



MOUNTAIN POST LEGAL BRIEF

A Preventive Law Service of The Office of the Staff Judge
Advocate
Headquarters, Fort Carson
Keeping You Informed On Personal Legal Affairs



TITLING

Q: WHAT IS TITLING?

A: Titling is when the US Army Criminal Investigation Command (CID) Agent names an individual as a subject in a criminal investigation report (ROI). It is important to keep in mind that a titling decision is not a legal or judicial decision. Titling **does not** mean an individual has been arrested, charged or convicted of a crime.

Q: WHAT IS THE STANDARD OF PROOF FOR A TITLING DECISION?

A: The standard of proof for a titling decision is relatively low. Since titling is an operational decision done for security and law enforcement purposes the decision rests with the CID agent. A person can become a subject in a ROI if "credible information" exists that the person "may have committed a criminal offense." Sufficiently believable information is considered credible.

Q: WHAT DOES FOUNDED MEAN?

A: Founded means there is probable cause to believe a crime was committed. It does not indicate whether the subject committed the crime, only that a crime was committed.

Q: WHAT DOES SUBSTANTIATED MEAN?

A: Substantiated means probable cause exists to believe the subject committed the offense. This is different from founded because a ROI can be founded, which means an offense was most likely committed but does not necessarily mean the subject committed it.

Q: WHAT ARE THE IMPLICATIONS OF BEING TITLED?

A: If a Soldier is titled, his or her commander will be notified. Additionally, a commander may flag a Soldier based on an initial ROI. A commander may also recommend suspension of a Soldier or DOD civilian's security clearance. An individual who has been titled will also have his or her name listed in the Defense Clearance and Investigations Index (DCII), which is a computerized registry that contains all DOD investigations. Over twenty-seven agencies have access to the DCII and it receives approximately 35,000 requests for information a day. Subjects will also be listed in the United States Army Crime Records Center (CRC), which contains only Army investigative reports. This information is retrievable for **forty** years.

The information contained in these databases may be used for a variety of purposes such as: making civilian employment decisions, military assignment decisions, such as Battalion and Brigade Commander assignments, military promotion decisions and security determinations.

Q: CAN CID FINDINGS BE AMENDED?

A: Once an individual has been titled, it is almost impossible to remove that individual's name from the databases described above. Mistaken identity is the only time a subject's name can be removed. This is not a matter of proving someone else committed the crime, it is a matter of proving someone with the same name should be titled instead.

Amending CID findings are not quite as difficult as removing an individual's name from the titling block. An individual can have the CID findings amended if she or he provides new, relevant, and material facts which warrant amending the ROI.

Q: HOW DO I REQUEST THAT CID FINDINGS BE AMENDED?

A. An individual can send his or her request for amendment, along with new and relevant information to: the Director, U.S. Army Crime Records Center, Attention: Freedom of Information/Privacy Act Division, 6010 6th Street, Fort Belvoir, Virginia 22060-5585 or email it to: usarmy.usacidc-foia@mail.mil.

If an individual is unsuccessful, the next step is to submit a request to the Army Board for Correction of Military Records.

Consultation with Army attorneys is free to eligible clients. If you have questions or need help with legal problems, call the Fort Carson Legal Assistance Office at 526-5572/5573 or come by the office (building 6222) Monday-Friday from 9 a.m. to 4 p.m. Appointments are made on the last duty day of every week, you can call or walk-in to schedule an appointment.

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