

CRIMINAL JUSTICE APPLICANT'S PRIVACY RIGHTS CONSENT AND CHALLENGE

As an applicant who is the subject of a national fingerprint-based criminal history record check for criminal justice employment, you have certain rights which are discussed below.

- You must be provided written notification that your fingerprints will be used to check the criminal history records of the FBI.
- If you have a criminal history record, the officials making a determination of your suitability for criminal justice employment 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 updating 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 employment based on information in the criminal history record.

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.

- 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 <http://www.fbi.gov/about-us/cjis/background-checks>.

If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the local agency that contributed the questioned criminal record information to the FBI.

Alternatively, you may send your challenge directly to the FBI. The FBI will then forward your challenge to the local agency that contributed the questioned criminal record information. At this time, the FBI will request the local agency to verify or correct the questioned criminal record information that is being challenged. Upon receipt of an official communication from that local 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.)

I _____ acknowledge that I have been provided a copy of the Privacy Rights pertaining to the fingerprint-based criminal history check for criminal justice employment. I also understand my right and the procedures to challenge the accuracy or completeness of my criminal history.

Signed _____

Date _____

(Note to Agency: Provide a copy of this document to the applicant)