

CJIS System Access Policy for Applicants or Employees

The CJIS System Access Policy applies to commissioned peace officers, terminal operators and others with network access to CJIS 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. In order to establish a practical process for screening in Texas that is consistent with the CJIS Security Policy requirements, TXDPS is applying the criminal history background screening requirements within the Texas Commission on Law Enforcement (TCOLE) licensing rules to persons requesting access to the Texas and national CJIS systems.

Offense	Original Application for Access	Person Who Already has Access
Felony Conviction	Permanent Disqualifier	Permanent Revocation of Access
Felony Deferred Adjudication	Permanent Disqualifier	Suspension of Access for 20 years
Class A Misdemeanor Conviction	Permanent Disqualifier	Suspension of Access for 10 years
Class A Misdemeanor Deferred Adjudication	Permanent Disqualifier	Suspension of Access for Term of Deferral
Class B Misdemeanor Conviction	Disqualifier for 10 years	Suspension of Access for 10 years
Class B Misdemeanor Deferred Adjudication	Disqualifier for 10 years	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	Permanent Disqualifier	Permanent Revocation of Access

The TXDPS does not need to review every applicant. Local agency administrators may authorize or deny access to the Texas and FBI systems. When the local criminal justice agency is reviewing an individual's criminal history record information, the TXDPS considers a deferred adjudication as though it was a conviction for screening purposes. In instances where there are any questions, please contact the Manager of the Crime Information Bureau.

Both Class A and B convictions/deferred adjudications can receive an agency sponsored waiver after 5 years from final disposition providing there are no multiple Class A convictions/deferred adjudications. If approved, agency sponsored waivers are only valid at that agency and cannot transfer with the individual. The agency head must articulate in writing that mitigating circumstances existed with the case and must attest to the value of the individual to the criminal justice community. The request shall also include a statement that the public interest would be served by reducing the denial period. These requests may be sent to tlets@dps.texas.gov or mailed to the following address:

Texas Department of Public Safety - Crime Records Service – MSC 0233
 Attn: Manager, Crime Information Bureau
 P.O. Box 4143, Austin, Texas 78765-4143