

STATE OF MONTANA
DEPARTMENT OF JUSTICE
DIVISION OF CRIMINAL INVESTIGATION
Crime Information Bureau

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Attorney General



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SUBJECT: Applicant Rights and Consent to Fingerprint Form

There have been some recent changes and additions to the information provided to applicants when a federal fingerprint-based background check is conducted for noncriminal justice purposes. As a noncriminal justice agency, you are obligated to ensure the results of the background check are handled in a manner that protects the applicant's privacy as well as provide written notice of their applicant rights. These obligations are pursuant to the Privacy Act of 1974, Title 5, United States Code, Section 522a, and Title 28, Code of Federal Regulations, Section 50.12, among other authorities. In addition, agencies must also ensure that applicants are provided with an adequate Privacy Act Statement.

The Department of Justice Criminal Records and Identification Services Section has made all the necessary changes to the existing Applicant Rights and Consent to Fingerprint Form. This form meets all the federal requirements regarding notices and disclosures. The new Applicant Rights and Consent to Fingerprint form shall replace any previous notice given to applicants regarding their applicant rights.

We are available to assist you with any questions or concerns about requesting federal background checks, privacy requirements for noncriminal justice applicants, security requirements for criminal history record information, and secondary dissemination of criminal history record information. Please call if you have any questions or concerns.

Sincerely,

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