

TEXAS CJIS SYSTEMS ACCESS POLICY

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

| <u>ORIGINAL APPLICATION FOR ACCESS</u> | <u>PERSON WHO ALREADY HAS ACCESS</u> |
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| 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 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.