



ENROLLMENT ADVISORY FORM

December 2020

FORM

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RULE

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Colorado Department of Law
Criminal Justice Section, POST Board
1300 Broadway, 9th Floor
Denver CO 80203
post@coag.gov
720-508-6721 FAX 866-858-7486

NOTE: This form shall be **completed prior to cadets submitting fingerprints and shall be submitted to POST.**

Trainee's Last Name First Name Full Middle Name

Academy Name

Start End
Dates of the Academy Name of Academy Director

PART I – TRAINEE STATEMENT

Initials

- ____ Pursuant to § 24-31-304, C.R.S., all persons seeking to enroll in a training academy shall submit their fingerprints to the training academy *prior* to enrolling in the academy.
- ____ I acknowledge pursuant to Federal Bureau of Investigation and CJIS requirements, as a person submitting fingerprints for the purpose of certification or licensure I **have received** [Applicant's Privacy Rights](#) and [Challenging and Obtaining FBI Identity History \(attached\)](#).
- ____ A training academy shall not enroll any person who has been convicted of an offense that would result in the denial of certification pursuant to § 24-31-305(1.5), C.R.S. or released or discharged from the Armed Forces of the United States under Dishonorable conditions. The only exception shall be if the Board has granted the person an exemption from denial of enrollment. **PLEASE CONTACT POST REGARDING CONVICTIONS, DEFERRED SENTENCES, OR SEALED RECORDS.**
- ____ It is unlawful for any person to possess a firearm who has been **convicted** in any court of a crime of domestic violence OR is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner OR is subject to a court order that prohibits such person from possessing a firearm.
- ____ Successful completion of the training academy does not guarantee that the trainee will either receive POST certification or be appointed as a peace officer.
- ____ Certified peace officers must be United States citizens, legal residents who are lawfully present in the United States pursuant to Federal Law and § 24-76.5-103, C.R.S., OR are legally permitted to work in the U.S.
- ____ **I CERTIFY THAT I HAVE READ THE ABOVE STATEMENTS AND THAT THESE LAWS AND CONDITIONS HAVE BEEN EXPLAINED TO ME. I HAVE INITIALED EACH ONE, AND BY SIGNING BELOW, INDICATE THAT I AM FULLY AWARE OF EACH ONE.**

Signature of Trainee

Date

PART II – ACADEMY DIRECTOR STATEMENT

The above-referenced academy has ensured that the trainee's fingerprints have been submitted to CBI **prior** to the enrollment date of the academy. The academy has made every effort to comply with the requirements of POST Rule 14 and § 24-31-304, C.R.S.

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE EXAMINED THIS AFFIDAVIT, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, IT IS TRUE, CORRECT, AND COMPLETE. I FURTHER ACKNOWLEDGE THAT ANY FALSE STATEMENT, MISSTATEMENT, OR INACCURACY MAY RESULT IN REVOCATION OF THE INDIVIDUALS CERTIFICATION, AS WELL AS CRIMINAL PROSECUTION.

Signature of Academy Director or Designee

Date

Privacy Act Statement

This privacy act statement is located on the back of the [FD-258 fingerprint card](#).

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.

As of 03/30/2018

See Page 2 for Spanish translation.

Declaración de la Ley de Privacidad

***Esta declaración de la ley de privacidad se encuentra al dorso del
FD-258 tarjeta de huellas digitales.***

Autoridad: La adquisición, preservación, e intercambio de huellas digitales e información relevante por el FBI es autorizada en general bajo la 28 U.S.C. 534. Dependiendo de la naturaleza de su solicitud, la autoridad incluye estatutos federales, estatutos estatales de acuerdo con la Pub. L. 92-544, Órdenes Ejecutivas Presidenciales, y reglamentos federales. El proveer sus huellas digitales e información relevante es voluntario; sin embargo, la falta de hacerlo podría afectar la terminación o aprobación de su solicitud.

Propósito Principal: Ciertas determinaciones, tal como empleo, licencias, y autorizaciones de seguridad, podrían depender de las investigaciones de antecedentes basados en huellas digitales. Se les podría proveer sus huellas digitales e información relevante/ biométrica a la agencia empleadora, investigadora, o responsable de alguna manera, y/o al FBI con el propósito de comparar sus huellas digitales con otras huellas digitales encontradas en el sistema Next Generation Identification (NGI) del FBI, o su sistema sucesor (incluyendo los depósitos de huellas digitales latentes, criminales, y civiles) u otros registros disponibles de la agencia empleadora, investigadora, o responsable de alguna manera. El FBI podría retener sus huellas digitales e información relevante/biométrica en el NGI después de terminar esta solicitud y, mientras las mantengan, sus huellas digitales podrían continuar siendo comparadas con otras huellas digitales presentadas a o mantenidas por el NGI.

Usos Rutinarios: Durante el procesamiento de esta solicitud y mientras que sus huellas digitales e información relevante/biométrica permanezcan en el NGI, se podría divulgar su información de acuerdo a su consentimiento, y se podría divulgar sin su consentimiento de acuerdo a lo permitido por la Ley de Privacidad de 1974 y todos los Usos Rutinarios aplicables según puedan ser publicados en el Registro Federal, incluyendo los Usos Rutinarios para el sistema NGI y los Usos Rutinarios Generales del FBI. Los usos rutinarios incluyen, pero no se limitan a divulgación a: agencias empleadoras gubernamentales y no gubernamentales autorizadas responsables por emplear, contratar, licenciar, autorizaciones de seguridad, y otras determinaciones de aptitud; agencias de la ley locales, estatales, tribales, o federales; agencias de justicia penal; y agencias responsables por la seguridad nacional o seguridad pública.

A partir de 30/03/2018

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. All notices must be provided to you in writing.¹ 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), 50.12, among other authorities.

- You must be provided an adequate written FBI Privacy Act Statement (dated 2013 or later) when you submit your fingerprints and associated personal information. This Privacy Act Statement must explain the authority for collecting your fingerprints and associated information and whether your fingerprints and associated information will be searched, shared, or retained.²
- You must be advised in writing of the procedures for obtaining a change, correction, or update of your FBI criminal history record as set forth at 28 CFR 16.34.
- You must be provided the opportunity to complete or challenge the accuracy of the information in your FBI criminal history record (if you have such a record).
- 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 FBI criminal history record.
- 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> and <https://www.edo.cjis.gov>.
- 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 by submitting a request via <https://www.edo.cjis.gov>. 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.)
- 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.³

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

² <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) and 906.2(d).

DERECHOS DE PRIVACIDAD DE SOLICITANTES - JUSTICIA, NO CRIMINAL

Como solicitante sujeto a una indagación nacional de antecedentes criminales basado en huellas dactilares, para un propósito no criminal (tal como una solicitud para empleo o una licencia, un propósito de inmigración o naturalización, autorización de seguridad, o adopción), usted tiene ciertos derechos que se entablan a continuación. Toda notificación se le debe proveer por escrito.¹ Estas obligaciones son de acuerdo al Privacy Act of 1974, Title 5, United States Code (U.S.C.) Section 552a, y Title 28 Code of Federal Regulations (CFR), 50.12, entre otras autorizaciones.

- Se le debe proveer una Declaración de la Ley de Privacidad del FBI (con fecha de 2013 o más reciente) por escrito cuando presente sus huellas digitales e información personal relacionada. La Declaración de la Ley de Privacidad debe explicar la autorización para tomar sus huellas digitales e información relacionada y si se investigarán, compartirán, o retendrán sus huellas digitales e información relacionada.²
- Se le debe notificar por escrito el proceso para obtener un cambio, corrección, o actualización de su historial criminal del FBI según delineado en el 28 CFR 16.34.
- Se le tiene que proveer una oportunidad de completar o disputar la exactitud de la información contenida en su historial criminal del FBI (si tiene dicho historial).
- Si tiene un historial criminal, se le debe dar un tiempo razonable para corregir o completar el historial (o para rechazar hacerlo) antes de que los funcionarios le nieguen el empleo, licencia, u otro beneficio basado en la información contenida en su historial criminal del FBI.
- Si lo permite la política de la agencia, el funcionario le podría otorgar una copia de su historial criminal del FBI para repasarlo y posiblemente cuestionarlo. Si la política de la agencia no permite que se le provea una copia del historial, usted puede obtener una copia del historial presentando sus huellas digitales y una tarifa al FBI. Puede obtener información referente a este proceso en <https://www.fbi.gov/services/cjis/identity-history-summary-checks> y <https://www.edo.cjis.gov>.
- Si decide cuestionar la veracidad o totalidad de su historial criminal del FBI, deberá presentar sus preguntas a la agencia que contribuyó la información cuestionada al FBI. Alternativamente, puede enviar sus preguntas directamente al FBI presentando un petición por medio de <https://www.edo.cjis.gov>. El FBI luego enviará su petición a la agencia que contribuyó la información cuestionada, y solicitará que la agencia verifique o corrija la información cuestionada. Al recibir un comunicado oficial de esa agencia, el FBI hará cualquier cambio/corrección necesaria a su historial de acuerdo con la información proveída por la agencia. (Vea 28 CFR 16.30 al 16.34.)
- Usted tiene el derecho de esperar que los funcionarios que reciban los resultados de la investigación de su historial criminal lo usarán para los propósitos autorizados y que no los retendrán o diseminarán en violación a los estatutos, normas u órdenes ejecutivos federales, o reglas, procedimientos o normas establecidas por el National Crime Prevention and Privacy Compact Council.³

¹ La notificación por escrito incluye la notificación electrónica, pero excluye la notificación verbal.

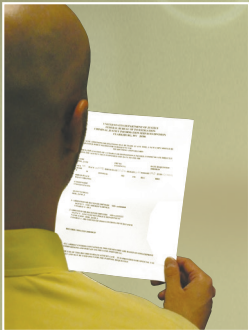
² <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

³ Vea 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 34 U.S.C. § 40316 (anteriormente citada como 42 U.S.C. § 14616), Article IV(c); 28 CFR 20.21(c), 20.33(d) y 906.2(d).



How to Challenge and How to Obtain Your FBI Identity History Summary

What is an FBI Identity History Summary?



An FBI Identity History Summary, often referred to as a "rap sheet," is a listing of certain information taken from fingerprint submissions kept by the FBI. The information is related to arrests, and in some instances, the information is related to federal employment, naturalization, or military service. If the fingerprint submissions are related to an arrest, the Identity History Summary includes the name of the agency that submitted the fingerprints to the FBI,

the date of the arrest, the arrest charge, and the disposition of the arrest, if known. All arrest information included in an Identity History Summary is obtained from fingerprint submissions, disposition reports, and other information submitted by authorized criminal justice agencies.

How do I challenge my FBI Identity History Summary?

If you believe your Identity History Summary contains inaccurate or incomplete information, you may request a change or correction by contacting the agency or agencies that originally submitted the information to the FBI. However, most states require that changes to Identity History Summary information be processed through their respective state centralized agency (State Identification Bureau). You may contact the respective State Identification Bureau for assistance, and, if applicable, request they provide the FBI with updates to your Identity History Summary. For the State Identification Bureau listing, refer to: www.fbi.gov/checks.

You may also send an electronic or written challenge request to the FBI's CJIS Division. Your written request should clearly identify the information that you feel is inaccurate or incomplete and should include copies of any available proof or supporting documentation that validates your claim. For example, if your disposition information is incorrect or missing,

you may submit documentation obtained from the court having control over the arrest or the office prosecuting the offense. The FBI will contact the appropriate agencies in an attempt to verify or correct challenged entries for you. Upon receipt of an official communication from the agency with control over the data, the FBI will make appropriate changes and notify you of the outcome. Updating your FBI Identity History Summary can include having final disposition data entered, cases expunged, pardons entered, a conviction level changed, or rights restored. Once you have been notified of the outcome of your challenge, you may choose to obtain a copy of your Identity History Summary. Please see "How do I obtain a copy of my FBI Identity History Summary for personal review" in this brochure.

The FBI offers two options for submitting an Identity History Summary Challenge to the FBI:

Option 1: Electronically submit your challenge request:

- 1) Go to <https://www.edo.cjis.gov>.
- 2) Follow the steps under the "Challenging Your Identity History Summary" section.

Option 2: Submit a written request directly to the FBI:

FBI CJIS Division
Attn: Criminal History Analysis Team I
1000 Custer Hollow Road
Clarksburg, WV 26306

Summary Challenges are processed in the date order received.

How do I obtain a copy of my FBI Identity History Summary for personal review?

If you would like a copy of your Identity History Summary, you may submit a request to the FBI. The FBI offers three options for requesting your summary or proof that a summary does not exist.

Option 1: Electronically submit your request:

- 1) Go to <https://www.edo.cjis.gov>.
- 2) Follow the steps under the "Obtaining Your Identity History Summary" section.



Option 2: Submit your request directly to the FBI:

**FBI CJIS Division - Summary Request
1000 Custer Hollow Road
Clarksburg, WV 26306**

You are required to provide the following:

- 1) A completed Applicant Information Form.
- 2) Payment for the \$18 processing fee, either by certified check or money order made payable to the Treasury of the United States, or by a credit card. For credit card payment form and information, refer to: www.fbi.gov/checks.
- 3) A current fingerprint card bearing your name and date of birth. You must include rolled impressions of all 10 fingerprints and impressions of all 10 fingerprints taken at the same time (these are sometimes referred to as plain or flat impressions). If possible, have your fingerprints taken by a fingerprinting technician. Previously processed cards or copies will not be accepted.

Option 3: Submit through an FBI-approved Channeler, which is a private business that has contracted with the FBI to submit your request on your behalf. The Channeler will then receive the electronic summary check results for dissemination to the individual. For a listing of FBI-approved Channelers, refer to: www.fbi.gov/checks.

Due to provisions within the Privacy Act of 1974, the FBI cannot provide Identity History Summary information via the telephone or facsimile.

What will I receive?

If we do not find an Identity History Summary on file, you will receive a response indicating that you have no prior arrest data on file at the FBI. If you do have an Identity History Summary on file, you will receive your Identity History Summary or "rap sheet."

If you submitted a request electronically directly to the FBI, you will receive a response electronically and an option for a response by First-Class Mail via the U.S. Postal Service.

If you submitted a request through the mail directly to the FBI, you will receive a response by First-Class Mail via the U.S. Postal Service.

Frequently Asked Questions

What is the processing time?

The FBI processes requests as quickly as possible; however, please allow several weeks for processing. The processing time will be less if your request is submitted electronically. Requests submitted to the FBI are processed in the date order they are received. You may obtain an estimate of the current processing time on our website; refer to www.fbi.gov/checks.

Can the FBI send the results to someone (or an agency) other than myself?

Under the U.S. Department of Justice Order 556-73, the results will be returned to the requestor or his/her designated representative. A signed release to return the results to the representative must accompany such a request.

Where can I get my fingerprints taken?

Local, county, or state law enforcement agencies may take your fingerprints for a fee. Also, some private companies offer this service. Check the business listings in your telephone book or search online. If using the Channeler option, please contact the FBI-approved Channeler for additional information.

Why was I told there was a problem with my Identity History Summary when I received a letter indicating that a search of the fingerprints I provided revealed no prior arrest data at the FBI?

There are several instances in which this might occur, such as:

- 1) Removal of arrest information may have been authorized since you were advised of the summary problem.
- 2) A previous search was conducted with a name and physical description only, and the descriptive data you provided matched or was very similar to that contained in another individual's summary. Positive identifications are made by fingerprint comparisons.
- 3) The arresting agency may not have supplied the information to the FBI. You will need to contact the state repository of the state in which the arrest occurred.

For additional information concerning an FBI Identity History Summary request and for recent updates to the procedures outlined in this brochure, please refer to:

www.fbi.gov/checks

Additional Concerns

Firearm Background Checks

The Criminal History Analysis Team I cannot access the National Instant Criminal Background Check System (NICS) information or comment on firearm-related issues. The NICS Customer Service can be reached at (877) 324-6427 for firearm issues only or visit their website at:

www.fbi.gov/nics

Licensing and Employment Background Checks

Certain background checks for licensing and employment must be conducted through specific state and federal channeling agencies. Contact the agency requiring the background check for correct procedures.

