



Texas Department of Public Safety

Crime Records Division

Criminal History Record Information Service (CHRIS) Bureau

Error Resolution

Computerized Criminal History Specialist 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:
Sheila
Vasquez



Section
Supervisor:
Brittany
Chromcak

CCH Specialists:

- Traci Thoene (ER Lead)
- Larry Lewis
- Deborah Maldonado
- Mike Morales
- Carol Ockletree
- Judit Pina
- Betsy Post
- Angie Garrett
- Tommy Urias
- Derek Jones
- Lydia Perez
- Rebecca Roach
- Bethany Berger

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

10 Age of Victim

12 Problem Arrests

CORRECTIONS

13 Intro to Corrections

14 Electronically Submitted Corrections

16 Correction Submissions

18 Duplicate TRN

SWITCHED PRINT/SWITCHED RECORD (SP/SR)

20 Intro to SP/SR

21 Arrest Switched Record

23 Switched Print/Switched Record

MISUSE OF IDENTITY

27 Misuse of ID Record

30 Declaration

32 Expunction

MISCELLANEOUS INFORMATION

33 Background Checks

34 DPS Contacts

35 ERU Contact Information

Chapter 66 Code of Criminal Procedure

During the 71st 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 85th 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.**

Over 25,000 authorized agencies access the TXDPS CCH Secure Website to obtain criminal history information.

- **Examples of authorized entities include:**
 - **School Districts**
 - **Hospitals/Nursing Homes/
Home Health Care Facilities**
 - **Childcare Facilities**
 - **City Government Offices**
 - **State Licensing Boards**

Government Code

Section 411.083

Dissemination of Criminal History Record Information

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.

State Identification (SID) Numbers



- 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 (SID) Numbers.

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.
- When reporting a Class C, agencies should put a description of the offense in the AOL "literal" field.
- 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.

MISDEMEANOR CLASS C OFFENSE CODES

Offense Code	Citation	Literal
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.

Article 66.102 (h) Age of Victim Mandatory Offenses

- If an offender is charged, prosecuted or disposed on any of the “Age of Victim Mandatory Offenses”, the Victim’s age field must be completed. The “VIC” field is a two digit numerical field.
- Do not use the “VIC” field if the offense is not on the list of Age of Victim Mandatory Offenses.
 - 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.).

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.



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:

Corrections must be submitted by the appropriate agency in order to maintain the integrity of CCH.

- ✓ 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.
- ✓ 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*.
- ✓ Basic corrections can be sent to our Corrections box, but you can continue to send more complex corrections directly to Error Resolution.

Electronically Submitted Corrections

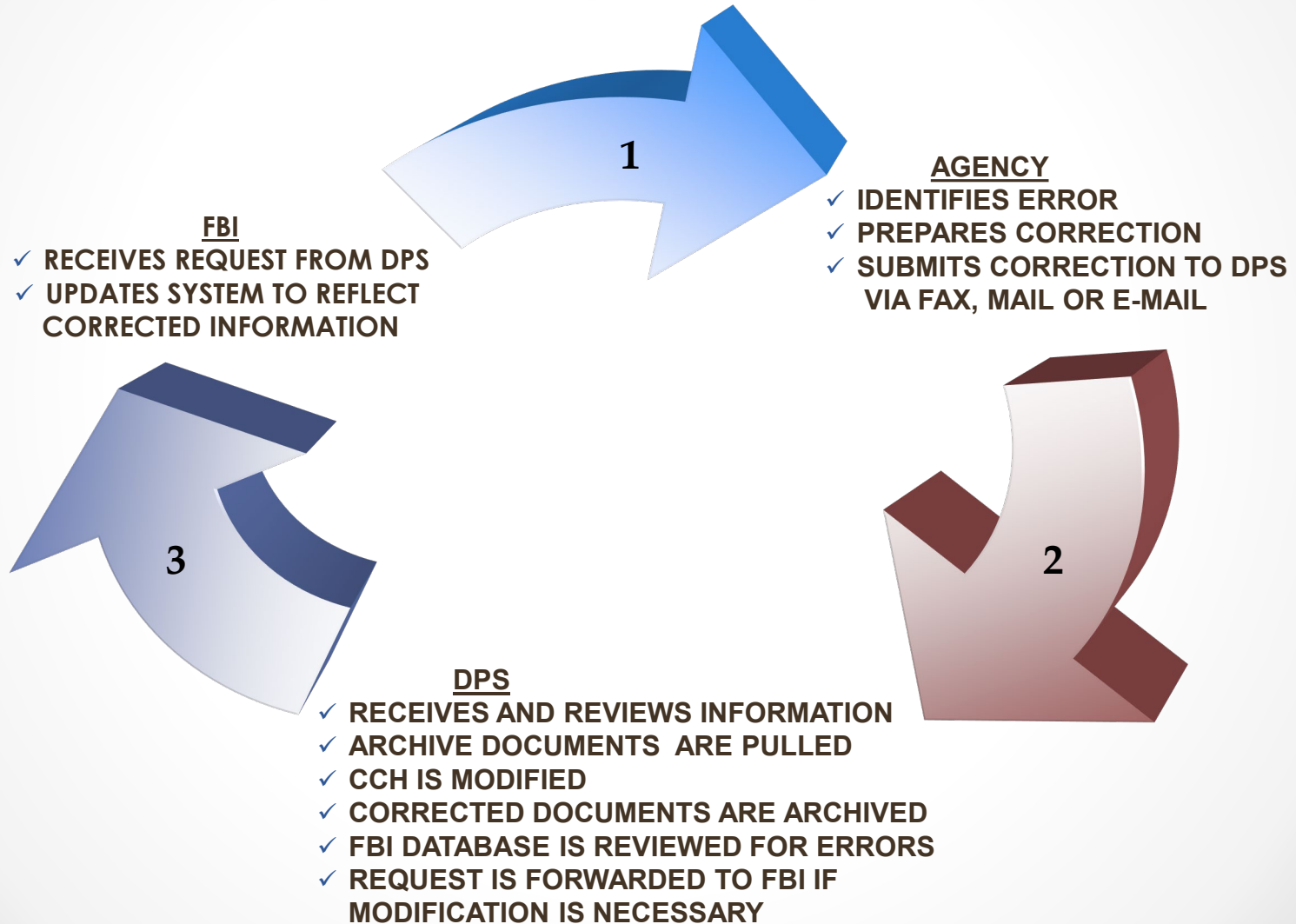
Please do not attempt to submit a *correction* via Livescan or EDR transactions.

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, prosecutors, and courts. Please contact your CJIS rep, or call CJIS Field Support at 512-424-2478, for more information.



Correction Process



Corrections Submitted by Fax, Mail or E-Mail

screenshot from CJIS site:

When making a request, include the following information on your corrections:

- Contact Name
- Phone Number
- Date

General Offense Code (GOC)	A
Offense Literal (COL)	ASSAULT CAUSES BODILY INJURY FAMILY MEMBER
Court Confinement (CMT)	180d 180d
Sentence Suspended Time (CSS)	180d
Court Probation (CPR)	3m
Court Fine (CFN)	1000
Sentence Suspended Fine (CSF)	
Court Cost (CST)	100
Provision Literal (CPL)	CONFINEMENT/FINE
Multiple Sentences (MCC)	CC
Agency Receiving Custody (ARC)	TX1700000
Appeal Date (DCA)	
Status During Appeal (DDA)	
Result of Appeal (FCD)	
Court ID	14832462
> Court: b	*Correction

- contact name
- phone number
- date

correction on CR-43 form:

123 456 789X		DATE OF BIRTH 01012005	SEX NO 12345678	PHONE TX0000000	OUT OF STATE? <input type="checkbox"/>	OUT OF COUNTY? <input type="checkbox"/>
Test, Record Middle Jr		DATE OF BIRTH 01011900	STATE OF BIRTH TX	SEX M	WEIGHT W	HAIR N
TX ID AS 123456789	SSN US 12345678	TX ID TX	CLASS C	TX ID 12345678	TX ID TX	TX ID TX
Realtor-TX Real Estate Commission		Real-99999		LEAVE BLANK		
ALIAS NAME Rubble, Barney; Nickname, Slim		ADDRESS 10909 Imagination Ave		CITY Austin	STATE TX	ZIP 78752
ARRESTING AGENCY TX0000000		ARRESTING AGENCY NAME Pete Co SO or Preland PD		ARREST AGENCY NO 2469	POLICE AGENCY NO ABC-123	OFFENSE CODE K
YES A001	NO N	OFFENSE CODE 1111111	OFFENSE Corrected Offense Literal Insert Offense Literal	ARREST IDENTIFICATION		
00.00 (A)(2) PC		TELEPHONE NO 2	TELEPHONE NO 2	DATE OF OFFENSE 01012005	ARRESTING AGENCY TX0000100	
ISSUING AGENCY 321-CAB	ARRESTING AGENCY 2/5	TELEPHONE NO 81012005	PROSECUTOR TX000015A	STATE Y	COUNTY ZXY96A	YEAR 05
PREPARED BY Print Full Name Legibly		DATE 2/20		DATE 01012005		

* correction
- contact name
- phone number
- date

correction/modification form:

TEXAS DEPARTMENT OF PUBLIC SAFETY
CORRECTION / MODIFICATION REQUEST

(Submitting Agency)
(Address)

Date: _____

Arrestee Name: _____ DOB: _____

TXSID: _____

Modification under:

DOA: _____ TRN: _____

TRS: _____

We're respectfully requesting a MODIFICATION of the submitted information. This data was submitted due to officer/human error. Our records have been modified. Please make the same correction in CCH and in the FBI/III system.

A)
Please modify _____

FR: _____

TO: _____

B)
Please remove TRN: _____

DOA: _____

This arrest is not a true 207, this arrest was submitted in duplication of TRN _____ and is not a valid charge/transaction for this defendant.

Please advise when this request has been completed for documentation of our records.

If you have any questions, please feel free to contact us.

Respectfully Submitted,

Name: _____ ORI: _____
(Agency Representative)

Email address
Phone number

do NOT use this form for Criminal History Record corrections:

TEXAS DEPARTMENT OF PUBLIC SAFETY

6805 N. LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001
PHONE: 512/424-2031 • FAX: 512/424-5909
www.dps.texas.gov

DPS CORRECTION FORM

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

Court Information		
Court Name:	Phone:	Fax:
Defendant Information		
Defendant Name:	Date of Birth:	
Driver's License Number:	State:	Social Security #:
Incorrect Conviction Information		
Cause/Docket/Ticket Number:		
Offense/Violation Description:		
Offense Date:	Conviction Date:	
Reason for Correction		
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	
Correct Defendant Information		
Defendant Name:	Date of Birth:	
Driver's License Number:	State:	Social Security #:
Correct Conviction Information		
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 can occur for a variety of different reasons.

- **Examples:**
 - **warrant arrests**
 - **double bookings**
 - **probation violations**
 - **warrant from another county**
 - **new TRN submitted for a charge that was previously submitted under another TRN**

Duplicate TRNs can be deleted by submitting a request on a CR43 (CJIS Form), Correction/Modification Form, or on agency letterhead indicating the error and the duplicate TRN. All requests must be signed by an agency representative.

Duplicate TRN Errors



(Submitting Agency)
(Address)

Date: 05/18/2023

Arrestee Name: Bird, Earl E DOB: 02/14/1953

TXSID: 02030008

Modification under:

DOA: _____ TRN: _____

TRS: _____

We're respectfully requesting a MODIFICATION of the submitted information. This data was submitted due to officer/human error. Our records have been modified. Please make the same correction in CCH and in the FBI/III system.

A) Please modify _____

FR: _____

TO: _____

B) Please remove TRN: 010102200X

DOA: 05/01/2022

This arrest is not a true 207, this arrest was submitted in duplication of TRN 010113311X and is not a valid charge/transaction for this defendant.

Please advise when this request has been completed for documentation of our records.

If you have any questions, please feel free to contact us.

Respectfully Submitted,

Name: _____ ORI: _____

(Agency Representative)

Email address

Phone number

Duplicate TRN Examples

TRN	123 456 789X	DATE OF ARREST	01012005	EPD NO.	12345678	FBI NO.		CONTINUATION OF	TX0000000	OUT OF COUNTY OR	<input type="checkbox"/>	OUT OF COUNTY OR				
NAME (LAST, FIRST, MIDDLE)		DATE OF BIRTH	01011900	PLACE OF BIRTH	TX	RACE	W	ETH	N	HAIR	B	WEIGHT	195			
EYES		BROWN	HAIR	BROWN	SOCIAL SECURITY NO.	RELIGION, ABILITIES							LEAVE BLANK			
BRO		XXX	FAR	12345678	SCARS, GLASSES											
MISC. NO.		AS	123456789	US	LICENSE CLASSIFICATION AND ISSUING AGENCY											
REATOR-TX Real Estate																
ARREST/IDENTIFICATION	ALIAS NAME(S)		Rubble, Barney; Nick		CITY		Austin		STATE		TX		ZIP		78752	
	APRIS AGENCY ONE		TX0000000		AGENCY ARREST NO.		2468		AGENCY CASE NO.		ABC-123		FINGERPRINT CODE		K	
	TRN		A001		OFFENSE		2005		WARRANT NUMBER ONE		TX0000100					
	WARRANT HOLDER CASE NO.		321-CAB		ISSUE DATE		01012005		LICENSE NO.		ZXY99A		STATE		ME 05	
PREPARED BY		Print Full Name Last														
		01012005														

FOR LOCAL AGENCY USE	DUPLICATE TO	Name of Person Correcting
	TRN 234 567 890X	Date of Correction

DUPLICATE TRN (OFFENSE)

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

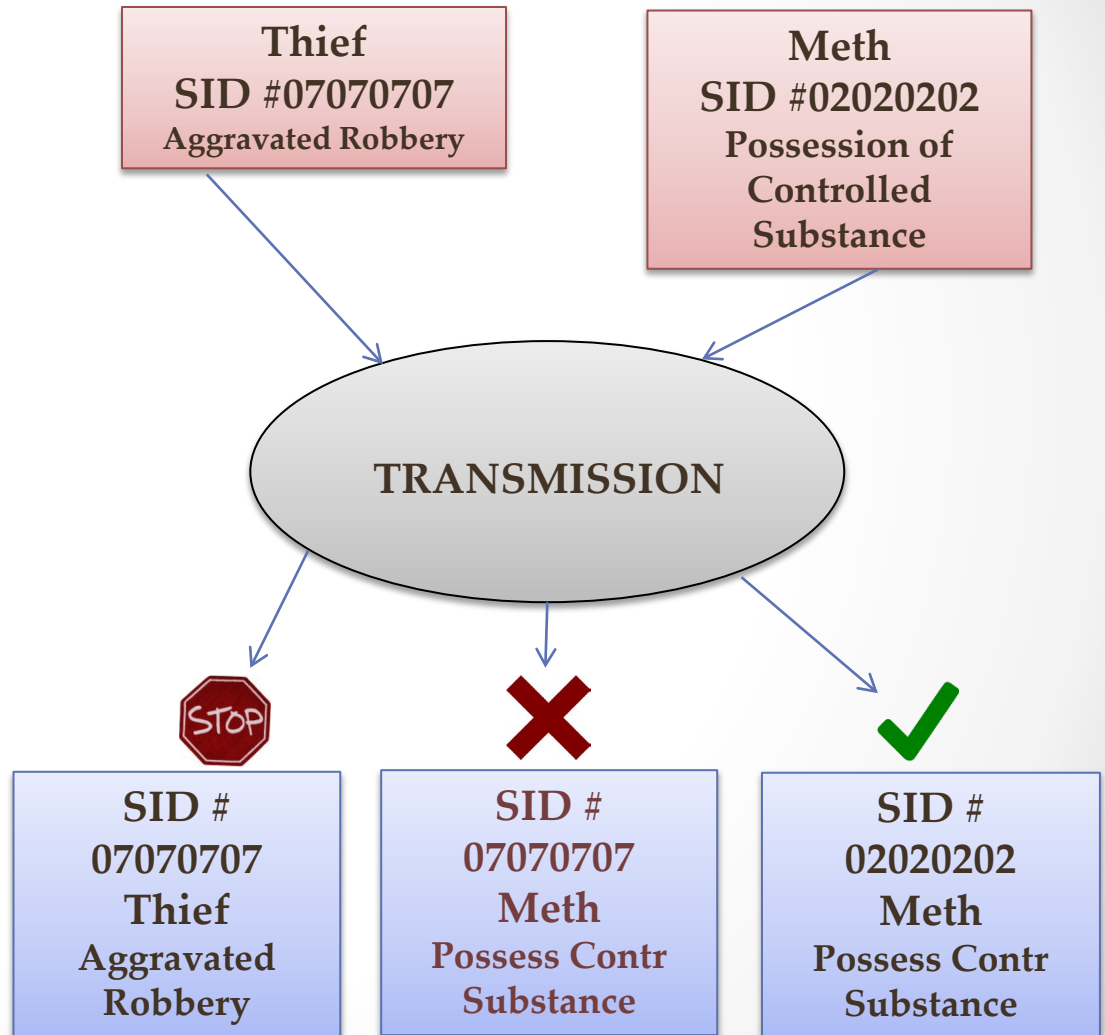
Meth also has an existing criminal record under SID #02020202.

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 1st individual's prints transmit correctly with the proper identifiers and arrest information to their SID.
 - The 1st individual's prints transmit again, this time with the 2nd individual's identifiers and arrest information, creating a new "BUM" SID.
 - The 2nd individual's prints transmit correctly with the proper identifiers and arrest information to their SID.
- **Result:**
 - (SP/SR)—A 3rd arrest record is created and a new SID or "BUM" SID is issued.
 - This new SID contains:
 - An arrest with the 1st individual's fingerprints attached to the 2nd 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.

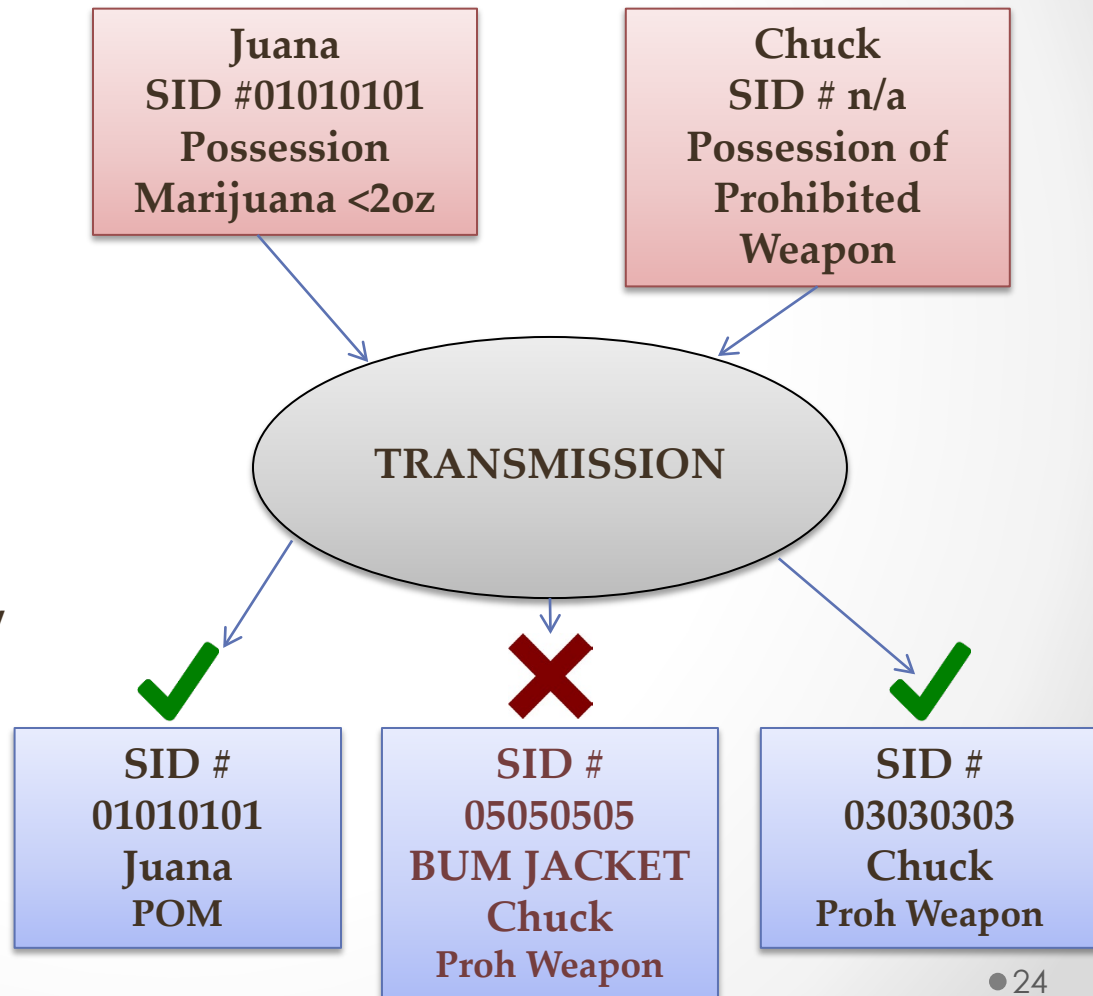
Juana has a criminal record under SID #01010101.

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. However, you must follow up by emailing, mailing or faxing information regarding the *incorrect* arrest submission to ERU.
- If you are unable to resubmit the arrest via livescan you may email, 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:

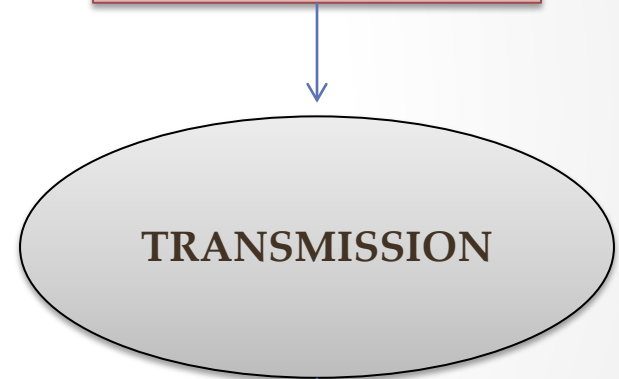
- If Sam Adams was actually arrested on this
arrest date.

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.

Bud Weiser
SID #08080808
AKA: n/a
*Assumes Identity of
Sam Adams*



SID #
08080808
Bud Weiser
AKA: Sam Adams

TEXAS DEPARTMENT OF PUBLIC SAFETY
ERROR RESOLUTION UNIT
CORRECTION FORM – ASSUMED IDENTITY

(Submitting Agency)
(Address)

Date: _____

Arrestee 1: Name: _____
SID: _____

DOB: _____

Arrestee 2: Name: _____
SID: _____

DOB: _____

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.

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 BR0
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 in 2-3 days, 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. Current processing time is up to 20 days. 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
ph. (512) 424-7026

ELECTRONIC DISPOSITION REPORTING (EDR) PROBLEMS:

- Cassandra Richey, EDR Coordinator
cassandra.richey@dps.texas.gov
ph. (512) 424-2479
- Anna Gay, Assistant EDR Coordinator
anna.gay@dps.texas.gov
ph. (512) 424-7585

CRIMINAL HISTORY RECORD CORRECTIONS:

- corrections.cjisjjs@dps.texas.gov
fax (512) 424-2476

CRIMINAL HISTORY INQUIRY UNIT:

- ph. (512) 424-5079

FINGERPRINT SECTION:

- ph. (512) 424-5248

NON-DISCLOSURES:

- NonDisclosures@dps.texas.gov

EXPUNCTIONS:

- expunctions@dps.texas.gov

SID CONFIRMATION/MISRAPs:

- Crime Records- Fingerprint Section
FP.request@dps.texas.gov
ph. (512) 424-5248

CERTIFIED CRIMINAL HISTORY REQUEST:

- Crime Records- Fingerprint Section
FP.processing@dps.texas.gov
ph. (512) 424-5248

DRIVERS LICENSE CONVICTION REPORTING:

- DPS Enforcement and Compliance (ECS)
convictionreporting@dps.texas.gov
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

DRIVER LICENSE FRAUD:

- DPS Joint Crime Information Center
txjcic@dps.texas.gov
ph. (512) 424-7981

SEX OFFENDER REGISTRY (SOR):

- ph. (512) 424-2800

LEGAL SUPPORT:

- Mitch Odom, CR Legal Exp. Sup.
ph. (512) 424-5838
- Exp/Juv Sealing Coordinators
ph. (512) 424-5258/5367

DRIVER LICENSE SUSPENSIONS:

- ph. (512) 424-2600

DIC-17 ASSISTANCE:

- ph. (512) 424-2031

DNA KITS:

- ph. (512) 424-2387

CJIS/JJIS SUPPLIES:

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

Texas Department of Public Safety Website:
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

ADULT AND JUVENILE REPORTING CODES

<https://www.dps.texas.gov/section/crime-records/adult-and-juvenile-reporting-codes>

CCH DATA DICTIONARY

<https://www.dps.texas.gov/section/crime-records/computerized-criminal-history-cch-specifications>

OFFENSE CODES

<https://www.dps.texas.gov/section/crime-records/appendix-k-offense-codes>



Thank you for attending the Crime Records Conference 2024!

In order to receive TCOLE credit, please fill out the survey for this session on the Error Resolution Unit:

**Please let us know if you have any questions or concerns.
Have a great week!**