# PART B, CHAPTER 9: COMPUTERIZED CRIMINAL HISTORY (CCH)

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| **Policy Number** | **Authority** | **Scope** | **Effective Date** |
| Part B, Chapter 9 | 34 CFR [§361.38](https://www.ecfr.gov/current/title-34/section-361.38), Texas Government Code [§411.117](https://statutes.capitol.texas.gov/Docs/GV/htm/GV.411.htm#411.117), [§411.084](https://statutes.capitol.texas.gov/Docs/GV/htm/GV.411.htm#411.084), and TWC Privacy Manual | All TWC-VR staff | 04/07/2025 |

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## POLICY

### General Overview

A Computerized Criminal History (CCH) should be considered for any TWC-VR eligible customer if it will support them in choosing and/or achieving their employment goal. A CCH must be used when—

* A customer is participating in a training program for an occupation requiring licensure, permits, or other credentials;
* A customer is seeking an employment goal that requires a license, permit, or other credential that is not already possessed and prior to signing the IPE;
* A customer has reported difficulty obtaining employment due to a history of criminal conviction(s);
* A customer needs to receive Criminal Background Premium services to remove barriers to employment that are directly related to a customer’s criminal history; and
* A customer is interested in attending Criss Cole Rehabilitation Center (CCRC) training.

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## PROCEDURES

### Determining CCH Type

TWC-VR staff discusses with the customer how specific criminal offenses can affect their ability to obtain licensure, permits, or credentials required for particular occupations and employment settings. TWC-VR staff enters a case note explaining what counseling and guidance was offered to the customer about selecting their vocational goal and obtaining a CCH before the customer and the VR counselor agree to the contents of the IPE.

There are two types of CCH searches and the VR Counselor determines the type of search necessary to meet the circumstances of each customer.

1. Name-Based CCH Search:
   * Has the potential to return multiple records of individuals with same or similar name and DOB;
   * Only returns legal history that occurred in the State of Texas; and
   * Cannot be discussed with or released to customers or other parties outside of authorized staff within TWC.
2. Fingerprint-Based CCH Search:

* Is the best method for returning accurate criminal history records and should be used when—
  + - A customer has lived out of state or disclosed that a crime was committed in another state;
    - An exact match to the customer could not be made on a name-based CCH search in the State of Texas; and/or
    - Discussing the results of a CCH record with the customer is necessary.

### Requesting a CCH

After determining the type of CCH search, the VR Counselor must complete the *Request for Computerized Criminal History Search form (VR1510)* and obtain the customer’s signature. The VR1510 must be stored in the customer’s case file.

The VR counselor enters a case note indicating the request for a CCH, detailing the procedure followed and the reasons for the request. Any RHW case note topic may be used, but “Background Check Request” must be included in the Add to Topic Section of the case note.

1. Name-Based CCH Search: The VR Counselor submits the request via (choose one):

* Email: Send an encrypted email to the Regional Office Point of Contact (POC). Add the subject line: <ENCRYPT> Background Check Request. Include the signed *Request for Computerized Criminal History Search (VR1510)* in Microsoft Word or PDF.
* DocuSign: Send the *Request for Computerized Criminal History Search form (VR1510)* via DocuSign to the assigned Regional Office POC once the customer’s signature is completed within the DocuSign system.
  + The Regional POC for CCH will conduct the CCH search.
  + The Regional POC for CCH will provide the CCH record to the TWC-VR Counselor, or notify that no records were found, via encrypted email with the subject line <ENCRYPT> Background Check Response.
    - If a customer discloses they have a criminal record but no record is returned, it is possible the local arresting authority did not report the crime to DPS and the VR Counselor should direct the customer to their local authority to handle any disputes.
    - If verification of a CCH record cannot be made based on a customer's name, the Regional POC instructs the VR Counselor to follow the procedure to request a fingerprint-based CCH search.
    - If a name-based CCH search reveals any result that needs to be discussed, to clear any possible misidentification, the VR Counselor contacts the State Office POCs to obtain a fingerprint-based CCH search.
    - Alternatively, the customer may go to DPS independently to obtain a fingerprint-based CCH; however, TWC-VR will not pay for this cost.

1. Fingerprint-based CCH Search: The VR Counselor submits the request via (choose one):

* Email: Send an encrypted email to the State Office Point of Contact (POC). Add the subject line: <ENCRYPT> Background Check Request. Include the signed *Request for Computerized Criminal History Search (VR1510)* in Microsoft Word or PDF.
* DocuSign: Send the *Request for Computerized Criminal History Search (VR1510)* via DocuSign to the assigned State Office POC once the customer’s signature is completed within the DocuSign system.
  + The State Office Program Specialist(s) for CCH will instruct the VR Counselor on the process for acquiring a fingerprint-based CCH search by email.
  + TWC-VR staff helps the customer schedule the fingerprinting appointment using information provided by the State Office Program Specialist.
  + TWC-VR staff informs the customer that they will be required to pay a service fee (approximately $10-$25) at the time of the fingerprinting appointment. TWC-VR State Office staff pays the cost of the CCH search.
  + TWC-VR staff directs the customer to take a photo ID and Social Security number when the customer goes to the fingerprinting appointment. For additional information, see [Documents to Prove Identity for Fingerprinting (PDF)](https://www.dps.texas.gov/administration/crime_records/docs/ProveIdForFingerprinting.pdf).
  + TWC-VR staff sends an email to the State Office Program Specialist with the following information:
    - The date and location of the fingerprinting appointment;
    - The customer's name; and
    - The case ID.
  + The State Office Program Specialist provides CCH record to the VR Counselor or notifies the VR Counselor that no records were found, via encrypted email with the subject line <ENCRYPT> Background Check Response.

The VR counselor enters a case note confirming receipt of the CCH record.

The VR counselor only documents how the implications of the CCH may affect the selection of the vocational goal. However, specific details from the CCH record, such as dates and types of convictions, must not be included in the case note.

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**REVIEW**

The Policy Planning and Statewide Initiatives Team, or designee, is responsible for reviewing this policy and these procedures and will update the Document History log if necessary.

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| **Date** | **Type** | **Change Description** |
| 09/03/2024 | New | VRSM Policy and Procedure Rewrite |
| 12/02/2024 | Revised | Added in case note requirements for CCH |
| 04/07/2025 | Revised | Updated procedures and added data elements required for the newly revised VR 1510, Request for Computerized Criminal History (CCH) Search |