



COLORADO
Bureau of Investigation
Department of Public Safety

Identification Unit
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February 12, 2016

To All Civil Submission Agencies,

The FBI conducted an audit of civil submissions on fingerprint based background checks. This audit identified three categories of compliance issues associated with applicant notification and record challenges. The three categories are:

1. Applicants were not notified in writing that their fingerprints would be used to check FBI criminal history records.
2. Applicants were not provided the opportunity to complete or challenge the information in the FBI identification record.
3. Applicants were not advised of the procedures for obtaining a change, correction, or an update of an FBI identification record.

The FBI made the following recommendations with CBI's concurrence. Officials at the governmental institutions and other entities authorized to submit fingerprints and receive FBI identification records under this authority must provide written notification to the individuals fingerprinted that the fingerprints will be used to check the criminal history records of the FBI. The officials making the determination of suitability for licensing or employment shall provide the applicants the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. These officials also must advise the applicants that procedures for obtaining a change, correction, or update of an FBI identification record are set forth in Title 28, C.F.R., Section 16.34. Officials making such determinations should not deny the license or employment based on information in the record until the applicant has been afforded a reasonable time to correct or complete the record, or has declined to do so. (Title 42, U.S.C., Section 14616, Article IV(c); Title 28, C.F.R., Section 50.12(b); Title 5, U.S.C., Section 552a (e)(3)).

CBI appreciates your cooperation in this effort. This cooperation will enable our state policies to comply with the FBI's policies and procedures.

If there are questions or concerns please do not hesitate to contact us at [303-239-5794](tel:303-239-5794) or email CDPS_CBI_Ident_TAQC@state.co.us

Respectfully,
Michael S. Rankin, Director
Colorado Bureau of Investigation

By: Chris Schaefer
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