Saugus Police Department

27 Hamilton Street, Saugus, Massachusetts 01906

Emergency 911 ***Business (781) 941-1199*** ***Administration (781) 941-1140***
Fax (781) 231-5526

Civil Fingerprint Consent Form

(MUST BE SIGNED BY APPLICANT AND RETURNED WITH APPLICATION)

I, _____, consent to the collection of my fingerprints as part of the application process for the following license: _____.
I acknowledge and understand that my fingerprints will be searched against databases maintained by the Federal Bureau of Investigation.

_____ _____
Signature of Applicant Date

_____
Name (*printed*)

FBI Procedure For Changing, Correcting or Updating A Record

28 CFR 16.34:

PROCEDURE TO OBTAIN CHANGE, CORRECT OR UPDATE IDENTIFICATION RECORDS.

If, after reviewing his/her identification record, the subject thereof believes that it is incorrect or incomplete in any respect and wishes to have it changed, corrected or updated, he/she should make an application to the agency which supplied the questioned information. The subject of a record may also direct his/her challenge as to the accuracy or completeness of any entry on his/her record to the FBI, Criminal Justice Information Services (CJIS) Division, ATTN: SCU, Mod. D-2, 1000 Custer Hollow Road, Clarksburg, WV 26306. The FBI will then forward the challenge to the agency which submitted the data requesting that the agency verify or correct the challenged entry. Upon the receipt of an official communication directly from the agency which supplied the original information, the FBI CJIS Division will make any changes necessary in accordance with the information supplied by that agency.

Further information can be found at:

https://www.fbi.gov/services/cjis/identity-history-summary-checks* and *https://www.edo.cjis.gov

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 notices and that the results of the check are handled in a manner that protects the applicant's privacy. All notices must be provided 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), Section 50.12, among other authorities.

- **Officials must ensure that each applicant receives an adequate written FBI Privacy Act Statement (dated 2013 or later) when the applicant submits his/her fingerprints and associated personal information.[2]**
- **Officials must advise all applicants in writing that procedures for obtaining a change, correction, or update of an FBI criminal history record are set forth at 28 CFR 16.34. Information regarding this process may be found at https://www.fbi.gov/services/cjis/identity-history-summary-checks and https://www.edo.cjis.gov.**
- **Officials must provide the applicant the opportunity to complete or challenge the accuracy of the information in the FBI criminal history record.**
- **Officials should not deny the employment, license, or other benefit based on information in the FBI 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 FBI criminal history record for authorized purposes only and cannot 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]**

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 the FBI Privacy Act Statement, the 28 CFR 50.12 notice, and the opportunity to correct his/her record. Such documentation will assist State and/or FBI auditors during periodic compliance reviews on use of FBI criminal history records for noncriminal justice purposes.

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[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).