

Rule 14 – Fingerprint-Based Criminal History Record Check

Effective **January 30, 2021** ~~July 1, 2017~~

(a) ~~Definitions.~~

- (I) ~~The **F**ingerprint-based criminal history record check: a computerized search of a person's fingerprints that have been taken on a POST Applicant Fingerprint Card, or a Colorado Bureau of Investigation (CBI) authorized vendor and processed by the Colorado Bureau of Investigation (CBI) and Federal Bureau of Investigation (FBI) for the purpose of determining a person's eligibility for certification as a peace officer in the State of Colorado.~~
- (II) ~~The **E**nrollment date: of a training academy is the first day of instruction at an approved basic or reserve training academy. The enrollment date shall be synonymous with the first day of instruction as reflected on the approved academy schedule.~~
- (III) ~~Enrollment: As used in this Rule, to enroll in an academy means that **A** person has applied and been accepted for admission into an academy and is physically present at the academy to receive instruction.~~

(b)(a) ~~Eligibility for certification. No person shall be eligible for certification as a Colorado peace officer if **THEY HAVE** he or she has been convicted of a **DISQUALIFYING INCIDENT**, felony or any misdemeanor as referenced in § 24-31-305(1.5), C.R.S., or any misdemeanor in violation of federal law or the law of any state or any local municipal ordinance that is the equivalent of any of the offenses specified in § 24-31-305(1.5), C.R.S.~~

(c)(b) ~~Enrollment. **PER** Pursuant to § 24-31-304, C.R.S. and POST Rules, all persons seeking to either enroll in a training academy or participate in the testing process as a provisional or renewal applicant shall submit their fingerprints to CBI **NO MORE THAN 60 DAYS** prior to **AND AT LEAST ONE WEEK BEFORE** enrolling in the training academy. or ~~**within 60 days**~~ prior to participating in the testing process as a provisional or renewal applicant **THE ACADEMY MUST NOTIFY POST WHEN FINGERPRINTS ARE SUBMITTED.**~~

(c) **ALL PERSONS SEEKING TO APPLY FOR PROVISIONAL OR RENEWAL CERTIFICATION MUST SUBMIT FINGERPRINTS TO CBI AS PART OF THE APPLICATION PROCESS PURSUANT TO RULE 11 AND 13.**

(d) POST Applicant Fingerprint Card. **RESULTS.**

- a. The POST Applicant Fingerprint Card is the only authorized fingerprint card that shall be submitted for the fingerprint-based criminal history record check.
 - b. The Board recommends that a ~~n~~ person's **APPLICANT'S** fingerprints be ~~taken on the POST Applicant Fingerprint Card at a law enforcement agency, or~~ submitted electronically by a CBI-authorized vendor **OR A LEA AUTHORIZED BY CBI TO SUBMIT FINGERPRINTS FOR POST. WHEN THIS IS NOT POSSIBLE, THE APPLICANT CAN SUBMIT FINGERPRINTS USING THE POST APPLICANT FINGERPRINT CARD, OBTAINED DIRECTLY FROM POST.** Any fees ~~that may be charged by the agency or vendor for~~ **ASSOCIATED WITH** this service is **ARE** the responsibility of the applicant.
 - c. Payment of a fee to ~~cover the cost of processing the POST Applicant Fingerprint Card~~ must be submitted to CBI with each completed POST Applicant Fingerprint Card, or with submission by a CBI-authorized vendor. Remittance of this fee to CBI is the responsibility of the applicant.
 - d. For ~~p~~ **P**rovisional and renewal applicants; **MAY REQUEST** the POST Applicant Fingerprint Card will be provided by POST **WHEN THEY ARE UNABLE TO SUBMIT FINGERPRINTS ELECTRONICALLY.** The applicant is responsible for having their fingerprints taken ~~and for ensuring that the completed POST Applicant Fingerprint Card and fee are submitted to CBI, or that fingerprints are submitted to CBI by a CBI-authorized vendor,~~ prior to the applicant's participation in the testing process as a provisional or renewal applicant.
- (IV) For persons seeking to **APPLICANTS** enrolling in a basic or reserve training academy, the POST Applicant Fingerprint Card will be provided by the academy. The person's fingerprints ~~ed~~s shall be taken in accordance with the academy's policies and procedures. The academy is responsible for ensuring that ~~the completed POST Applicant Fingerprint Card and fee are submitted to CBI, or that fingerprints are submitted to CBI by a CBI-authorized vendor~~ **OR THAT THE COMPLETED POST APPLICANT FINGERPRINT CARD AND FEE ARE SUBMITTED TO CBI,** prior to the person's **APPLICANT'S** enrollment in the academy.

- (VI) Fingerprint ~~RESULTS returns~~ **ARE VALID THROUGHOUT THE CERTIFICATION PROCESS AND THROUGH THE LIFE OF CERTIFICATION. IF CERTIFICATION EXPIRES OR IS REVOKED THEY BECOME INVALID.** ~~for one year. Individuals~~ **APPLICANTS re-enroll** ~~renewing~~ **THEIR CERTIFICATION MUST SUBMIT NEW FINGERPRINTS.** ~~into an academy must be reprinted if the prior fingerprints are older than one year.~~
- (e) Results from completed criminal history record checks.
- (I) The Board shall be the authorized agency to receive the results from all POST Applicant Fingerprint ~~Cards~~/submissions that have been processed for the state and national fingerprint-based criminal history record checks.
- (II) All results from the completed criminal history record checks will be provided to the POST Director. Notice of subsequent arrests and convictions resulting in denial of certification will be provided to the Board.