



Low-Risk Criminal Offense List and Appeal Process

A low-risk criminal offense is a nonviolent offense, such as fraud, that DFPS determines has a low risk of impacting a child's safety or well-being, or the stability of a child's placement with a relative or fictive kin. Below is the current list of offenses DFPS has determined to be low-risk criminal offenses.

If you were denied placement of a child for any low-risk criminal offense listed below, you have a right to an appeal. If your home assessment is denied due to a low-risk criminal offense you will receive a letter along with Form 6583 *Request to Appeal a Denied Home Assessment Based on a Low Risk Criminal Offense*. To request an appeal, you must complete Form 6583 and return it to the person and address identified on the form. The appeal will be conducted, either in person or via telephone, within 15 days of receipt of your request. Regional administration will review your home assessment, taking into consideration when the conviction occurred, whether multiple convictions exist, and your current circumstances. Please note that all placement decisions are decided based on the child's best interest. Having your denial overturned may not result in the child being placed in your home, however, you may be considered as a permanency resource for the child.

Low-Risk Criminal Offense	Texas Penal Code Section
Tampering with a Consumer Product (felony)	22.09
Bigamy (felony)	25.01
Criminal Nonsupport (felony)	25.05

Low-Risk Criminal Offense	Texas Penal Code Section
Theft (felony or misdemeanor)	31.03 31.04 31.05 31.06 31.07 31.12 31.13 31.14 31.15 31.16 31.17 31.18
Forgery (felony or misdemeanor)	32.21
Criminal Simulation (misdemeanor)	32.22
Trademark Counterfeiting (felony or misdemeanor)	32.23
Credit Card or Debit Card Abuse (felony)	32.31
False Statement to Obtain Property or Credit or in the Provision of Certain Services (felony or misdemeanor)	32.32
Hindering Secured Creditors (felony or misdemeanor)	32.33
Fraudulent Transfer of a Motor Vehicle (felony or misdemeanor)	32.34
Credit Card Transaction Record Laundering (felony or misdemeanor)	32.35
Issuance of Bad check or Similar Sight Order (misdemeanor)	32.41
Deceptive Business Practices (misdemeanor)	32.42
Commercial Bribery (felony)	32.43
Rigging Publicly Exhibited Contest (misdemeanor)	32.44

Low-Risk Criminal Offense	Texas Penal Code Section
Illegal Recruitment of an Athlete (felony or misdemeanor)	32.441
Misapplication of Fiduciary Property or Property of Financial Institution (felony or misdemeanor)	32.45
Securing Execution of a Document by Deception (felony or misdemeanor)	32.46
Other Deceptive Practices (felony or misdemeanor)	32.47 32.48 32.49 32.50 32.51 32.52
Breach of Computer Security (felony or misdemeanor)	33.02
Telecommunications Crimes (felony or misdemeanor)	33A.02 33A.03 33A.04 33A.05
Money Laundering (felony)	34.02
Insurance Fraud (felony or misdemeanor)	35.02
Medicaid Fraud (felony or misdemeanor)	35A.02
Bribery (felony)	36.02
Coercion of Public Servant or Voter (felony or misdemeanor)	36.03
Improper Influence (misdemeanor)	36.04
Acceptance of Honorarium (misdemeanor)	36.07
Gift to Public Servant by Person Subject to His Jurisdiction (misdemeanor)	36.08
Offering Gift to Public Servant (misdemeanor)	36.09
Fraudulent Filing of Financing Statement (felony or misdemeanor)	37.101
Record of a Fraudulent Court (felony or misdemeanor)	37.13

Low-Risk Criminal Offense	Texas Penal Code Section
Failure to Identify (misdemeanor)	38.02
Resisting Arrest, Search, or Transportation (felony or misdemeanor)	38.03
Evading Arrest or Detention (felony or misdemeanor)	38.04
Hindering Apprehension or Prosecution (felony or misdemeanor)	38.05
Bail Jumping and Failure to Appear (felony and misdemeanor)	38.10
Barratry and Solicitation of Professional Employment (felony or misdemeanor)	38.12
Falsely Holding Oneself Out as a Lawyer (felony)	38.122
Unauthorized Practice of Law (felony or misdemeanor)	38.123
Interference with Police Service Animals (felony or misdemeanor)	38.151
Interference with Radio Frequency Licensed to Government Entity (felony or misdemeanor)	38.152
Use of Accident Report Information and other Information for Pecuniary Gain (misdemeanor)	38.18
Abuse of Official Capacity (felony or misdemeanor)	39.02
Misuse of Official Information (felony or misdemeanor)	39.06
Possession of Alcoholic Beverage in Motor Vehicle (misdemeanor)	49.031
Assembling or Operating Amusement Ride While Intoxicated (misdemeanor or felony)	49.065