

# CALIFORNIA DEPARTMENT OF JUSTICE

## Application for Authorization Pursuant to Penal Code Section 11105.08

(Federally Recognized Tribes/  
Designated Agencies)



### BUREAU OF CRIMINAL INFORMATION AND ANALYSIS

Mail completed application  
to:

California Department of Justice  
Applicant Information and Certification Program  
P.O. Box 903387  
Sacramento, CA 94203-3870

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## **AUTHORIZATION FOR CRIMINAL HISTORY INFORMATION**

In accordance with Penal Code (PC) section 11105.08 and Welfare and Institutions Code (WIC) section 361.4, federally recognized tribes and/or agencies designated by a federally recognized tribe are authorized to request criminal offender record information (CORI) from the California Department of Justice (DOJ) for the purpose of approving a tribal home for the placement of an Indian child into foster or adoptive care, consistent with the federal Indian Child Welfare Act (25 U.S.C. 1903 et seq.). The authority to conduct a criminal background check includes individuals as prospective foster or adoptive parents, adults who reside or are employed in the home of an applicant for approval, any person who has a familial or intimate relationship with any person living in the home of an applicant, or an employee of a tribal agency who may have contact with a child.

To determine whether your organization meets the requirements to obtain state criminal history information pursuant to PC section 11105.08 and/or WIC section 361.4, please complete and return the attached application package. Incomplete packages will be returned unprocessed.

Please do not submit your fingerprints until approval has been granted.

## **APPLICANT LIVE SCAN OVERVIEW**

Applicant Live Scan is a system for the electronic submission of applicant fingerprints and the subsequent automated background check and response. Live Scan technology replaces the process of recording an individual's fingerprint patterns manually through a rolling process using ink and a standard 8" x 8" fingerprint card. Fingerprints are digitalized through an electronic process (Live Scan), enabling the electronic transfer of the fingerprint image data, in combination with personal descriptor information, to central computers at the DOJ. This transfer of information takes place in a matter of seconds, instead of the days required to send hard copy fingerprint cards through the U.S. Mail. The applicant visits an Applicant Live Scan Satellite location where the fingerprint images and related data are electronically transmitted to the DOJ. The recent, rapid expansion of the number of applicant Live Scan devices has resulted in an ever-increasing volume of applicants availing themselves of Live Scan technology.

With Live Scan, the applicant is provided with a Request for Live Scan Service form (BCIA 8016). The applicant is also provided with a list of nearby Live Scan Satellite locations and must go to one of the specified locations to submit fingerprints. At these locations, trained, certified operators enter the information from the Request for Live Scan Service form (BCIA 8016) into the Live Scan terminal and initiates the Live Scan fingerprinting process. After successful electronic capture of the fingerprint images and the accompanying data, the information is electronically transmitted to the DOJ.

Once the fingerprints and data are received by the DOJ, they are electronically processed by the DOJ Global Transaction Controller (GTC). Most Live Scan submissions that have no data or quality errors, and do not result in possible criminal history matches, are processed automatically and responded to electronically. Live Scan transmissions requiring analysis of a criminal record are electronically sent to the Applicant Response Section for analysis and dissemination. Live Scan submissions are responded to by electronic mail and/or U.S. Mail when the electronic mail response is not available.

The DOJ will also coordinate other electronic processes resulting from the automated submissions of fingerprints; including forwarding the fingerprints to the Federal Bureau of Investigation (FBI) (if required) and coordinating the collection of associated fees.



## REQUEST FOR TRIBE/DESIGNATED AGENCY ORI AND/OR RESPONSE MAIL CODE

In order to submit applicant fingerprints via Live Scan, you must have an Originating Agency Identifier (ORI) code to identify your tribe or agency. In order to receive responses electronically, you must request a Response Mail Code. Note that electronic responses will be sent to a secure electronic mailbox from which you will retrieve your messages. **In order to receive a Response Mail Code, you must have a completed Applicant Fingerprint Response Subscriber Agreement form (BCIA 9005TC), on file with the California Department of Justice (DOJ) or returned with this request.**

- Request for ORI                       Request for Electronic Response Mail Code

Tribe/Agency Name: \_\_\_\_\_  
 Federally Recognized Tribe                       Designated Agency

Mailing Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Contact Person Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Please check the box(es) for the type(s) of applicants for whom you will be submitting:

Employment \_\_\_\_\_  
Title or Position (i.e., Classified Employee)

Tribal Home/Child Placement \_\_\_\_\_  
Purpose (i.e., Placement of Indian Child into Foster or Adoptive Care or into Home of a Relative or Prospective Guardian)

Volunteers

We request that all responses be sent electronically to the same secure mailbox.

We request separate secure mailbox(es) for the following application type(s):

- Employment
- Tribal Home/Child Placement
- Volunteers

ORI's and Response Mail Code number(s) will be assigned by the DOJ and the information returned to you on the Notification of ORI, Mail Code, and/or Billing Number form (BCIA 9003TC).

**GUIDELINES FOR COMPLETING FORM BCIA 9001TC**

<b>FIELD</b>	<b>INSTRUCTIONS</b>
1) Service(s) Requested	Check the appropriate box(es). You must request an Originating Agency Identifier (ORI) if you do not already have one and you intend to submit via Live Scan. You must request an electronic Response Mail Code if you want your responses to be sent electronically to a secure mail server instead of by U.S. Mail. Your tribe/designated agency will be assigned an ORI and/or Response mail code by the DOJ.
2) Federally Recognized Tribe	Enter the name of federally recognized tribe.
3) Designated Agency Name	Enter the name of the designated agency if the application is other than a federally recognized tribe.
4) Contact Person	Enter the name of the person within your tribe/designated agency that DOJ can contact if any questions arise.
5) Phone Number	Enter the contact person's phone number.
6) Email Address	Enter the contact person's email address.
7) Employment	Check this box if you will be submitting fingerprints of potential employees and enter the title or position of employees to be fingerprinted. If you will submit for all employees, state "all employees."
8) Tribal Home/Child Placement	Check this box if you will submit for tribal home and/or child placement purposes, and identify the purpose(s).
9) Volunteers	Check this box if you will be fingerprinting volunteers.
10) Electronic Response Mailbox	Check this box if ALL BACKGROUND CHECK RESPONSES will be sent to the same secure electronic response mailbox.
11) Designate More Than One Electronic Response	If responses in your tribe/designated agency are designated to different locations based on the application type, and you want a separate secure electronic response mailbox for any or all of your applicant types, check the appropriate box(es).



### NOTIFICATION OF ORI, MAIL CODE, AND/OR BILLING NUMBER

Tribe/Designated Agency - Please provide a complete address in the space below. This form will be returned to you with your ORI, Mail Code, and/or Billing Number information. **Complete this section only.**

Tribe/Agency Name: \_\_\_\_\_  
 Federally Recognized Tribe       Designated Agency

Mailing Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

#### DOJ Use Only

Listed below are the ORI, Mail Code, and/or Billing Number assigned to your agency for applicant responses.

ORI \_\_\_\_\_

Mail Code \_\_\_\_\_

Billing Number \_\_\_\_\_

If separate response locations were requested, assigned codes are as follows:

Type	ORI	Mail Code
Employment		
Tribal Home/Child Placement		
Volunteer		

The following are the ONLY applicant types with CJIS codes your agency is authorized to submit to the DOJ for background check purposes. The CJIS code is for internal use only and is not utilized on the Request for Live Scan Service form (BCIA 8016).

	Applicant Type	CJIS Code
1		
2		
3		
4		
5		
6		
7		
8		

Should your address or tribe/agency information change in the future, you must notify the DOJ immediately. Please visit the DOJ's website to obtain the Applicant Submitting Agency Request to Change form (BCIA 8386).

## APPLICANT LIVE SCAN BILLING PROCEDURES

**\*\*\* A Tribe/Designated Agency is not required to complete the Billing Account Application form (CJIS 9000) if applicants will be paying the DOJ fees at the Live Scan Satellite Site \*\*\***

The following procedures are for the billing and collection of applicant fingerprint fees. The first requirement in the Applicant Live Scan Billing process is to provide the DOJ with billing authorization to allow fee collection for services provided. All tribes/designated agencies who wish to be billed for submitting fingerprints via Live Scan must complete a Billing Account Application form (CJIS 9000).

The submission of the Billing Account Application form (CJIS 9000) will result in the assignment of a unique customer billing number **that must be entered by the Live Scan operator on all Live Scan transmissions** so the tribe/designated agency can be billed. If your tribe/designated agency already has a customer billing number for the processing of manual fingerprint cards, the same customer billing number may be used for applicant Live Scan.

At the Live Scan Satellite Site, the operator must put a customer billing number on every applicant Live Scan transaction. The customer billing number will be either the billing number for the Live Scan Satellite Site or the tribe/designated agency to be determined as follows:

- If the Live Scan Satellite Site collects cash, credit, or a check on behalf of the DOJ for payment of the DOJ and/or federal services, the Live Scan Satellite Site is the tribe/designated agency that will be billed. The Live Scan operator will enter the customer billing number of the Live Scan Satellite Site in the fingerprint transmission.
- If the Live Scan Satellite Site does not collect payment, then the tribe/designated agency will be the agency billed. In this case, the Live Scan operator will enter the tribe/designated agency's customer billing number on the fingerprint transmission. This number must be listed in the Contributing Agency Section (in the area title "BIL") of the Request for Live Scan Service form (BCIA 8016), which is provided to the Live Scan operator by the applicant.

The DOJ Accounting Office will generate invoices based on the Live Scan transmission information thirty days in arrears. Based on the monthly billing cycle, each tribe/designated agency will be billed for transmissions occurring between the first day and the last day of the prior month. A tribe/designated agency will generally receive invoices within the first 15 working days of the month.

Payment to the DOJ is due upon receipt of the invoice. If there are discrepancies, please complete the Credit Request - Applicant Live Scan Fingerprint Billing form (BCII 9006) and fax to the Billing Unit (BU) at (916) 227-1149, listing the applicant(s) in dispute. The Credit Request - Applicant Live Scan Fingerprint Billing form (BCII 9006) is available on the Internet at [http://oag.ca.gov/sites/all/files/agweb/pdfs/fingerprints/forms/BCII\\_9006.pdf](http://oag.ca.gov/sites/all/files/agweb/pdfs/fingerprints/forms/BCII_9006.pdf). Please pay promptly for those charges with which you agree, and short pay the invoice by the amount of charges in dispute. The BU will notify the tribe/designated agency if it denies the Credit Request. **PLEASE NOTE:** If a tribe/designated agency does not submit a Credit Request, the tribe/designated agency will be held liable for the outstanding charges. Failure to remit payment in a timely manner may result in the tribe/designated agency being sent to collections and having its customer billing number disabled. The DOJ will not accept Credit Requests received three or more years after final payment of an invoice. Credit and rebill information will appear at the bottom of the monthly billing detail report the month following a credit request.

## APPLICANT LIVE SCAN BILLING PROCEDURES (continued)

The tribe/designated agency will be responsible for payment if the fields on the Request for Live Scan Service form (BCIA 8016) are not completed correctly. Therefore, it is extremely important that the tribe/designated agency follow the Request for Live Scan Service form (BCIA 8016) Instructions available on the Internet at:

[http://oag.ca.gov/sites/all/files/agweb/pdfs/fingerprints/forms/BCIA\\_8016\\_8016A\\_instructions.pdf?](http://oag.ca.gov/sites/all/files/agweb/pdfs/fingerprints/forms/BCIA_8016_8016A_instructions.pdf?)

If you already have an ORI number, call (916) 227-3870 for a customer billing number. The monthly billing detail report will consist of the applicant's name, fingerprint date, and total fingerprint fees billed.

Please call the BU at (916) 227-3870 for any of the following:

- 1) Establish a customer billing number - if the ORI and electronic response codes have already been established.
- 2) Update billing contact information.
- 3) Resolve Live Scan billing discrepancies.



### BILLING ACCOUNT APPLICATION

Business/Agency Type:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> School District                 | <input type="checkbox"/> Private School                                 | <input type="checkbox"/> Corporation                            |
| <input type="checkbox"/> Sole Proprietorship/Partnership | <input type="checkbox"/> Non-Profit Organization                        | <input type="checkbox"/> Local Government                       |
| <input type="checkbox"/> Federal Government              | <input type="checkbox"/> State Government<br>(Fund Code Required) _____ | <input type="checkbox"/> Federally-Recognized Tribe or Designee |

**ALL APPLICABLE INFORMATION MUST BE COMPLETED LEGIBLY. INCOMPLETE APPLICATIONS WILL BE RETURNED.**

Business/Agency Name: \_\_\_\_\_

Business/Agency Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Federal Tax Identification Number\*: \_\_\_\_\_

Social Security Number (Sole Proprietorship or Partnership)\*: \_\_\_\_\_

\*EITHER a Federal Tax Identification Number OR Social Security Number must be provided.

Authorized Representative: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Facsimile Number: \_\_\_\_\_

Electronic Mail Address: \_\_\_\_\_

I, the undersigned, have the authority to conduct business for the business/agency listed above. I confirm that all the information on this application is true and correct. I give my permission to the Department of Justice (DOJ) to research and confirm all information provided and to request a credit report at any time. I understand this is an agreement to pay the processing fees associated with the electronic transmission of State and/or Federal criminal offender record information requests, including fees incurred by duplicate transmissions or other errors on the part of the above business/agency or its representative(s). Failure to remit payment in a timely manner may result in the DOJ utilizing all information provided on this billing account application for collection purposes; in addition, the DOJ may disable your customer billing number. I agree to the terms of this agreement and understand it will remain in effect until written cancellation is provided by either party with 30 days notice.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**DOJ Use Only**

Input By: \_\_\_\_\_ Account #: \_\_\_\_\_ Received Date: \_\_\_\_\_

Input Date: \_\_\_\_\_ ORI #: \_\_\_\_\_ ACN #: \_\_\_\_\_



## BILLING ACCOUNT APPLICATION

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### Privacy Notice

As Required by Civil Code § 1798.17

**Collection and Use of Personal Information.** The California Justice Information Services Division's Operations Support Program (OSP) in the California Department of Justice collects the information requested on this form as authorized by Penal Code section 11105. OSP uses this information to create a Billing Account for the collection of fees for services rendered. In addition, any personal information collected by state agencies is subject to the limitations in the Information Practices Act and state policy. The California Department of Justice's general privacy policy is available at <http://oag.ca.gov/privacy-policy>.

**Providing Personal Information.** All the personal information requested in the form must be provided. This form may not be processed for failure to provide all personal information requested.

**Access to Your Information.** You may review the records maintained by OSP in the California Department of Justice that contain your personal information, as permitted by the Information Practices Act. See below for contact information.

**Possible Disclosure of Personal Information.** In order to collect fees for services rendered, we may need to share the information you give us with collection agencies should your account become delinquent.

The information you provide may also be disclosed in the following circumstances:

- In response to a Public Records Act request, as allowed by the Information Practices Act;
- To another government agency as required by state or federal law;
- In response to a court or administrative order, a subpoena, or a search warrant.

**Contact Information.** For questions about this notice or access to your records, you may contact OSP by phone at (916) 227-3870, by e-mail at [DOJ.AppBill@doj.ca.gov](mailto:DOJ.AppBill@doj.ca.gov), or via mail at:

California Department of Justice  
Operations Support Program, D-214  
4949 Broadway  
Sacramento, CA 95820  
Attn: Electronic Billing Section



## APPLICANT FINGERPRINT RESPONSE SUBSCRIBER AGREEMENT

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### SECURITY OF CRIMINAL OFFENDER RECORD INFORMATION

Criminal Offender Record Information (CORI) is information identified through fingerprint submission to the California Department of Justice (DOJ) with a criminal record or "No Record." It is confidential information disseminated to applicant agencies authorized by California statute for the purposes of employment, licensing, certification, and volunteer clearances. The following information describes each agency's responsibility toward accessing, storage, handling, dissemination, and destruction of CORI.

#### Background

Penal Code (PC) sections 11105 and 13300 identify who may have access to criminal history information and under what circumstances it may be released.

The DOJ maintains the California Law Enforcement Telecommunications System (CLETS) that provides law enforcement agencies with information directly from federal, state, and local computerized information files. However, restrictions have been placed on the user to ensure that the rights of all citizens of California are properly protected.

California Constitution Article 1, section 1 grants California citizens an absolute right to privacy. Individuals or agencies violating these privacy rights place themselves at both criminal and civil liability. Laws governing Californians' right-to-privacy were created to curb, among other things, the excessive collection and retention of personal information by government agencies, the improper use of information properly obtained for a proper purpose, and lack of a reasonable check on the accuracy of existing records. (*White v. Davis (1975) 13 Cal. 3d 757,775.*)

#### Employment Background Checks

It is only through the submission of fingerprints to the DOJ that the true identity of an individual can be established. In a 1977 lawsuit (*Central Valley v. Younger*), the court ruled that only arrest entries resulting in conviction, and arrest entries that indicate active prosecution, may be provided for evaluation for employment, licensing, or certification purposes.

#### Exceptions

Some statutory provisions, such as those relating to youth organizations, schools, and financial institutions, further limit information dissemination to conviction for specific offenses. Records provided for criminal justice agency employment as defined in PC section 13101 are exempt from these limitations. In addition, arrest information for certain narcotic and sex crimes, irrespective of disposition, will be provided for employment with a human resource agency as defined in Health and Safety Code section 1250. Other exceptions are listed in the CLETS Policies, Practices, and Procedures (section 1.6.1).



## APPLICANT FINGERPRINT RESPONSE SUBSCRIBER AGREEMENT

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### Unauthorized Access and Misuse

The unauthorized access and misuse of CORI may affect an individual's civil rights. Additionally, any person intentionally disclosing information obtained from personal or confidential records maintained by a state agency, or from records within a system of records maintained by a governmental agency, violates various California statutes. There are several code sections that provide penalties for misuse or unauthorized use of CORI.

### Authorized Access

CORI shall be accessible only to the Records Custodian, and/or hiring authority, charged with determining the suitability for employment or licensing of an applicant. The information received shall be used by the requesting agency solely for the purpose for which it was requested and shall not be reproduced for secondary dissemination to any other employment or licensing agency.

The retention and sharing of information between employing and licensing agencies are strictly prohibited. Retention and sharing of information infringes upon the right of privacy as defined in the California Constitution, and fails to meet the compelling state interest defined in *Loder v. Municipal Court (1976) 17 Cal. 3d859*. In addition, maintenance of CORI, separate from the information maintained by the DOJ, precludes subsequent record updates and makes it impossible for the DOJ to control dissemination of CORI as outlined in PC section 11105.

CLETS Policies, Practices, and Procedures state that any information transmitted or received via CLETS is confidential and for official use only by authorized personnel (section 1.6.4). The California Code of Regulations, Article 1, section 703, addresses the "right and need" to know CLETS-provided information.

The Bureau of Criminal Information and Analysis (BCIA) recommends that state summary criminal history records, obtained for employment, licensing, or certification purposes, be destroyed once a decision is made to employ, license, or certify the subject of the record. Agencies that either are mandated or permitted by California statute to receive subsequent arrest notifications pursuant to PC section 11105.2 must complete a Contract for Subsequent Arrest Notification Service form (BCIA 8049).

Retention of criminal history records beyond this time should be based on documented legal authority and need. Any records retained must be stored in a secured, confidential file. The agency should designate a specific person responsible for the confidentiality of the record and have procedures to prevent further dissemination of the record, unless such dissemination is specifically provided for by law or regulation.

As an agency receiving background clearance information in response to the submission of applicant fingerprint cards to the DOJ, you are aware of the regulations regarding the security of the hard copy information that you currently receive. The purpose of this Subscriber Agreement is to restate existing regulations and clarify how they apply to the electronic receipt of this same information via fax or email. There are no new regulations. Items 1, 2, 4, 5, and 7 restate existing regulations relative to receiving hard copy information. Item 2 has been expanded to include electronic information. Items 3 and 6 are intended to clarify these regulations relative to electronic information.



## APPLICANT FINGERPRINT RESPONSE SUBSCRIBER AGREEMENT

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In accordance with PC section 11077, the Attorney General is responsible for the security of CORI. California Code of Regulations section 707(a) requires that **"Automated systems handling criminal offender record information and the information derived therefrom shall be secure from unauthorized access, alteration, deletion, or release. The computer terminals shall be located in secure premises."**

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### SUBSCRIBER AGREEMENT

This agreement is between the : \_\_\_\_\_  
(Tribe or Designated Agency)

and the DOJ for the purposes of the exchange of CORI.

The above agrees that:

1. CORI and the information derived therefrom shall be accessible only to the records custodian, and/or hiring authority, charged with determining the suitability of the applicant.
2. Confidential information received electronically, or via U.S Mail, shall be used solely for the purpose for which it was requested and shall not be reproduced for secondary dissemination to any other employment or licensing agency.
3. Retention of CORI is permissible if, after making its initial employment, licensing, or certification decision, the agency has legitimate business need for the information and there are no statutory requirements to destroy such information. Any record information that is retained by the applicant agency must be stored in a secure and confidential file.
4. Criminal history background checks have been completed on all individuals with access or proximity to terminals or fax machines receiving CORI.
5. Staff with access to CORI have received training and counseling on the handling of CORI and have signed employment statement forms acknowledging and understanding of the criminal penalties for the misuse of CORI (PC sections 502, 11142, and 11143).
6. Reasonable measures shall be taken to locate terminals and fax machines in a secure area to provide protection from unauthorized access to CORI by other than authorized personnel. Access is defined as the ability to view CORI on a terminal or on paper.
7. Pursuant to California Code of Regulations section 702, authorized agencies violating this agreement may lose direct access to CORI maintained by the DOJ.



## APPLICANT FINGERPRINT RESPONSE SUBSCRIBER AGREEMENT

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Tribe/Agency Name: \_\_\_\_\_

Federally Recognized Tribe       Designated Agency

Mailing Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Signature of Tribe or Agency Official: \_\_\_\_\_

Printed Name of Tribe or Agency Official: \_\_\_\_\_

Title of Tribe or Agency Official: \_\_\_\_\_

Date: \_\_\_\_\_

**CALIFORNIA JUSTICE INFORMATION SERVICES DIVISION  
CRIMINAL OFFENDER RECORD INFORMATION POLICY**

**Use of Applicant CORI**

**Head of tribe/designated agency must sign and return document**

This policy has been developed to meet the requirements of the DOJ, California Justice Information Services Division, for any agency that receives CORI.

To ensure the suitability of individuals accessing confidential criminal history records, anyone with access to CORI shall be fingerprinted and processed through the DOJ.

The overall responsibility for the administration of this rests with the designated agency head or person in charge.

- A. Record Security: Any questions regarding the release, security, and privacy of CORI are to be resolved by the designated agency head or person in charge.
- B. Record Destruction: It is recommended that the state summary of CORI obtained for employment, licensing, or certification purposes be destroyed once a decision is made to employ, license, or certify the subject of the record. Retention beyond this time should be based on legitimate business need or statute.
- C. Record Dissemination: CORI shall be used only for the purpose for which it was requested.
- D. Record Storage: CORI shall be securely maintained and accessible only to the designated agency head, and any others designated by the agency head, committed to protect CORI from unauthorized access, use, or disclosure.
- E. Record Reproduction: CORI shall not be reproduced for secondary dissemination to any other employment or licensing agency. However, the requesting agency may provide a copy of the DOJ applicant response to the subject of the record.
- F. Training:       **The tribe/designated agency head shall:**
  - 1. Understand and enforce this policy.
  - 2. Have on file a signed copy of the attached Employee Statement form (which is itself a part of this policy), which acknowledges an understanding of laws prohibiting misuse of CORI.
- G. Penalties: Misuse of CORI is a criminal offense. Misuse of CORI may result in criminal or civil prosecution and/or administrative action up to, and including loss of, access to information maintained by the DOJ.

**I HAVE READ THE ABOVE AND UNDERSTAND THE POLICY REQUIREMENTS.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Tribe/Agency Name: \_\_\_\_\_  
 Federally Recognized Tribe     Designated Agency

Mailing Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Physical Address: \_\_\_\_\_

**CALIFORNIA DEPARTMENT OF JUSTICE  
CALIFORNIA JUSTICE INFORMATION SERVICES DIVISION  
CRIMINAL OFFENDER RECORD INFORMATION SECURITY REQUIREMENTS  
Use of Applicant CORI**

**Custodian of Records must sign and return document**

**CUSTODIAN OF RECORDS DUTIES**

1. The information provided by the DOJ to this tribe/designated agency is **confidential** and shall not be disseminated to any other person or agency not authorized by law. A violation of this section is a misdemeanor (PC section 11142). However, the requesting agency may provide a copy of the DOJ applicant response to the subject of the record.
2. All tribe/designated agency heads or persons in charge with access to CORI will have a fingerprint background clearance record check completed through the DOJ as required by the California Code of Regulations section 703(d) prior to the submission of fingerprints for employment, licensing, certification, or volunteer purposes (\$32 processing fee).
3. All tribe/designated agency heads or persons in charge with access to CORI will have a signed Employee Statement form on file acknowledging an understanding of laws prohibiting its misuse.
4. All tribe/designated agency heads or persons in charge with access to CORI will be trained in the secure handling, storage, dissemination, and destruction of CORI.
5. My tribe/designated agency head will have a written policy for securing access, storage, dissemination, and destruction of CORI. This policy will include the steps to be taken to prevent unauthorized access to CORI maintained in our agency files (see CORI Policy).
6. The DOJ may conduct audits of the authorized tribe/designated agency heads or persons in charge using CORI to ensure compliance with state laws and regulations (California Code of Regulations section 702(c)).
7. The information provided by the DOJ will be maintained in a secured area/locked cabinet separate from the employees' personnel file and be used only for the purpose for which it was acquired.
8. Our tribe/designated agency head or person in charge will notify the DOJ with regard to any change of agency name, address, telephone number, fax number, Custodian of Records, and contact person.
9. The No Longer Interested (NLI) Notification form (BCIA 8302) will be sent to the DOJ when applicable.
10. Our tribe/designated agency head or person in charge will send an updated Applicant Response Subscriber Agreement form (BCIA 9005TC) to the DOJ signed by our new agency official when applicable.

**On behalf of our tribe/designated agency, I hereby acknowledge that I have read and agree to the above.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Tribe/Agency Name: \_\_\_\_\_

Federally Recognized Tribe     Designated Agency

Mailing Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Physical Address: \_\_\_\_\_

**CRIMINAL OFFENDER RECORD INFORMATION (CORI) POLICY**  
**Use of Applicant CORI (Agency Head)**

**PLEASE NOTE: THIS DOCUMENT IS REQUIRED AND MUST BE SIGNED AND DATED BY THE HEAD OF THE TRIBE/DESIGNATED AGENCY.**

This policy has been developed to meet the requirements of the DOJ, California Justice Information Services Division, for any tribe/designated agency that receives CORI.

To ensure the suitability of individuals accessing confidential criminal history records, anyone with access to CORI shall be fingerprinted and processed through the DOJ. The overall responsibility for the administration of this rests with the tribe/designated agency head or person in charge.

- A. Record Security: Any questions regarding the release, security, and privacy of CORI are to be resolved by the tribe/designated agency head or person in charge.
- B. Record Destruction: It is recommended that the state summary of CORI obtained for employment, licensing, or certification purposes be destroyed once a decision is made to employ, license, or certify the subject of the record. Retention beyond this time should be based on legitimate business need or statute.
- C. Record Dissemination: CORI shall be used only for the purpose for which it was requested.
- D. Record Storage: CORI shall be securely maintained and accessible only to the tribe/designated agency head and any others designated by the tribe/designated agency head committed to protect CORI from unauthorized access, use, or disclosure.
- E. Record Reproduction: CORI shall not be reproduced for secondary dissemination to any other tribe/designated agency. However, the requesting tribe/designated agency may provide a copy of the DOJ applicant response to the subject of the record.

**PLEASE NOTE: PURSUANT TO PC SECTION 11105(T), THE TRIBE/DESIGNATED AGENCY MUST FURNISH A COPY OF THE INFORMATION TO THE PERSON TO WHOM THE INFORMATION RELATES IF THE INFORMATION IS A BASIS FOR AN ADVERSE DECISION.**

**CRIMINAL OFFENDER RECORD INFORMATION (CORI) POLICY (continued)**  
**Use of Applicant CORI (Agency Head)**

- F. Training - The tribe/designated agency head shall:
  - 1. Understand and enforce this policy.
  - 2. Have on file a signed copy of the attached Employee Statement form (which is itself a part of this policy), which acknowledges an understanding of laws prohibiting misuse of CORI.
  
- G. Penalties: Misuse of CORI is a criminal offense. Misuse of CORI may result in criminal or civil prosecution and/or administrative action up to and including loss of access to information maintained by the DOJ.

**I HAVE READ THE ABOVE AND UNDERSTAND THE POLICY REQUIREMENTS.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Tribe/Agency Name: \_\_\_\_\_  
 Federally Recognized Tribe     Designated Agency

**Mailing Address:**

Street Number or PO Box: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

**Physical Address:**

Street Number: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

**CRIMINAL OFFENDER RECORD INFORMATION (CORI) POLICY**  
**Use of Applicant CORI (Custodian of Records)**

**PLEASE NOTE: THIS DOCUMENT IS REQUIRED. IT MUST BE DATED AND SIGNED BY THE CUSTODIAN OF RECORDS FOR THE TRIBE/DESIGNATED AGENCY.**

1. The information provided by the DOJ to this tribe/designated agency is confidential and shall not be disseminated to any other person or tribe/designated agency not authorized by law. A violation of this section is a misdemeanor (PC section 11142). However, the requesting agency may provide a copy of the DOJ applicant response to the subject of the record.
2. All personnel/individuals with access to CORI will have a fingerprint background clearance record check completed through the DOJ as required by the California Code of Regulations (CCR) section 703(d) prior to the submission of fingerprints for employment, licensing, certification, or volunteer purpose (\$32 processing fee).
3. All personnel/individuals with access to CORI will have a signed Employee Statement form on file acknowledging an understanding of laws prohibiting its misuse.
4. All personnel/individuals with access to CORI will be trained in the secure handling, storage, dissemination, and destruction of CORI.
5. My tribe/designated agency will have a written policy for securing access, storage, dissemination, and destruction of CORI. This policy will include the steps to be taken to prevent unauthorized access to CORI maintained in our tribe/designated agency files (see CORI Policy).
6. The DOJ may conduct audits of the authorized persons or agencies using CORI to ensure compliance with state laws and regulations (CCR section 702(c)).
7. The information provided by the DOJ will be maintained in a secured area/locked cabinet separate from the employees' personnel file and be used only for the purpose for which it was acquired.
8. Our tribe/designated agency will notify the DOJ with regard to any change of tribe/designated agency name, address, telephone number, fax number, COR, and contact person.
9. The No Longer Interested (NLI) Notification form (BCIA 8302) will be sent to the DOJ when applicable.
10. Our tribe/designated agency will send an updated Applicant Fingerprint Response Subscriber Agreement form (BCIA 9005TC) to the DOJ signed by our new agency official when applicable.

**CRIMINAL OFFENDER RECORD INFORMATION (CORI) POLICY (continued)**  
**Use of Applicant CORI (Custodian of Records)**

**ON BEHALF OF THE TRIBE/DESIGNATED AGENCY, I HEREBY ACKNOWLEDGE THAT I  
HAVE READ AND AGREE TO THE ABOVE.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Tribe/Agency Name: \_\_\_\_\_

Federally Recognized Tribe     Designated Agency

**Mailing Address:**

Street Number or PO Box: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

**Physical Address:**

Street Number: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

## **AUTHORIZATION FOR CUSTODIAN OF RECORDS INFORMATION**

### **IMPORTANT - PLEASE READ THE FOLLOWING CAREFULLY**

Pursuant to PC section 11102.2(b), the DOJ established a confirmation program to process fingerprint-based background responses on individuals designated by applicant agencies to serve as COR. Effective January 1, 2011, no person shall serve as an tribe/designated agency COR unless they have been confirmed by the DOJ. Criminal justice agency personnel who have undergone a state and federal criminal record background check for their tribe/designated agency (currently employed) are exempt from these requirements. As such, before any applicant agency can become fully authorized by the DOJ, the DOJ must first confirm/approve the tribe/designated agency's selected COR.

A COR means the individual designated by an agency as responsible for the hiring decisions, and for the security, storage, dissemination, and destruction of the criminal records furnished to the agency, and who serves as the primary contact for the DOJ for any related issues. Each agency must designate at least one COR.

Applicants applying for COR confirmation must meet the following criteria:

1. Be at least 18 years old.
2. Complete and submit the Custodian of Records Application for Confirmation form (BCIA 8374).

The confirmation process will consist of a completed Custodian of Records Application for Confirmation form (BCIA 8374), which is included in this packet and must be returned along with all required documents. When you are notified by the DOJ to proceed with the COR confirmation process, the COR must submit fingerprint images to the DOJ via Live Scan and pay the \$49 state/federal background check fees along with a \$30 confirmation fee (a total of \$79 in fees will be collected at the Live Scan Satellite Site). Submitting your COR fingerprint images before your tribe/designated agency is officially authorized to request CORI will result in fees being assessed, which will not be refunded if your tribe/designated agency is not yet authorized to request the CORI.

A pre-filled Request for Live Scan Service form (BCIA 8016CUS) is included in this packet, ready to be utilized to fulfill this requirement **once** your tribe/designated agency is authorized to do so.

**PLEASE NOTE: YOU MUST ENTER ALL OF YOUR TRIBE/DESIGNATED AGENCY'S INFORMATION IN THE "EMPLOYER (ADDITIONAL RESPONSE FOR AGENCIES SPECIFIED BY STATUTE)" FIELD, WITH THE EXCEPTION OF THE RESPONSE MAIL CODE ON THE REQUEST FOR LIVE SCAN SERVICE FORM (BCIA 8016CUS) IN ORDER FOR THE DOJ TO PROCESS YOUR SUBMISSION.**

## **AUTHORIZATION FOR CUSTODIAN OF RECORDS INFORMATION (continued)**

Confirmation will be denied or revoked on those applicants convicted of a felony offense or any other offense that involves moral turpitude, dishonesty, fraud, or that impacts the applicant's ability to perform the duties or responsibilities of a COR. The DOJ will retain the fingerprints for subsequent arrest notification pursuant to PC section 11105.2. COR confirmation, denial, or revocation letters will be mailed by the DOJ to the identified tribe/designated agency, as entered on the application by the COR applicant.

**PLEASE NOTE: DO NOT SUBMIT COR FINGERPRINT IMAGES UNTIL YOU HAVE RECEIVED CONFIRMATION FROM THE DOJ THAT YOUR AGENCY IS AUTHORIZED.**

Questions about this process can be submitted to [authorizationquestions@doj.ca.gov](mailto:authorizationquestions@doj.ca.gov).



### CUSTODIAN OF RECORDS APPLICATION FOR CONFIRMATION (Penal Code section 11102.2)

**Applicant Information**

Last Name		First Name		Middle Name	
Address		City		State	Zip Code
Phone Number		Date of Birth		Driver's License or CA ID Number	

**Agency/Organization Information**

Agency Head			Phone Number		
Agency Name			ORI		Mail Code
Address		City		State	Zip Code

Please answer fully the following questions:

- Does the designated Custodian of Records work for the applicant agency?  Yes  No  
If yes, what is the relationship?  
If no, what is the relationship?
- Have you ever used a name other than the one on this application?  Yes  No If yes, please list other names below.
- Have you ever been arrested in California or any other state and/or are you awaiting adjudication for any offense for which you were arrested?  Yes  No  
If yes, give details below.
- Have you ever been convicted by any court of a felony or misdemeanor offense in California or any other state?  Yes  No  
If yes, disclose the date and place of arrest, whether the conviction was for a felony or misdemeanor, and the sentence imposed.
- Have you ever been denied a professional license or had such license revoked, suspended, or restricted?  Yes  No If yes, give details below.
- Have you ever been adjudged liable for damages in any suit grounded in fraud, misrepresentation, or in violation of state regulatory laws?  Yes  No  
If yes, give details below.
- Have you ever failed to satisfy any court ordered money judgment including restitution?  Yes  No If yes, give details below.

**Misrepresentation or Failure to Disclose Requested Information on this Application  
Is Cause for Denial or Revocation of Confirmation.**

**Certification**

I certify under penalty of perjury under the laws of the State of California to the truth and accuracy of all statements, answers, and representations made in the foregoing application, including all supplementary statements.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

California Department of Justice  
Bureau of Criminal Information and Analysis  
Custodian of Records Unit  
P.O. Box 903417  
Sacramento, CA 94203-4170

**DOJ USE ONLY**

Confirmation of Custodian of Records

Date confirmed: \_\_\_\_\_ Completed by: \_\_\_\_\_  
(initials)



## CUSTODIAN OF RECORDS APPLICATION FOR CONFIRMATION (Penal Code section 11102.2)

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### Privacy Notice

As Required by Civil Code § 1798.17

**Collection and Use of Personal Information.** The Authorization/Custodian of Records (COR) Program in the California Department of Justice collects the information requested on this form as authorized by Penal Code section 11102.2(d). The COR Program uses this information for the purpose of processing fingerprint-based criminal offender record information background responses on individuals designated by applicant agencies to serve as COR. In addition, any personal information collected by state agencies is subject to the limitations in the Information Practices Act and state policy. The California Department of Justice's general privacy policy is available at: <http://oag.ca.gov/privacy-policy>.

**Providing Personal Information.** All the personal information requested in the form must be provided. This form may not be processed for failure to provide all personal information requested.

**Access to Your Information.** You may review the records maintained by the COR Program in the California Department of Justice that contain your personal information, as permitted by the Information Practices Act. See below for contact information.

**Possible Disclosure of Personal Information.** In order to process fingerprint-based criminal offender record information background responses on individuals designated by applicant agencies to serve as COR, we may need to share the information you give us with other law enforcement or regulatory agencies.

The information you provide may also be disclosed in the following circumstances:

- In response to a Public Records Act request, as allowed by the Information Practices Act;
- To another government agency as required by state or federal law;
- In response to a court or administrative order, a subpoena, or a search warrant.

**Contact Information.** For questions about this notice or access to your records, you may contact the COR Program by fax at (916) 227-4815, by email at [COR@doj.ca.gov](mailto:COR@doj.ca.gov), or via mail at:

California Department of Justice  
Bureau of Criminal Information and Analysis  
Authorization/Custodian of Records Program  
P.O. Box 903417  
Sacramento, CA 94203-4170



## REQUEST FOR LIVE SCAN SERVICE (Custodian of Records)

### Applicant Submission

CA0349400

CUSTDN RECORDS 11102.2 PC

ORI (Code assigned by DOJ)

Authorized Applicant Type

CUSTODIAN OF RECORDS

Type of License/Certification/Permit OR Working Title (Maximum 30 characters - if assigned by DOJ, use exact title assigned)

### Contributing Agency Information:

DEPARTMENT OF JUSTICE

15798

Agency Authorized to Receive Criminal Record Information

Mail Code (five-digit code assigned by DOJ)

P.O. Box 903417

Street Address or P.O. Box

Contact Name (mandatory for all school submissions)

SACRAMENTO

CA 94203-4170

City

State ZIP Code

Contact Telephone Number

### Applicant Information:

Last Name

First Name Middle Initial Suffix

Other Name  
(AKA or Alias) Last

First Suffix

Date of Birth Sex  Male  Female

Driver's License Number

Height Weight Eye Color Hair Color

Billing Number  
(Agency Billing Number)

Place of Birth (State or Country) Social Security Number

Misc. Number  
(Other Identification Number)

Home Address Street Address or P.O. Box

City State ZIP Code

Your Number: \_\_\_\_\_  
OCA Number (Agency Identifying Number)

Level of Service:  DOJ  FBI

If re-submission, list original ATI number:  
(Must provide proof of rejection)

Original ATI Number

### Employer (Additional response for agencies specified by statute):

Employer Name

Mail Code (five digit code assigned by DOJ)

Street Address or P.O. Box

City State ZIP Code

Telephone Number (optional)

### Live Scan Transaction Completed By:

Name of Operator

Date

Transmitting Agency LSID

ATI Number

Amount Collected/Billed



## REQUEST FOR LIVE SCAN SERVICE (Custodian of Records)

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### Privacy Notice

As Required by Civil Code § 1798.17

**Collection and Use of Personal Information.** The Authorization/Custodian of Records (COR) Program in the California Department of Justice collects the information requested on this form as authorized by California Penal Code sections 11077.1, 11102.2, and 11105. The COR Program uses this information to complete a criminal background check for the purposes of securing employment, licensure, or certification. In addition, any personal information collected by state agencies is subject to the limitations in the Information Practices Act and state policy. The California Department of Justice's general privacy policy is available at: <http://oag.ca.gov/privacy-policy>.

**Providing Personal Information.** All the personal information requested in the form must be provided. This form may not be processed for failure to provide all personal information requested.

**Access to Your Information.** You may review the records maintained by the COR Program in the California Department of Justice that contain your personal information, as permitted by the Information Practices Act. See below for contact information.

**Possible Disclosure of Personal Information.** In order to complete a criminal background check for the purposes of securing employment, licensure, or certification, we may need to share the information you give us with other government agencies.

The information you provide may also be disclosed in the following circumstances:

- In response to a Public Records Act request, as allowed by the Information Practices Act;
- To another government agency as required by state or federal law;
- In response to a court or administrative order, a subpoena, or a search warrant.

**Contact Information.** For questions about this notice or access to your records, you may contact the COR Program by fax at (916) 227-4815, by email at [COR@doj.ca.gov](mailto:COR@doj.ca.gov), or via mail at:

California Department of Justice  
Bureau of Criminal Information and Analysis  
Authorization/Custodian of Records Program  
P.O. Box 903417  
Sacramento, CA 94203-4170



## GUIDELINES FOR COMPLETING BCIA 8016CUS REQUEST FOR LIVE SCAN SERVICE (Custodian of Records)

### Applicant Submission

CA0349400 <span style="float: right;"><b>1</b></span>	CUSTDN RECORDS 11102.2 PC <span style="float: right;"><b>2</b></span>
ORI (Code assigned by DOJ)	Authorized Applicant Type
CUSTODIAN OF RECORDS <span style="float: right;"><b>3</b></span>	
Type of License/Certification/Permit <u>OR</u> Working Title (Maximum 30 characters - if assigned by DOJ, use exact title assigned)	
Contributing Agency Information:	
DEPARTMENT OF JUSTICE <span style="float: right;"><b>4</b></span>	15798 <span style="float: right;"><b>5</b></span>
Agency Authorized to Receive Criminal Record Information	Mail Code (five-digit code assigned by DOJ)
P.O. Box 903417	<span style="float: right;"><b>6</b></span>
Street Address or P.O. Box	Contact Name (mandatory for all school submissions)
SACRAMENTO <span style="float: right;">CA 94203-4170</span>	<span style="float: right;"><b>7</b></span>
City <span style="float: right;">State ZIP Code</span>	Contact Telephone Number

### Applicant Information:

<span style="float: right;"><b>8</b></span>	
Last Name	First Name <span style="float: right;">Middle Initial Suffix</span>
Other Name (AKA or Alias) Last	First <span style="float: right;">Suffix</span>
Date of Birth <span style="float: right;">Sex <input type="checkbox"/> Male <input type="checkbox"/> Female</span>	Driver's License Number
Height <span style="float: right;">Weight <span style="float: right;">Eye Color <span style="float: right;">Hair Color</span></span></span>	Billing Number <span style="float: right;"><b>10</b></span>
Place of Birth (State or Country) <span style="float: right;">Social Security Number</span>	Misc. Number <span style="float: right;">(Other Identification Number)</span>
Home Address <span style="float: right;"><b>9</b></span>	City <span style="float: right;">State ZIP Code</span>
Street Address or P.O. Box	

Your Number: <span style="float: right;"><b>11</b></span>	Level of Service: <input type="checkbox"/> DOJ <input type="checkbox"/> FBI <span style="float: right;"><b>12</b></span>
OCA Number (Agency Identifying Number)	

If re-submission, list original ATI number: (Must provide proof of rejection)	<span style="float: right;"><b>13</b></span> Original ATI Number
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Employer (Additional response for agencies specified by statute): <span style="float: right;"><b>14</b></span>	
Employer Name	Mail Code (five digit code assigned by DOJ)
Street Address or P.O. Box	
City <span style="float: right;">State ZIP Code</span>	Telephone Number (optional)

Live Scan Transaction Completed By:			
Name of Operator	Date		
Transmitting Agency	LSID	ATI Number	Amount Collected/Billed



## GUIDELINES FOR COMPLETING BCIA 8016CUS REQUEST FOR LIVE SCAN SERVICE (Custodian of Records)

FIELD	INSTRUCTIONS
1) ORI (Originating Agency Identifier)	This is the California Department of Justice (DOJ) number utilized for COR submissions. <b>DO NOT MODIFY</b>
2) Authorized Applicant Type	The authorized application type is CUSTDN RECORDS 11102.2 PC. <b>DO NOT MODIFY</b>
3) Type of License/Certification/Permit OR Job Title	The authorized job title is CUSTODIAN OF RECORDS. <b>DO NOT MODIFY</b>
4) Contributing Agency Information	This is the DOJ's address information utilized for COR submissions. <b>DO NOT MODIFY</b>
5) Mail Code	This is the DOJ's mail code number designated for COR submissions. <b>DO NOT MODIFY</b>
6) Contact Name	This field is not utilized for COR submissions and should be left blank. <b>DO NOT MODIFY</b>
7) Contact Telephone Number	This field is not utilized for COR submissions and should be left blank. <b>DO NOT MODIFY</b>
8) Applicant Information	Enter the requested information ** A Miscellaneous Number, accepted in lieu of a California Driver's License, is an out-of-state driver's license, passport, green card, or military ID.
9) Home Address	The applicant's home address is mandatory for applicants requiring a Child Abuse Central Index (CACI) check and where statute requires a notification to the applicant as well as the agency.
10) Billing Number (Agency Billing Number)	If the agency has been assigned a billing number by the DOJ, that number should be entered here. If the agency does not have a billing number, the applicant should be prepared to pay all fees associated with the transaction directly to the Live Scan Operator and the Live Scan Satellite Site's billing code must be entered.
11) Your Number (OCA or Agency Identifying Number)	Some agencies assign a unique number to each applicant. A field is provided for this number for the agency's convenience to help match the response to the correct applicant. (This can be helpful if you have applicants with similar names.)
12) Level of Service	The DOJ and Federal Bureau of Investigation (FBI) level of service are required for COR submissions. <b>DO NOT MODIFY</b>
13) Original Applicant Transaction Identifier (ATI) Number	FOR RE-SUBMISSIONS ONLY. The ATI is recorded on the last line of the Request for Live Scan Service form (BCIA 8016) by the Live Scan Operator when the transaction is completed. If the applicant's fingerprints were previously rejected and are being re-submitted, the ATI from the ORIGINAL Request for Live Scan Service form (BCIA 8016) must be included or the agency will be charged for the transaction. If the applicant's fingerprints are rejected a second time and the ATI is not included, the DOJ name check will not be automatic.
14) Employer	This section is REQUIRED for COR submissions. Enter your agency's name and current DOJ ORI in the Employer Name field. Enter your agency's address, city, state, zip code, and your contact telephone number in the remaining fields. In addition, if your agency has a mail code, please provide the five-digit code.

**CRIMINAL OFFENDER RECORD INFORMATION (CORI) POLICY  
Use of Applicant CORI (Employee Statement)**

**All personnel with CORI access must sign this form which is kept by the COR.**

As an Employee/Volunteer of: \_\_\_\_\_

Tribe/Agency Name: \_\_\_\_\_

Federally Recognized Tribe       Designated Agency

You may have access to confidential CORI which is controlled by state and federal statutes. Misuse of such information may adversely affect the individual's civil rights and violate constitutional rights of privacy. PC section 502 prescribes the penalties relating to computer crimes. PC sections 11105 and 13300 identify who has access to criminal history information and under what circumstances it may be disseminated. PC sections 11140-11144 and 13301-13305 prescribe penalties for misuse of criminal history information. Government Code section 6200 prescribes felony penalties for misuse of public records. PC sections 11142 and 13300 state:

*"Any person authorized by law to receive a record or information obtained from a record who knowingly furnishes the record or information to a person not authorized by law to receive a record or information is guilty of a misdemeanor."*

Civil Code section 1798.53, Invasion of Privacy, states:

*"Any person who intentionally discloses information, not otherwise public, which they know or should reasonably know was obtained from personal or confidential information maintained by a state agency or from records within a system of records maintained by a federal government agency, shall be subject to a civil action, for invasion of privacy, by the individual."*

CIVIL, CRIMINAL, AND ADMINISTRATIVE PENALTIES:

- PC section 11141: DOJ furnishing to unauthorized person (misdemeanor)
- PC section 11142: Authorized person furnishing to other (misdemeanor)
- PC section 11143: Unauthorized person in possession (misdemeanor)
- California Constitution, Article I, Section (Right to Privacy)
- Civil Code 1798.53, Invasion of Privacy
- Title 18, USC, sections 641, 1030, 1951, and 1952

Any employee who is responsible for such misuse may be subject to immediate dismissal. Violations of this law may result in criminal and/or civil action.

**CRIMINAL OFFENDER RECORD INFORMATION (CORI) POLICY (continued)**  
**Use of Applicant CORI (Employee Statement)**

**I HAVE READ THE ABOVE AND UNDERSTAND THE POLICY REGARDING  
MISUSES OF CRIMINAL RECORD INFORMATION**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Tribe/Agency Name: \_\_\_\_\_

Federally Recognized Tribe     Designated Agency

**Mailing Address:**

Street Number or PO Box: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

**Physical Address:**

Street Number: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

**PLEASE NOTE:** Return this form to the DOJ. Your COR will also maintain a copy.



## CONTRACT FOR SUBSEQUENT ARREST NOTIFICATION SERVICE

California Department of Justice (DOJ)  
Bureau of Criminal Information and Analysis  
P.O. Box 903417  
Sacramento, CA 94203-4170

The agency listed below is authorized to receive state summary criminal history information from the files of the DOJ for tribal relative/foster/adoptive home approval. This agency further requests that fingerprint transactions submitted for this purpose be retained in DOJ's files for **California only** subsequent arrest notification service pursuant to California Penal Code (PC) section 11105.2. **Fingerprint submissions received before the effective date of this contract will not be retained by the DOJ.**

Tribe/Agency Name: \_\_\_\_\_  
 Federally Recognized Tribe       Designated Agency

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

ORI Number: (If Applicable) \_\_\_\_\_

Contact Person(s): \_\_\_\_\_

Contact Person(s) Telephone: \_\_\_\_\_

**Please retain the following authorized categories:**

- All Employees                       All Volunteers
- All Tribal Home/Child Placement Transactions
- Other: (specify) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This agency certifies that, to its knowledge, there is no statute or regulation prohibiting this notification and that all requirements for criminal record security and privacy of individuals will be met. This agency will notify the Bureau of Criminal Information and Analysis when it no longer has a legitimate interest in a subject, as required by PC section 11105.2. The agency agrees to immediately return any subsequent arrest notification received from the DOJ for any person unknown to the agency.

\_\_\_\_\_  
Signature of Agency Representative                      Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title of Agency Representative

<b>FOR DOJ USE ONLY:</b>	
<input type="checkbox"/> Approved	<input type="checkbox"/> Not Authorized
_____ Signature of DOJ Representative	
_____ Effective Date	

## NO LONGER INTERESTED NOTIFICATION

PC section 11105.2(d) states, in part, that any agency which submits the fingerprints of applicants for employment or approval to the DOJ for the purpose of establishing a record of the applicant to receive notification of subsequent arrests, shall immediately notify the DOJ when employment is terminated or the applicant is not hired.

**PLEASE NOTE:** It is the responsibility of the hiring/approving authority to notify the DOJ's Bureau of Criminal Information and Analysis when employment has been terminated or when an applicant or volunteer is not actually retained in the position for which they applied. The No Longer Interested Notification (NLI) form (BCIA 8302) can be accessed at the following link: <http://ag.ca.gov/fingerprints/forms/nli.pdf>.