



To: New Account Users

Ref: Fingerprint Submission Process

On September 24, 2018, Colorado Bureau of Investigation (CBI) launched the Colorado Background Applicant Services (CABS) program. This program was initiated after the approval of Senate Bill 17-189 which allows third party vendors, approved by CBI, to electronically capture and transmit to CBI an applicant's fingerprints for the purpose of obtaining a fingerprint-based criminal history record check. After a rigorous selection process, CBI partnered with two companies, IdentoGO and Colorado Fingerprinting.

In order for an agency to have access to the results of a fingerprint-based submission, CBI will continue to setup accounts. These accounts will be created to provide you with access to our Secure Document Delivery System (SDDS) to view and download results. Previously, CBI also setup accounts for billing. Billing will no longer be handled by CBI, our vendors will be responsible for collecting the fees associated with CBI and FBI (if applicable) processing as well as their fee for providing fingerprint capture services.

Once your account has been established with CBI, CBI will share your information with our approved vendors. IdentoGo and Colorado Fingerprinting will each send you an informational packet which they call "collateral". Within these packets, you will receive information in regard to setting up a billing account, service code or unique ID, as well as additional information to assist you and your applicants as they navigate through this program.

Please refer to the following links for additional resources:

Frequently Asked Questions:

<https://www.colorado.gov/pacific/cbi/identification-faqs>

CBI Website:

<https://www.colorado.gov/pacific/cbi/employment-background-checks>

IdentoGo Websites:

<https://uenroll.identogo.com/>

Colorado Fingerprinting Website:

<http://www.coloradofingerprinting.com/>

For additional assistance, please contact CBI at 303-239-4208



COLORADO

Bureau of Investigation

Department of Public Safety

Biometric Identification and Records Unit
690 Kipling Street, Suite 4000
Denver, CO 80215
303-239-4208

February 21, 2019

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, Code of Federal Regulations (CFR), Section 16.30 through 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, United States Code (USC), Section 14616, Article IV(c); Title 28, CFR, Section 50.12(b); Privacy Act of 1974, 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,
John Camper, Director
Colorado Bureau of Investigation

By: Teresa Mucha
Manager
Biometric Identification and Records Unit





ACCOUNT APPLICATION FORM

Information & Instructions

- Complete all requested information below to apply for a new account or to update information on an existing account. All information and/or sections that are required is designated with a red asterick i.e. *****.
- **Secure Document Delivery System (SDDS)**
 - Secure web-based application that provides account holders the ability to view, download, or print CBI and/or FBI findings on a criminal or civil fingerprint submission.
 - Administrator will be responsible for managing additional users using your account, as well as their privileges.
 - **Criminal/Civil results are available for 90 days and then purged. If civil results have been purged, a new fingerprint submission and fee will be required because the previously purged result cannot be retrieved.**
- **Audit**
 - In order for CBI to be in compliance with the FBI, we must audit all of our accounts every three (3) years.
 - Administrator will be responsible for assisting our Audit team during an audit of your account.

Please check all that apply: ***** *Is your agency a ...*

☐ State Agency | ☐ Federal Agency | ☐ Licensed Childcare Agency - **If yes DCL # req.** _____

Contact your vendor for payment options

AGENCY/ORGANIZATION INFORMATION: *****

Name:					
Mailing Address:					
City:		State:		Zip:	
Phone Number:		Fax Number:			

BILLING INFORMATION:

Same as above? ☐ Yes ☐ No If no, please fill out the fields below.

Name:					
Mailing Address:					
City:		State:		Zip:	
Phone Number:		Fax Number:			

ACCOUNT CONTACTS/ADMINISTRATORS: *****

TYPE	NAME	PHONE #	EMAIL
Account Contact:			
Billing Contact:			
SDDS Administrator:			
Audit Administrator:			

TYPE(S) OF BACKGROUND CHECKS: *****

Please indicate the Reason(s) Fingerprinted for the background checks you wish to submit (general inquiry, day care, liquor licensing, etc.) Provide a Colorado Revised Statute if possible (a list of CRS numbers governing fingerprint processing can be found on our website at <https://www.colorado.gov/cbi/employment-background-checks>).

Mail or Email Completed Form To:
Questions?

CBI, 690 Kipling St, Ste. 4000, Denver CO 80215
Phone: 303-239-4208

cdps_cbi_ident_tagc@state.co.us
Fax: 303-239-5858



COLORADO
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IDENTIFICATION UNIT | 690 Kipling Street, Suite 4000 | Denver, CO 80215 | (303) 239-4208 | www.colorado.gov/cbi

Account Application Form: Acknowledgement

Please read and sign below or your request will be returned as incomplete.

Your account number(s) will be assigned by the CBI and provided to you. It is essential that you use this number when submitting applicant requests.

Initials

If you have elected to set up a Paid Account, payment must be received upon request of background check. Requests provided to the CBI without processing fee will be returned.

Initials

For Due Accounts, the invoice is payable upon receipt. If you are submitting your requests electronically, please be advised that duplicate submissions will result in your agency being billed for each submission.

Initials

By setting up an account, you agree to keep your information with us current. Any time there is a change to your organization's name, address, phone number, e-mail address, primary contact, etc., an updated version of this form must be submitted.

Initials

An amendment to Colorado law requires that the CBI deny access to arrest records unless and until the person requesting same has signed a statement which affirms that such records shall not be used for the direct solicitation of business for pecuniary gain. In setting up an account, you agree to these terms with your signature below.

Initials

I certify that the information I have provided on this form is true and complete, and that I have read and understood the statements above.

Authorized Signature

Date

Printed Name

Title

Colorado Bureau of Investigation

Livescan Fingerprinting Information



I, _____ state that on

(Full Name of Applicant)

_____, I was fingerprinted by _____

(Date)

(Fingerprint Examiner)

and have received a copy of the Privacy Act Notification. I understand that my fingerprints will be retained by the Colorado Bureau of Investigation and the Federal Bureau of Investigation.

Privacy Act Notification

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting, licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety. **[If other agencies are involved in processing this application, they may have additional routine uses; specifically, some state agencies may share potentially pertinent information, including criminal history information between and among other employing, investigating, or otherwise responsible agencies within that state.]**



COLORADO
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Department of Public Safety

Identification Unit
690 Kipling Street, Suite 4000
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303-239-4208

NOTICE TO APPLICANTS

As an applicant for a position requiring fingerprints to be submitted to the Colorado Bureau of Investigation and the Federal Bureau of Investigation, **YOUR FINGERPRINTS WILL BE SUBMITTED TO THESE AGENCIES TO CHECK STATE AND FBI RECORDS.**

Discrepancies on your Colorado record can be challenged and corrected by contacting the Colorado Bureau of Investigation at 690 Kipling St., Suite 3000, Denver, CO 80215, or by calling the Identification Unit at (303) 239-4208. Additional information is available from CBI's website at www.colorado.gov/cbi.

Discrepancies on records from the FBI or relating to another state can be challenged through the FBI. Information, including that listed below, can be found at their website at www.fbi.gov.

The [U.S. Department of Justice Order 556-73](#) establishes rules and regulations for the subject of an FBI Identification Record to obtain a copy of his or her own record for review. The FBI's Criminal Justice Information Services (CJIS) Division processes these requests.

Who May Request a Copy of a Record (or Proof That a Record Does Not Exist)
Only you can request a copy of your own Identification Record.

How to Request a Copy of Your Record

The FBI offers two methods for requesting your FBI Identification Record or proof that a record does not exist.

Option 1: [Submit your request directly to the FBI.](#)

Option 2: Submit to an [FBI-approved Channeler](#), which is a private business that has contracted with the FBI to receive the fingerprint submission and relevant data, collect the associated fee(s), electronically forward the fingerprint submission with the necessary information to the FBI/CJIS Division for a national criminal history record check, and receive the electronic record check result for dissemination to the individual. Contact each Channeler for processing times.

AGENCY INSTRUCTIONS: To comply with federal law, provide a copy of this document to each applicant fingerprinted.



NONCRIMINAL JUSTICE APPLICANT'S PRIVACY RIGHTS

As an applicant who is the subject of a national fingerprint-based criminal history record check for a noncriminal justice purpose (such as an application for employment or a license, an immigration or naturalization matter, security clearance, or adoption), you have certain rights which are discussed below.

- You must be provided written notification¹ that your fingerprints will be used to check the criminal history records of the FBI.
- You must be provided, and acknowledge receipt of, an adequate Privacy Act Statement when you submit your fingerprints and associated personal information. This Privacy Act Statement should explain the authority for collecting your information and how your information will be used, retained, and shared.²
- If you have a criminal history record, the officials making a determination of your suitability for the employment, license, or other benefit must provide you the opportunity to complete or challenge the accuracy of the information in the record.
- The officials must advise you that the procedures for obtaining a change, correction, or update of your criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.
- If you have a criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the officials deny you the employment, license, or other benefit based on information in the criminal history record.³

You have the right to expect that officials receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.⁴

If agency policy permits, the officials may provide you with a copy of your FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, you may obtain a copy of the record by submitting fingerprints and a fee to the FBI. Information regarding this process may be obtained at <https://www.fbi.gov/services/cjis/identity-history-summary-checks>.

If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI. The FBI will then forward your challenge to the agency that contributed the questioned information and request the agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency. (See 28 CFR 16.30 through 16.34.)

¹ Written notification includes electronic notification, but excludes oral notification.

² <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

³ See 28 CFR 50.12(b).

⁴ See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 34 U.S.C. § 40316 (formerly cited as 42 U.S.C. § 14616), Article IV(c); 28 CFR 20.21(c), 20.33(d) and 906.2(d).

AGENCY PRIVACY REQUIREMENTS FOR NONCRIMINAL JUSTICE APPLICANTS

Authorized governmental and non-governmental agencies/officials that conduct a national fingerprint-based criminal history record check on an applicant for a noncriminal justice purpose (such as employment or a license, immigration or naturalization matter, security clearance, or adoption) are obligated to ensure the applicant is provided certain notice and other information and that the results of the check are handled in a manner that protects the applicant's privacy. These obligations are pursuant to the Privacy Act of 1974, Title 5, United States Code (U.S.C.) Section 552a, and Title 28, Code of Federal Regulations (CFR), Section 50.12, among other authorities.

- Officials must provide to the applicant written notification¹ that his/her fingerprints will be used to check the criminal history records of the FBI.
- Officials must ensure that an applicant receives, and acknowledges receipt of, an adequate Privacy Act Statement when the applicant submits his/her fingerprints and associated personal information.²
- Officials using the FBI criminal history record (if one exists) to make a determination of the applicant's suitability for the employment, license, or other benefit must provide the applicant the opportunity to complete or challenge the accuracy of the information in the record.
- Officials must advise the applicant that procedures for obtaining a change, correction, or update of an FBI criminal history record are set forth at 28 CFR 16.34.
- Officials should not deny the employment, license, or other benefit based on information in the criminal history record until the applicant has been afforded a reasonable time to correct or complete the record or has declined to do so.
- Officials must use the criminal history record solely for the purpose requested and cannot disseminate the record outside the receiving department, related agency, or other authorized entity.³

The FBI has no objection to officials providing a copy of the applicant's FBI criminal history record to the applicant for review and possible challenge when the record was obtained based on positive fingerprint identification. If agency policy permits, this courtesy will save the applicant the time and additional FBI fee to obtain his/her record directly from the FBI by following the procedures found at 28 CFR 16.30 through 16.34. It will also allow the officials to make a more timely determination of the applicant's suitability.

Each agency should establish and document the process/procedures it utilizes for how/when it gives the applicant notice, what constitutes "a reasonable time" for the applicant to correct or complete the record, and any applicant appeal process that is afforded the applicant. Such documentation will assist State and/or FBI auditors during periodic compliance reviews on use of criminal history records for noncriminal justice purposes.

¹ Written notification includes electronic notification, but excludes oral notification.

² See <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

³ See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 34 U.S.C. § 40316 (formerly cited as 42 U.S.C. § 14616), Article IV(c); 28 CFR 20.21(c), 20.33(d), 50.12(b) and 906.2(d).