# Vocational Rehabilitation Services Manual A-200: Customer Rights and Legal Issues

Revised April 1, 2021

## A-208: Release of Customer Records and Information

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### A-208-2: Release of Customer Criminal History Records

Occupations requiring a license permit or other credential may include a computerized customer criminal history (CCH) search as part of the credentialing process.

If a customer wants to work in an occupation or participate in a training program requiring a license, permit, or other type of credential, the VR counselor must explain to the customer why the CCH search is necessary and document the reasons for obtaining the CCH and a summary of the discussion with the customer in a case note.

Requests for a CCH search may be submitted only on cases determined eligible or that are in active status. Criminal history information must not be considered as part of the eligibility determination process, only as part of employment planning during the comprehensive assessment and plan development process or when a case is in active status.

To request a CCH search on a customer, the VR counselor completes the [VR1510, Request for Computerized Criminal History (CCH) Search](http://intra.twc.state.tx.us/intranet/gl/html/vocational_rehab_forms.html), and sends it by email to the regional point of contact. The CCH requested by VR is typically obtained using the name and date of birth, also known as a name-based search, and covers offenses that occurred in Texas. For information on when to conduct a fingerprinting background check, refer to [B-405-3: When Fingerprinting is Needed](https://twc.texas.gov/vr-services-manual/vrsm-b-400#b405-3).

The CCH report is critical to the decision-making process. For policy and procedure on when to request a CCH, refer to [VRSM B-405-1: Obtaining and Maintaining Computerized Criminal History Check Results](https://twc.texas.gov/vr-services-manual/vrsm-b-400#b405-1).

For policy and procedure on documenting and storing a CCH, refer to [VRSM B-405-4: Evaluating and Documenting Computerized Criminal History Results](https://twc.texas.gov/vr-services-manual/vrsm-b-400#b405-4).

VR receives customer CCH records from the Texas Department of Public Safety on the assurance that the records are used for rehabilitation purposes only.

VR may not release a name-based search to another organization or individual. This includes the customer or customer’s representative unless there is a request contained in a valid subpoena or other valid court order and the release is approved by the Office of General Counsel (OGC).

Name-based searches are not an exact search and only fingerprinting background checks represent true identification of criminal history record information.

Information from a fingerprinting background check may be released by VR to the customer or customer’s representative if there is a valid release or written request. Requests contained in a valid subpoena or other valid court order may be released after obtaining approval by the OGC.

For more information on obtaining fingerprinting background checks, refer to [B-405-3: When Fingerprinting Is Needed](https://twc.texas.gov/vr-services-manual/vrsm-b-400%22%20%5Cl%20%22b405-3).

Based on Texas Government Code §411.085(a)(2).

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