



## "I've Been Titled!" What Does That Mean and How Do I Fix It?



### Q. What is titling?

A. Organizations conducting criminal investigations shall place the names and identifying information of subjects (i.e., those being investigated) in title blocks of the report of investigation (ROI). All subjects of criminal investigations conducted by Department of Defense (DoD) organizations shall be listed in the Defense Clearance and Investigations Index (DCII). **Titling and indexing** in the DCII is done once it is determined credible information exists that a subject committed a criminal offense.

"Credible information" includes evidence obtained by an investigator that, considering the source and totality of circumstances, is sufficiently believable to presume that the fact or facts in question are true.

Titling is used during the investigative process. The acts of titling and indexing are *administrative procedures* and **do not** conclude any degree of guilt or innocence.

- A titled person has their name listed in the DCII computerized registry.
- Listing a subject's name and other identifying information in the DCII indicates only that a report of investigation concerning that person has been created.
- Judicial or adverse administrative actions shall not be taken based solely on the fact that a person has been titled or indexed due to a criminal investigation.

### Q. If I'm titled, does that mean I'm going to trial?

A. Not always. Remember, a titling decision is not a legal decision. Titling does not mean a person has been arrested, charged, or convicted of a crime. The primary purpose of titling is to ensure that information contained in the investigative report can be retrieved for law enforcement and security purposes. Once a person is titled, the ROI is indexed in the DCII.

When a titled person is in the Army, they will also be indexed in the *Army Crimes Records Center (CRC)*. Being indexed in the DCII and the CRC means that the titling can follow you and be accessed when you apply for some types of jobs, especially federal jobs.

### Q. Can titling affect military AND civilian careers?

A. Yes. The information contained in these databases may be used for a variety of purposes; such as, civilian employment and military assignment decisions, battalion and brigade commander assignments, military promotion decisions, and security determinations.

- More than 27 agencies have access to the DCII, and it receives approximately 35,000 requests for information per day.
- This information is retrievable from DCII and CRC for 40 years.

**Q. Can my command take any actions based solely upon the titling decision?**

A. Yes. If a Soldier is titled, his or her commander will be notified. Additionally, a commander may flag a Soldier based on an initial ROI. The commander may also recommend suspension of a Soldier's or DoD Civilian's security clearance.

**Q. How do I know if I have been titled?**

A. To determine if you have been titled, you will need to request a copy of your personal record from the Department of the Army Criminal Investigation Division. The procedures for submitting the required Freedom of Information Act (FOIA) Request **AND** Privacy Act Request forms for a copy of your record are included in the subsequent pages of this packet. Please see pages 3-6 for instructions on how to properly submit your request and the necessary forms.

**Q. Can I try to remove the title?**

A. Yes, but you bear the burden of proof of substantiating the request. Once the subject of a criminal investigation is indexed in DCII, the information will remain in DCII, even if they are found not guilty, unless the DoD Law Enforcement Agency (LEA) head or designated expungement official grants expungement.

A person who was titled in a DoD LEA report or indexed in DCII may submit a **written request** to the responsible DoD LEA head or designated expungement officials to review the inclusion of their information in the report, DCII, and related records systems.

- Upon review of an amendment request, an expungement official will direct that the person's information be corrected, expunged, or otherwise removed from the DoD LEA report, DCII, and any other record maintained in connection with the report when:
  - ✓ Probable cause **did not or does not** exist to believe that the offense for which the person was titled and indexed occurred, or **insufficient evidence existed or exists** to determine whether such offense occurred.
  - ✓ Probable cause **did not or does not exist** to believe that the person committed the offense for which they were titled and indexed, or **insufficient evidence existed or exists** to determine whether they committed such offense.
  - ✓ Such other circumstances as the DoD LEA head or expungement official determines would be in the interest of justice

When determining whether such circumstances apply to correct, expunge, or remove the information, the DoD LEA head or designated expungement official will also consider:

- (1) The extent or lack of corroborating evidence against the person with respect to the offense.
- (2) Whether adverse administrative, disciplinary, judicial, or other actions were initiated against the person for the offense.
- (3) The type, nature, and outcome of any adverse administrative, disciplinary, judicial, or other actions taken against the person for the offense.

**Q. My request to remove the title was denied. Can I appeal this decision?**

A. Yes. You may submit an *initial appeal* to the Chief Counsel. If that appeal is denied, you may make a *final appeal* to the Army Review Board Agency. See pages 8, 9, and 11 of this packet for additional information about appeals.



# **How to Request a Copy of Your Record (Instructions and Forms)**



## Procedures to Request a Copy of Your Record

The Department of the Army Criminal Investigation Division (DACID) Freedom of Information Act and Privacy Act Division is responsible for processing all Army CID investigations and military police reports pursuant to the Freedom of Information Act (FOIA) and Privacy Act. This office maintains Army CID investigations and U.S. Army Military Police reports.

Personnel, medical, and court/trial records are not maintained by this office. The division is obliged to disclose all of a record unless it, or portions of it, are exempt from disclosure. Information about exemptions can be found here: <https://www.justice.gov/sites/default/files/oip/legacy/2014/07/23/foia-exemptions.pdf>.

The Freedom of Information Act is a federal statute that provides rights to the public for requesting access to federal agency records. A **FOIA Request** can be made for any agency record, and you may also specify the format in which you wish to receive records. However, requests should not require the office to conduct research, analyze data, answer written questions, or create records.

- *\* Note: Original form must be mailed. Include a legible copy of your government-issued identity card (e.g., driver's license)\**

The Privacy Act is also a federal statute that requires records or information about you to be accurate, timely, and relevant. A **Privacy Act Request** form will need to be filed with any request for records or request to petition a change to your record.

- *\* Note: A scanned copy of a state or government issued ID is required when submitting this form. You may mail, fax, or e-mail the form and ID.*

The *Freedom of Information Act Request and Privacy Act Request forms* are provided in the following pages. They can also be found on the division website: <https://www.cid.army.mil/Resources/FOIA-Requests/>. Contact details for the Army CID FOIA/Privacy Act Office are included below to help facilitate submission of requests to the appropriate office. The office phone number and email are included for specific questions related to proper submission.

### **Army CID FOIA/Privacy Act Office**

Office of the Chief Council

ATTN: FOIA/Privacy Act Division

Russell-Knox-Building

27130 Telegraph Road

Quantico, VA 22134

☎ 24hr: tel:+1-855-306-0003

Fax: 571-305-4154

Email: [usarmy.belvoir.hqda-usacid.mbx.crcfoiapa@army.mil](mailto:usarmy.belvoir.hqda-usacid.mbx.crcfoiapa@army.mil)

**\* YOU MUST PROVIDE A LEGIBLE COPY OF A GOVERNMENT ID AND SIGN/DATE THIS FORM.  
YOU MAY MAIL, FAX, OR E-MAIL THE FORM AND YOUR ID.\***

### Privacy Act Request

**The following information is necessary to file a Privacy Act request for your records. Note: You or your agent may request records ONLY about yourself. We will not process Privacy Act requests for records about someone else, e.g., information about your spouse, your adult child, your employee, etc.**

Full Name: \_\_\_\_\_

Aliases or other names used (e.g. maiden name): \_\_\_\_\_

Current Address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date of Birth: \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Daytime Telephone Number: \_\_\_\_\_

Email address: \_\_\_\_\_

Social Security Number: \_\_\_\_\_  
(Optional - without it, we may not be able to locate all of your records)

Describe the record(s) you seek with enough detail that they may be located with a reasonable amount of effort:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

You may also wish to provide prior addresses, employments, etc., which you believe may assist us in locating the information you seek:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I understand that any falsification of this statement is punishable under the provisions of Title 18, United States Code (U.S.C.), Section 1001 by a fine of not more than \$10,000 or by imprisonment of not more than five years, or both; and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of Title 5, U.S.C., Section 552a(i)(3) as a misdemeanor and by a fine of not more than \$5,000.**

Signature \_\_\_\_\_ Date \_\_\_\_\_

**A legible and original signature and a legible copy of a government-issued identification card is required. Legal representatives must additionally present an original of proof of legal representation.**

**\*Complete, Print, Sign and Mail Original of this Form\***

## Freedom of Information Act Request Form

The following information is necessary in order to file a Freedom of Information Act request.

Full name: \_\_\_\_\_

Current Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Email Address: \_\_\_\_\_

Daytime Telephone Number: \_\_\_\_\_

Describe the specific record(s) you seek with enough detail so that a knowledgeable official of the activity may locate the record with a reasonable amount of effort. Please include date of incident, location of incident, report number, etc.

Note 1: Detail should include a description of the event on which you seek information, when the event occurred, etc. The more information provided, the better we will be able to locate the information you seek.

Note 2: The Freedom of Information Act is not an investigative arm, nor can it respond to requester's questions. The FOIA only provides you the right to request Federal Government records from specific documents, records and files of the Federal Government and after receipt of that information, you must then draw your own conclusions and take action as appropriate.

Select one of the items below (required). In order to help determine my status to assess fees, you should know that I am:

a representative of the news media affiliated with  
This request is made as part of a news gathering effort and not for commercial use.

affiliated with an educational or noncommercial scientific institution. This request is made for a scholarly or scientific purpose and not for commercial use.

an individual seeking information for personal use and not for commercial use.

affiliated with a private corporation and am seeking information for use in the company's business.

**FEE/WAIVER** - Select one of the items below. You must indicate your willingness to pay all fees or those up to a specified amount or provide a justification to support a fee waiver. Agreements to pay fees are considered to be up to \$250, unless another amount is specified. Currently we charge for any appropriate combination of search, review and duplication costs.

I am willing to pay fees for this request. If you estimate the fees will exceed \$  
Please stop your work and advise me how much it will cost to process.

I request a waiver of all fees for this request. Disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in my commercial interest.

**FEE WAIVER JUSTIFICATION** - If you requested a fee waiver, explain why it is justified. Note: Make sure you address each element of the U.S. Army's Fee Waiver Regulations. These regulations are in Title 32 of the Code of Federal Regulations in Section 518.19. **Click here** to view the regulation.

Thank you for considering my request.

Sincerely,

Signature \_\_\_\_\_ Date \_\_\_\_\_

A legible and original signature and a legible copy of a government-issued identification card is required. Legal representatives must additionally present an original of proof of legal representation.

\*Complete, Print, Sign and Mail **Original** of this Form. Be sure to include a legible copy of your government-issued identity card or similar document (e.g. driver's license)\*



# **How to Request Removal of Titling and Appeals (Instructions and Forms)**



## Procedures to Request an Amendment to DACID Records

In August 2023, Department of Defense Instruction (DoDI) 5505.7 was changed to reflect that covered persons titled in DoD Law Enforcement Activity (LEA) reports or indexed in Defense Central Index of Investigations (DCII) may request their information be *corrected in, expunged, or otherwise removed* from DoD LEA reports, DCII, and related records systems, databases, or repositories maintained by DoD LEAs, including the Federal Bureau of Investigation (FBI) National Crime Information Center (NCIC) and National Instant Criminal Background Check System (NICS).

Requests for amendments must be **made in writing** and either digitally signed or provided along with a government issued identification card (e.g., military id, driver's license, social security card).

- All requests should include the requester's name, social security number, address or email, date of birth, and responsive case number if known.

A fillable form for amendment requests is available online under the "Contact Us" tab of the Freedom of Information Act & Privacy Act Division website located here::

<https://www.cid.army.mil/Resources/FOIA-Requests/>.

- Look for the Privacy Act box (middle of page) - *Privacy Act Request to Change Records* (form title)
- A copy of the form is included in this information sheet for your convenience.

Amendment requests are submitted to:

FOIA Mailbox: [usarmy.belvoir.hqda-usacid.mbx.crcfoiapa@army.mil](mailto:usarmy.belvoir.hqda-usacid.mbx.crcfoiapa@army.mil) OR

Army CID FOIA/Privacy Act Office (in writing):

Office of the Chief Council  
ATTN: FOIA/Privacy Act Division  
Russell-Knox-Building  
27130 Telegraph Road  
Quantico, VA 22134 A 2134

Fax: 571-305-4154

### Amendment Appeals

If your amendment request is denied, you have the right to appeal IAW DoDI 5505.7. You may **submit your initial appeal to**::

Attn: Chief Counsel  
Office of the Chief Counsel  
27130 Telegraph Road  
Quantico, VA 22134 22134

Or through **email** at [usarmy.belvoir.hqda-usacid.mbx.crcfoiapa@army.mil](mailto:usarmy.belvoir.hqda-usacid.mbx.crcfoiapa@army.mil). The form to appeal a denied amendment request is included in the following pages.

If your initial appeal is denied by Office of the Chief Counsel, DACID, **you may submit your final appeal to:**

Army Review Board Agency  
Army Board for Correction of Military Records (ABCMR)  
251 18th Street South, Suite 385  
Arlington, VA 22202-3531 A 222 2-3531.

Information on their application process can be found here: <http://arba.army.pentagon.mil/>

### **Q. What if I have more questions?**

A. Eligible Servicemembers can reach out to the legal assistance office for help drafting their memorandum and determining appropriate supporting documentation for submission. To schedule an appointment with the **Fort Jackson Legal Assistance Office**, please call 803-751-4287 or email [usarmy.jackson.army-tng-ctr.mbx.legal-assistance@army.mil](mailto:usarmy.jackson.army-tng-ctr.mbx.legal-assistance@army.mil).



Office of the Staff Judge Advocate  
Legal Assistance Office  
22600 Lee Road  
803-751-4287

Mailbox: [usarmy.jackson.army-tng-ctr.mbx.legal-assistance@army.mil](mailto:usarmy.jackson.army-tng-ctr.mbx.legal-assistance@army.mil)

## Privacy Act Request to Change Record

The following information is necessary to file a Privacy Act request to change your records. Note: You or your agent may request change to records ONLY about yourself. We will not process Privacy Act requests to change records about someone else, e.g., information about your spouse, your adult child, your employees, etc.

Full name: \_\_\_\_\_

Aliases or other names used (e.g. maiden name): \_\_\_\_\_

Current address: \_\_\_\_\_

Date of birth: \_\_\_\_\_ Place of birth: \_\_\_\_\_

Daytime telephone number: \_\_\_\_\_

Email address: \_\_\_\_\_

Social security number: \_\_\_\_\_

(Optional – without it, we may not be able to locate all of your records)

The record you wish to change is a (check all that apply):

Military Police Report  CID Report of Investigation Other record \_\_\_\_\_

Either here or on a separate sheet of paper, state specifically what you want changed in each record and why you believe the change should be made.

I understand that any falsification of this statement is punishable under the provisions of Title 18, United States Code (U.S.C.), Section 1001 by a fine of not more than \$10,000 or by imprisonment of not more than five years, or both; and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of Title 5, U.S.C., Section 552a(i)(3) as a misdemeanor and by a fine of not more than \$5,000.

Signature \_\_\_\_\_ Date \_\_\_\_\_

A digital signature or legible signature along with a copy of a government-issued identification card is required. Legal representatives must additionally present an original of proof of legal representation.



# **Form to Appeal Denial (Completed as Necessary)**

## Privacy Act Amendment Initial Appeal Request

The following information is necessary to file a Privacy Act Amendment Initial Appeal with the Office of Chief Counsel.

Full name: \_\_\_\_\_

Current address: \_\_\_\_\_

Email address: \_\_\_\_\_

Please state specifically what you are appealing, by providing the FA# and the reason for the initial appeal of the denial of your amendment request.

Signature \_\_\_\_\_ Date \_\_\_\_\_