

PROCEDURES FOR CONDUCTING NAME-BASED CHECK OF THE NATIONAL CRIME INFORMATION DATABASE WHEN AN APPLICANT'S FINGERPRINTS ARE UNOBTAINABLE DUE TO A DISABILITY OR ARE OF LOW QUALITY

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In some limited cases, an individual's fingerprints may not be obtainable as a result of disability or low quality due to factors such as age and occupation.

In order to determine if fingerprinting should be discontinued and a name check requested, the following procedures should be followed.

I. Initial Steps

- A. Each agency should require that each applicant be fingerprinted.**
- B. When the agency has been notified that the applicant's fingerprints have been rejected, the agency should maintain factual information concerning how many times a print or re-print has been submitted.**

NOTE: Criminal background checks are completed by both the state police and the FBI. It is possible that one set of fingerprints are classifiable (acceptable) for the state police but are rejected by the FBI and vice versa. This happens because the two law enforcement agencies use different equipment to read the prints. It is important to note which law enforcement agency is rejecting the prints. In some instances both law enforcement agencies may reject the fingerprints.

- C. Each agency should follow all procedures to obtain good prints from an individual. A different person should take any additional sets of prints from the applicant.**
- D. If the individual has a disability, the person taking the finger prints must note on the fingerprint card that the applicant has a disability or condition preventing fingerprinting or the individual does not have finger(tips).**

II. Steps to Obtain a Name Search

- A. Once the applicant's fingerprints have been rejected three times by the state police or two times by the FBI, the agency should complete the Request to Discontinue Reprints form and send it to the Background Investigation Unit. Fingerprints must be submitted on individuals even when all fingers can not be printed. If the applicant has a disability that prevents the individual from being fingerprinted, the agency can submit a discontinuance form after the first rejection. The person who is taking the fingerprints should note on the fingerprint card disabilities or conditions preventing fingerprinting.**

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- B. Each agency should ensure that all names used by an individual are listed on the finger print cards in the Aliases (AKA) section. This is especially important for women who should list maiden names and former married names.**
- C. BIU will verify that the information regarding reprinting is correct.**
- D. If the information is not correct the BIU will return the form to the agency denying permission to discontinue reprinting. The rational for the denial will be included on the form. The agency should obtain another set of prints from the applicant following any guidelines received from the BIU.**
- E. If the information on the form is correct, BIU will return the form to the agency indicating that approval has been given to discontinue fingerprinting. BIU will submit a letter to the State Police requesting that a name check be completed on the applicant. Name checks often take a month or more to be returned to BIU.**
- F. Once the name check has been received, BIU will screen the results from the name check and return a letter to the agency indicating if the applicant is eligible or not eligible to provide services according to the results of the name search. If the results of the name check are inconclusive an Adequate Information Is Not Available letter will be sent to the agency.**
- G. The agency should retain the Request to Discontinue Fingerprinting form and the name check results letter in their records.**
- H. The background investigation is not complete until both the form and the name search results letter are received.**

PART I – REQUEST TO DISCONTINUE REPRINTS

- **AGENCY REPRESENTATIVE SHOULD FILL IN REQUESTED INFORMATION, SIGN AND DATE THE REQUEST FORM AND FORWARD FIRST PAGE ONLY TO THE BACKGROUND INVESTIGATION UNIT (BIU). REQUEST FORM MAY BE FORWARDED BY MAIL OR FAX (804-726-7095).**
- **FINGERPRINTS MUST HAVE BEEN REJECTED AT LEAST THREE TIMES BY THE STATE POLICE AND/OR AT LEAST TWO TIMES BY THE FBI PRIOR TO SUBMITTING THIS REQUEST. IN ADDITION, MORE THAN ONE PERSON SHOULD HAVE TRIED TO OBTAIN GOOD PRINTS.**

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TO: BACKGROUND INVESTIGATION UNIT

FAX#: 804-726-7095

FROM: _____

FAX #: _____

APPLICANT'S NAME: _____

SSN: _____ - _____ - _____

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PLEASE CIRCLE THE AGENCY WHOSE REPRINTS YOU WISH TO TERMINATE:

STATE POLICE

FBI

BOTH

- **IF YOU ARE REQUESTING THE DISCONTINUANCE OF FINGERPRINT CARDS FOR ONLY ONE AGENCY, E.G. STATE POLICE, FILL OUT ONLY THE QUESTIONS PERTAINING TO THAT AGENCY AND ENTER N/A IN THE AREAS PERTAINING TO THE FBI FINGERPRINTS.**

State Police: Number of times rejected: _____

Number of persons taking fingerprints: _____

List names of persons taking fingerprints: _____

FBI: Number of times rejected: _____

Number of persons taking fingerprints: _____

List names of persons taking fingerprints: _____

(Agency Representative's Signature)

(Date)

(Continued on Reverse)

PART II – BACKGROUND INVESTIGATION UNIT

CONFIRMATION AND RESPONSE

THE BIU REPRESENTATIVE WILL PROVIDE THE FOLLOWING INFORMATION.

APPLICANT'S NAME: _____ SSN: _____ - _____ - _____

Alias (es) shown on fingerprint cards: Yes No N/A

Results of FBI fingerprint check received: Yes No

Results of State Police fingerprint check received: Yes No

FBI screening results: _____

State Police screening results: _____

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The information provided by the facility regarding the number of times rejected is: Correct Incorrect

Discrepancy (if any): _____

_____. Permission is given to discontinue reprints through (Circle one or both): State Police FBI
A name check has been requested.

_____. Permission is not given to discontinue reprints for reason(s) shown below through (Circle one or both): State Police FBI

REASON(S) FOR DENIAL: _____

(BIU Representative's Signature)

(Date)

The criminal background investigation is not complete until the screening results letter has been received. The agency should retain both the Request to Discontinue form and the name search results letter in their records.