DEPARTMENT OF PUBLIC SAFETY
of the State of Texas

AGENCY-OWNED LIVESCAN USER AGREEMENT

This document is an agreement between the Department of Public Safety of the State of Texas (DPS) and User Agency, a law enforcement agency.

This agreement details the duties and responsibilities of the parties. DPS may remove permissions if User Agency fails to comply with this agreement.

DPS reserves the right to monitor, and limit if necessary, the number of transactions submitted to the state's Multimodal Biometric Identification System (MBIS), as well as those forwarded to the Federal Bureau of Investigation's (FBI) Next Generation Identification (NGI) System. Additionally, DPS may suspend User Agency access if monitoring reveals that User Agency has continuous periods of unexplained inactivity.

DPS will be the State Administrator of the Store and Forward device used to submit fingerprint images to the FBI's and DPS's systems.

DPS will work with User Agency and its Livescan vendor, if applicable, to accomplish connectivity to DPS. User Agency must only submit transactions to DPS from devices validated by DPS that appear on the FBI's NGI-certified product list found at https://fbibiospecs.fbi.gov/certifications-1/cpl. The Livescan system must have Appendix F specifications with 500ppi and ANSI/NIST Type 4 fingerprints. The Livescan system must connect to DPS in a method approved by DPS.

User Agency must submit Livescan transactions for criminal justice purposes only.

Livescan transactions to DPS must be limited to criminal justice applicants for User Agency, arrests, sex offender registration, and identification verifications of subjects. If User Agency chooses to submit criminal justice applicants, its Livescan system must have a camera and the applicant submissions must be for User Agency's criminal justice applicants only. User Agency must have a Clearinghouse account to retrieve Livescan system responses and for Rap Back. User Agency must validate its subscriptions in the Clearinghouse each year.

User Agency must comply with all federal and Texas laws, and must comply with all current and subsequent versions of approved rules, policies, and procedures concerning the collection, storage, processing, retrieval, dissemination, and exchange of criminal justice information. User Agency must adhere to the CJIS Security Policy.

DPS reserves the right to immediately suspend service to User Agency when any applicable state or federal laws, rules, regulations, or policies are violated. DPS may reinstate service following suspension upon receipt of satisfactory assurances that User Agency has corrected all violations and has taken measures to prevent future violations. Failure to correct any violations could result in the discontinuation of service. User Agency is responsible for all costs for reconnection of service. DPS

has the authority to inspect and audit the equipment, records, and operations of User Agency to determine compliance with this agreement.

To the extent permitted by law, User Agency agrees to hold harmless DPS, its Director, and employees from and against all claims, demands, actions, and suits, including any liability for damages (1) by reason of or arising out of any false arrest or imprisonment; or (2) for any cause of action arising out of or involving any negligence on the part of User Agency or its employees in the exercise of this agreement.

This agreement will become effective upon DPS'S receipt of the signed agreement.

User Agency's undersigned authorized representative has full authority to enter into this agreement on behalf of User Agency.

User Agency Authorized Representative	User Agency Name and Contact Information
  ■■■■■■■■■■■■■ 	Contact Name: John Williams Address: 611 FM 3254, Brownwood, TX 76801 Phone #: 325-641-4200 #6484 Email: John.williams@tjjd.texas.gov
Signature of Authorized Representative	**ORI#:** TX0250357C
Printed Name: Shandra Carter Title: Executive Director Date: 9/27/23	**User Agency Name:** Texas Juvenile Justice Department

PLEASE EMAIL SIGNED AGREEMENT TO LIVESCAN@DPS.TEXAS.GOV.