency with a Child
- ♦ Sexual Assault
- ♦ Aggravated Sexual Assault
- ♦ Prostitution
- ♦ Promotion of Prostitution
- ♦ Aggravated Promotion of Prostitution
- ♦ Compelling Prostitution
- ♦ Sexual Performance by a Child
- ♦ Employment Harmful to Children
- ♦ Possession or Promotion of Child Pornography

will require registration. Those who benefit from participating in a venture that involves activity outlined above or engages in sexual conduct with a child trafficked will also be required to register. This law is prospective in application and only applies to offenses committed on or after September 1, 2011.

LEGISLATIVE UPDATES: BILLS AFFECTING THE TEXAS SEX OFFENDER REGISTRATION PROGRAM (Cont'd)

Senate Bill 198 amends criteria that allow young adults who have been convicted or placed under supervision for certain offenses involving an underage victim to be able to petition the courts to be released from registration requirements. Notable change is the petitioner was not more than 4 years older than the victim or intended victim and the victim or intended victim was at least 15 years of age. It also authorizes the court to take into consideration various testimonies from the victim or a member of the victim's family; the relationship between the victim and petitioner at the time of the hearing; and any other evidence the court determines is relevant and admissible.

This bill also transfers the duties of determining the minimum required registration period under federal law for each reportable conviction or adjudication under Chapter 62 from the Council on Sex Offender Treatment to the Texas Department of Public Safety.

Senate Bill 166 creates a new state office called the "Office of Violent Sex Offender Management". This office performs functions related to the sex offender civil commitment program provided under Chapter 841, Health and Safety Code, including functions related to the provision of treatment and supervision to civilly committed sex offenders.

Senate Bill 653 abolishes the Texas Youth Commission and the Texas Juvenile Probation Commission and transfers the powers and duties of those agencies to the newly created Texas Juvenile Justice Department.

Full texts of these bills, statutes, as well as other legislative information can be found on the Texas Legislature Online web site at: www.legis.state.tx.us. For assistance or other inquiries please contact your designated Sex Offender Registration Field Representative, or our office at (512) 424-2800, or e-mail at: txsor@dps.texas.gov.

UNIFORM CRIME REPORTING AUTHORITY
Rosemary Webb Retiring

Rosemary Webb started with the Department of Public Safety as Rosemary Covington in 1987. She began her career in Uniform Crime Reporting taking a brief detour to work in the Training / Education Section but returned to her much loved department just two years later. Mrs. Webb continued growing a vast knowledge of all the Uniform Crime Reporting policies, procedures, and new statistical data collecting. Rosemary retired in 2005 after serving more than 18 years of faithful and dedicated service to the Texas Department of Public Safety. She returned just two months later as the manager of Uniform Crime Reporting. Rosemary then provided six more years of education to her people and to the local law enforcement agencies. Rosemary Webb is retiring again after a total of 24 years of loyal, committed, and devoted assistance to DPS. She is not just a manager, boss, supervisor, and employee, she is a friend, supporter, and savior to all who have worked with her and she will be truly missed.

TEN-PRINT OPERATIONS REPORT

January - August 2011

Criminal Transactions Submitted to AFIS

The following information reflects the total number of criminal tenprint fingerprint transactions submitted to AFIS.

Number of Transactions Submitted Electronicaly	527,839
Number of Transactions Submitted via Hard-Card	65,766
Total number of Criminal Transactions Submitted to AFIS	**593,605**

Applicant Transactions Submitted to AFIS

The following information reflects the number of applicant tenprint fingerprint transactions submitted to AFIS.

Total number of Applicant Transactions Submitted to AFIS	**423,703**

Fingerprint Supported Dispositions

The following information reflects the number of fingerprint supported dispositions submitted electronically to AFIS.

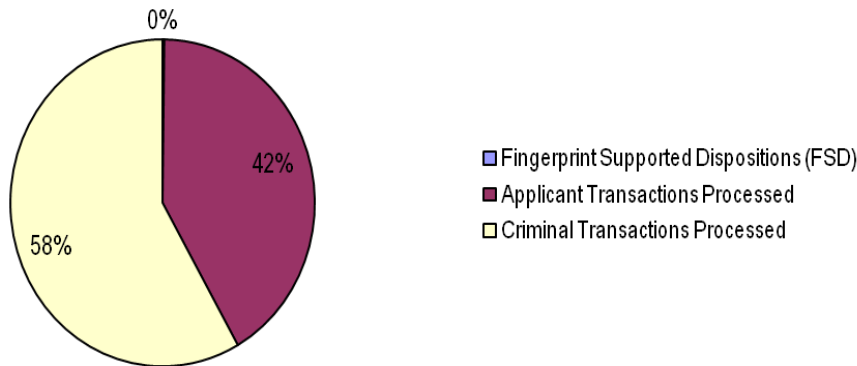|	
Total number of Custody Transactions Submitted to AFIS	**1,813**

Manually Processed Fingerprints

The following information reflects totals for fingerprint cards that were manually processed. This includes manually verified raps, and non-AFIS age group cards that were manually classed and searched.

Criminal Cards (including TDC faxes)	5,447
Applicant Cards	4,407
Deceased (known and unknown)	1,695
Total number of Manually Processed Fingerprints	**11,549**

Percentages of Transactions Processed

The chart below reflects the approximate overall percentages of criminal, custody, and applicant submissions processed through Crime Records.

Legend:
- Fingerprint Supported Dispositions (FSD)
- Applicant Transactions Processed
- Criminal Transactions Processed

	Rolled Print Database	Palm Print Database	Slap Print Database
January	9,276,726	476,309	2,613,121
February	9,325,235	499,988	2,696,422
March	9,368,600	521,946	2,768,386
April	9,423,725	548,212	2,859,095
May	9,468,387	573,264	2,935,445
June	9,512,076	596,930	3,009,754
July	9,558,382	618,996	3,087,886
August	9,604,337	642,343	3,165,584

DPS IDENTIFICATION SUPPLIES ORDER FORM

TO; CRIME RECORDS SERVICE
TEXAS DEPARTMENT OF PUBLIC SAFETY
PO BOX 4143
AUSTIN TX 78765-4143   Date: _____
FAX: 512-424-5599
Please furnish the following supplies

FORM NUMBER	DESCRIPTION	COUNT PER PKG	QUANTITY ORDERED
CR-6	DPS Applicant Card*	250 p/pkg	
CR-12	DPS Identification Supplies Order Form	100 p/pad	
CR-23	Out of State Probation/Parole Supervision Card	Single cards	
CR-26	Death Notice Form	100 p/pad	
CR-42	Request for Criminal History Check	100 p/pad	
CR-43	Adult Criminal History Reporting Form with Preprinted TRN and Fingerprint Card Attached*	100 p/pkg	
CR-43	Adult Criminal History Reporting Form with Fingerprint Card Attached*	100 p/pkg	
CR-43J	Juvenile Criminal History Reporting Form with Preprinted TRN and Fingerprint Card Attached*	100 p/pkg	
CR-43J	Juvenile Criminal History Reporting Form with Fingerprint Card Attached*	100 p/pkg	
CR-43P	Adult Probation Supervision Reporting Form with TRN Numbers	200 p/pkg	
CR-43P	Adult Probation Supervision Reporting Form without TRN Numbers	200 p/pkg	
CR-44	Adult Supplemental Court Reporting Form	100 p/pkg	
CR-44J	Juvenile Supplemental Reporting Form	100 p/pkg	
CR-44S	Adult Supplemental Court Reporting Form	100 p/pad	
CR-45	Adult DPS Fingerprint Card*	250 p/pkg	
CR-45J	Juvenile DPS Fingerprint Card*	250 p/pkg	
FD-249	FBI Arrest & Institution Fingerprint Card (Felony Card)*	500 p/pkg	
FD-258	FBI Applicant Fingerprint Card*	500 p/pkg	
FD-353	FBI Personal Identification Fingerprint Card*	500 p/pkg	
R-84	FBI Final Disposition Notice	500 p/pkg	
	Fingerprint Card Return Envelopes (For Arresting Agency Only)	100 p/box	

*DPS does not pre-stamp the agency ORI on any fingerprint card. Overnight services are available at ordering agency's expense.

NOTE: Please order minimum of three weeks supply. Please submit order at least 4 weeks prior to depletion of your supplies.

NOTICE: Provide a complete shipping address (PO Box(es) are acceptable).

AGENCY NAME _____

STREEET ADDRESS _____

COUNTY _____ CITY _____STATE TX ZIP _____

ATTENTION _____ PHONE NO. (_____)_____-_____