



"IMPROVING THE LIVES OF CHILDREN"
Criminal History Statement

Name	Date
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1. (Check the appropriate box.) I have have not been convicted of a misdemeanor or felony offense in this state or any other state. Class C Misdemeanor traffic offenses do not have to be reported.

If your answer is "I have," then give details; including date, place, nature of conviction, and disposition.

2. (Check the appropriate box.) I am am not currently under indictment or charged in an official criminal complaint accepted by a district or county attorney with a misdemeanor or felony in this state or any other state.

If your answer is "I am," then give details, including the type of charges.

3. I acknowledge that I have been informed of the following:

- An applicant will not be approved as a foster parent or adoptive parent if the applicant, employee, or any other person living in the applicant's home who is 14 years of age or older and not in the conservatorship of FPS has been convicted of a felony offense under §15.031 (Criminal Solicitation of a Minor) of Title 4, Title 5 (Offenses Against the Person), Title 6 (Offenses Against the Family), Chapter 29 (Robbery) of Title 7, §38.17 (Failure to Stop or Report Aggravated Sexual Assault of a Child) of Title 8, §42.072 (Stalking), and Chapter 43 (Public Indecency) of Title 9 of the Texas Penal Code, *or any other like offense under the law of another state or federal law.* A list of these offenses is attached.
- An applicant may be approved as a foster parent or adoptive parent if:
 - The applicant, employee, or any other person living in the applicant's home who is 14 years of age or older and not in the conservatorship of FPS has some other criminal history other than the felony offenses listed above;
 - The applicant, employee, or any other person living in the applicant's home who is 14 years of age or older and not in the conservatorship of FPS has a misdemeanor or felony conviction under the Texas Controlled Substance Act, §46.13 (Making a Firearm Accessible to a Child), Chapter 49 of Title 10 of the Texas Penal Code *or any other like offense under the law of*

another state or federal law within the last 10 years. A list of these offenses is attached under Other Offenses.

- CPS determines that the person with the criminal history poses a minimal risk to the health and safety of children and submits the request for evaluation of risk to the Director of Child-Care Licensing; and
- In response to the CPS request for an evaluation of risk, the Director of Child-Care Licensing determines that the person with the criminal history poses no risk to the health and safety of children.
- An applicant will not be approved as a foster or adoptive parent if the applicant, employee, or any other person living in the applicant's home who is 14 years of age or older and not in the conservatorship of FPS is indicted or is the subject of a criminal complaint that has been accepted by a district or county attorney for any felony offense under §15.031 (Criminal Solicitation of a Minor) of Title 4, Title 5 (Offenses Against the Person), Title 6 (Offenses Against the Family), Chapter 29 (Robbery) of Title 7, §38.17 (Failure to Stop of Report Aggravated Sexual Assault of a Child) of Title 8, §42.072 (Stalking), and Chapter 43 (Public Indecency) of Title 9 of the Texas Penal Code, *or any other like offense under the law of another state or federal law* until the criminal charges are dismissed. A list of these offenses is attached.
- An applicant may be approved as a foster parent or adoptive parent if:
 - The applicant, employee, or any other person living in the applicant's home who is 14 years of age or older and not in the conservatorship of FPS is indicted for or is the subject of a criminal complaint accepted by a district or county attorney regarding a crime other than the felony offenses listed above;
 - CPS determines that the person with the indictment or criminal complaint poses a minimal risk to the health and safety of children and submits the request for evaluation of risk to the Director of Child-Care Licensing; and
 - In response to the CPS request for an evaluation of risk, the Director of Child-Care Licensing determines that the person with the indictment or criminal complaint poses no risk to the health and safety of children.

I have read this form in its entirety, including the attached list, and I agree that this information may be verified by the Texas Department of Family and Protective Services. I further understand that the inclusion of any false information or the omission of any requested information is cause for denial of my foster and/or adoptive parent application, or subsequent closure of my foster or preconsummated adoptive home. I agree to inform the department if this information changes any time during my employment or participation in the foster care or adoption program.

Signature (If a minor, then a parent or guardian must also sign)

Date

Parent or Guardian

Date

OFFENSES FROM THE TEXAS PENAL CODE

NOTE: (1) Many of these offenses may be misdemeanors or felonies depending upon the specific conviction or indictment. (2) The parenthesis to the right side of the offense includes previous titles of the same or similar offense.

Title 4.

Criminal Solicitation of a Minor

Title 5. Offenses Against the Person

Murder

Capital Murder

Manslaughter (Voluntary or Involuntary)

Criminally Negligent Homicide

Unlawful Restraint (False Imprisonment)

Kidnapping

Aggravated Kidnapping

Unlawful Transport

Indecency With a Child

Assault

Sexual Assault (Sexual Abuse or Sexual Abuse of a
Child)

Homosexual Conduct

Indecent Exposure

Leaving a Child in a Vehicle

Coercing, Soliciting, or Inducing Gang Membership

Aggravated Assault

Aggravated Sexual Assault (Aggravated Rape, Aggravated
Sexual Abuse, or Rape of a Child)

Injury to a Child, Elderly Individual, or Disabled
Individual

Abandoning or Endangering Child

Deadly Conduct (Reckless Contact)

Terroristic Threat

Aiding Suicide

Tampering With Consumer Product

Harassment by Persons in Certain Correctional Facilities

Public Lewdness

Improper Photography or Visual Recording

Title 6. Offenses Against the Family

Prohibited Sexual Conduct (Incest)

Interference With Child Custody

Agreement to Abduct From Custody

Enticing a Child

Criminal Nonsupport

Violation of Protective Order or Magistrate's Order (Violation of Court Order)

Sale or Purchase of Child

Advertising for Placement of Child (Solicitation of a Child)

Violation of Protective Order Preventing Offense Caused by Bias or Prejudice

Title 7. Offenses Against Property, Chapter 29

Robbery
 Aggravated Robbery

Title 8. Offenses Against Public Administration

Failure to Stop or Report Aggravated Sexual Assault of a Child

Title 9. Offenses Against Public Order and Decency, Chapters 42 and 43

Stalking	Prostitution
Aggravated Promotion of Prostitution	Promotion of Prostitution
Compelling Prostitution	Obscene Display or Distribution
Obscenity	
Sale, Distribution, or Display of Harmful Material to Minor	
Sexual Performance by a Child	
Possession or Promotion of Child Pornography	
Employment Harmful to Children	

Other Offenses**Title 10. Offenses Against Public Health, Safety, and Morals, Chapters 46 and 49**

Making a Firearm Accessible to a Child	Public Intoxication
Possession of Alcoholic Beverage in Motor Vehicle	Driving While Intoxicated
Flying While Intoxicated	Boating While Intoxicated
Assembling or Operating an Amusement Ride While Intoxicated	Intoxication Assault
Intoxication Manslaughter	Enhanced Offenses and Penalties

Health and Safety Code, Chapter 481, Subchapter D (Texas Controlled Substance Act)

These offenses include but are not limited to delivery, manufacture or possession of a controlled substance.



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