

TXDPS Private Security Bureau

Criminal History Frequently Asked Questions

What is your address/phone/fax/website?

- Physical address:
Texas Department of Public Safety
5805 N. Lamar Blvd
Austin, Texas 78752

Private Security Bureau
5806 Guadalupe, Building I
Austin, Texas 78752

Mail with money:
Texas Department of Public Safety
PO Box 15999
Austin, Texas 78761

Mail without money:
Texas Department of Public Safety
PO Box 4087
Austin, Texas 78752

- Contact phone numbers:
Main Phone #: 512-424-7710
Licensing Section Fax #: 512-424-7726
Criminal History Fax #: 512-424-7729
Investigations Fax #: 512-424-7729
Open Records & Bureau Manager Fax: 512-424-7728
Web site: www.txdps.state.tx/psb

What are the qualifications for a licensure with regard to criminal history?

- An applicant must be 18 years of age and must not have ever* been convicted in any jurisdiction of a Class A misdemeanor or felony, or have been convicted of a Class B misdemeanor within 5 years.

*If the conviction is over twenty years old, it may be possible to obtain a license under the provisions of Occupations Code, Section 1702.3615 (b)-(d).

Will I meet the eligibility requirements, if I have been granted a Governor's Pardon?

- You may meet the eligibility requirements if your pardon was granted for a wrongful conviction or proof of innocence.

Will I meet the eligibility requirements, if I have been granted deferred adjudication probation?

- You may meet the eligibility requirements if you have successfully completed deferred adjudication probation.
- You are ineligible if you have not yet completed deferred adjudication probation.

Why was my application denied based on a misdemeanor offense?

- State law requires the Private Security Bureau to summarily suspend a license or deny an application based on a Class A misdemeanor and/or Class B misdemeanor.

What happens if I fail to surrender my license that was issued by the Private Security Bureau?

- Failure to comply is a Class A misdemeanor. If arrested and convicted, you will be disqualified until the 20th anniversary of your conviction.

Am I required to surrender my driver license too?

- No, the Private Security Bureau has suspended your license to work in the private security, locksmith or investigation industry.

My Commissioned Security Officer license has been summarily suspended or denied, may I work as a Non-Commissioned Security Officer?

- No, you may not work as a Non-Commissioned Security Officer. The eligibility requirements are the same for all registrations.

Why have I been suspended or denied if my case has not gone to court?

- According to the Occupations Code Chapter 1702, Section 1702.364 (a), the Private Security Bureau has the authority to summarily suspend a license or summarily deny an application on receiving written notice from the Texas Department of Public Safety or another law enforcement that an individual has been arrested for or charged with a Class B misdemeanor, Class A misdemeanor or felony.

Where do I get documents to clear my suspension or denial?

- If you were charged with a misdemeanor, contact the County Clerk; or if the charge was classified as felony, contact the District Clerk from the county of jurisdiction. You will need to request a copy of the final disposition, including the judgment, sentence or dismissal.

What if the charges were not filed?

- If your charges were dropped by the arresting agency, you must provide a certified record search from the County Clerk or District Clerk. The record search must contain information such as the year of your arrest to the present date. Note: documents from a Police Department or Sheriff's office will not be accepted.

Do I need a copy of my order of summary denial or suspension when I fax the documents?

- Yes, the order of summary denial or suspension is needed to process your documents. If the denial or suspension letter has been lost, you will need to include your full name and date of birth on a cover sheet when faxing your documents.

Do I need to submit court documents if I have ever been arrested for a felony, Class A or Class B misdemeanor, when applying for an original application for a registration license?

- Yes, the application for licensure requires that you answer either “yes” or “no” to having ever been arrested for a felony, Class A or B misdemeanor. If you answered “yes”, the original application must have court documents attached.

I have my court documents, now what do I do?

- Fax your court documents to the attention of the Criminal History Section at 512-424-7729 or;
- Mail to the Private Security Bureau, PO Box 4087, Austin, Texas 78752

*Note: to ensure your documents are processed within 48 hours or 2 days after receipt, you must also include a copy of your order of summary suspension or denial. You may check your status by looking for the header “Searches” and select “Search Individual” on our website at www.txdps.state.tx.us/psb.

What if the documents I submitted are insufficient for the reinstatement of my license?

- The Private Security Bureau will send a letter to you and your current employer requesting additional information.

How will I know my license has been reinstated?

- A letter of reinstatement will be sent to you and your employer.
- You may also check your status by looking for the header “Searches” and select “Search Individual” on our website at www.txdps.state.tx.us/psb.
- Note: If you recently faxed your documents, please allow two business days before checking our website for a status update.

How do I request for a hearing?

- Please read the following instructions on how to request for a hearing by visiting our website at www.txdps.state.tx.us/psb/hearingprocess

How do I file a complaint (against an employer or contractor)?

- Please complete and submit form PSB-22 (Complaint Form) and fax to (512) 4247729 or mail it to P O Box 4087, Austin, TX 78773. You can obtain this form from our website at www.txdps.state.tx.us/psb/forms

How do I get copies of my paperwork, certificates, files, etc?

- Please submit a detailed request in writing to the Open Records Coordinator and fax this information to (512) 424-7728 or mail to Texas Department of Public Safety, PO Box 4087, Austin, TX 78773.

Why am I not entitled to receive from PSB more detailed information concerning my criminal history record or my employee's criminal history, such as the offense, level and degree, or the final disposition?

- The information contained in an individual's criminal history record is maintained by the Department of Public Safety or the Federal Bureau of Investigation. To obtain a copy of your criminal history record, you must contact the contributing agency. The Private Security Bureau is prohibited from disseminating this information. *See* GOV'T CODE §411.083 AND §411.085.
- Sec. 411.083. DISSEMINATION OF CRIMINAL HISTORY RECORD INFORMATION. (a) Criminal history record information maintained by the department is confidential information for the use of the department and, except as provided by this subchapter, may not be disseminated by the department.

(b) The department shall grant access to criminal history record information to:

- (1) criminal justice agencies;
- (2) noncriminal justice agencies authorized by federal statute or executive order or by state statute to receive criminal history record information.

Sec. 411.085. UNAUTHORIZED OBTAINING, USE, OR DISCLOSURE OF CRIMINAL HISTORY RECORD INFORMATION; PENALTY. (a) A person commits an offense if the person knowingly or intentionally:

- (1) obtains criminal history record information in an unauthorized manner, uses the information for an unauthorized purpose, or discloses the information to a person who is not entitled to the information;
- (2) provides a person with a copy of the person's criminal

history record information obtained from the department; or
(3) violates a rule of the department adopted under this subchapter.

(b) An offense under Subsection (a) is a Class B misdemeanor, except as provided by Subsection (c).

(c) An offense under Subsection (a) is a felony of the second degree if the person:

(1) obtains, uses, or discloses criminal history record information for remuneration or for the promise of remuneration; or

(2) employs another person to obtain, use, or disclose criminal history record information for remuneration or for the promise of remuneration.

(d) The department shall provide each person who applies for access to criminal history record information maintained by the department with a copy of this section. Added by Acts 1993, 73rd Leg., ch. 790, Sec. 35, eff. Sept. 1, 1993.