

STATE OF MONTANA  
**DEPARTMENT OF JUSTICE**  
DIVISION OF CRIMINAL INVESTIGATION  
FIRE PREVENTION AND INVESTIGATION SECTION

Austin Knudsen  
Attorney General  
Dirk M. Johnson  
State Fire Marshal



P.O. Box 991  
Great Falls, MT 59403  
(406)-771-1510  
Dirk.Johnson@mt.gov

Re: Firefighter Applicant Background Checks

Greetings:

Enclosed you will find a packet to assist Fire Department Chiefs/Supervisors regarding the submission of federal fingerprint-based background checks for firefighter applicants. Although MCA 7-33-4107 **requires** fingerprint-based background checks on firefighter applicants for municipal fire departments, the State's Fire Marshal's Office encourages all fire departments in the state to submit fingerprints to the state's criminal history repository to be processed.

In this packet you will find a one-page instruction sheet for applicants to obtain their fingerprints and where to send them to be processed. Also, there is an applicant's rights form and Privacy Act Statement. The applicant's rights form must be signed, dated and sent to Lisa Fischer, Administrative Assistant, at the State Fire Marshal's Office, along with the specific fire department that the determination should be sent to. This form must be kept separate from the employee's file or in a sealed envelope in the employee's file marked confidential. This form must be made available during any FBI/state audit. The Privacy Act statement must be given to the applicant.

The results of the background check will be released to the State's Fire Marshal's Office for determination. A determination letter will be sent to the fire department in which the applicant has applied. The background checks cannot be shared with fire department personnel.

A handwritten signature in blue ink, appearing to read "Dirk M. Johnson".

*Dirk M. Johnson, State Fire Marshal  
Montana Department of Justice/ Division of Criminal Investigation  
Fire Prevention and Investigation  
P.O. Box 991*

Great Falls, MT 59403  
406-771-1520 Office

STATE OF MONTANA  
**DEPARTMENT OF JUSTICE**  
DIVISION OF CRIMINAL INVESTIGATION  
FIRE PREVENTION AND INVESTIGATION SECTION

**Austin Knudsen**  
**Attorney General**  
**Dirk M. Johnson**  
**State Fire Marshal**



**P.O. Box 991**  
**Great Falls, MT 59403**  
**(406) 771-1510**  
**Dirk.Johnson@mt.gov**

Re: Firefighter Background Checks

In order to have tracking of fingerprints, the Department of Justice Criminal Records and Identification Services Section (CRISS) has created agency specific identification numbers. These numbers will be used to track and identify each fingerprint submission. This number will be required on each fingerprint card submission in the OCA field.

A handwritten signature in blue ink, appearing to read "Dirk M. Johnson".

The identification number for the Office of the State Fire Marshal is MTST00005. Please be sure to include this number in the OCA field on all fingerprint cards that are sent to CRISS for processing.

*Dirk M. Johnson, State Fire Marshal*  
*Montana Department of Justice*  
*Division of Criminal Investigation*  
*Fire Prevention and Investigation*  
*P.O. Box 991*  
*Great Falls, MT 59403*  
*406-771-1510 Office*



Dirk Johnson, State Fire Marshal  
Division of Criminal Investigation

P.O. Box 991  
Great Falls, MT 59403  
Phone: (406) 771-1510  
Fax: (406) 791-2729  
E-mail: [Dirk.Johnson@mt.gov](mailto:Dirk.Johnson@mt.gov)

## How to Initiate Your Fingerprint Background Check

### STEP ONE:

Go to your local law enforcement agency or any other agency offering fingerprinting services. Request that your fingerprints be taken for a background check. There may be a charge for this service. **Fingerprints must be clear. Smudged or unclear prints will be rejected. Therefore, we recommend that you complete two fingerprint cards to ensure that your background check can be completed in a timely manner.**

- Fill out the appropriate section of the fingerprint card(s) with your personal information. Complete the following sections as instructed below:

**Employer and Address:** Montana Department of Justice  
State Fire Marshal's Office  
P.O. Box 201417  
Helena, MT 59620-1417

**Reason Fingerprinted:** MCA 7-33-4107  
Firefighter Applicant  
Employee/Volunteer *\*must indicate which*

**ORI:** MT920088Z

**OCA:** MTST00005

- **Do not fold the completed fingerprint cards.** Mail the completed fingerprint cards along with a Check for **\$30.00** payable to the Montana Department of Justice to the following address:

Montana Department of Justice  
Criminal Records & Identification Services Section  
PO Box 201403  
Helena, MT 59620-1403

### **DO NOT MAIL FINGERPRINT CARDS DIRECTLY TO THE STATE FIRE MARSHAL'S OFFICE**

**The cards will be returned to you and your application will be delayed. The fingerprint cards must be sent to the Montana Department of Justice, Criminal Records & Identification Services Section at the above address.**



Dirk Johnson, State Fire Marshal  
**Division of Criminal Investigation**

P.O. Box 991  
Great Falls, MT 59403  
Phone: (406) 771-1510  
Fax: (406) 791-2729  
E-mail: [Dirk.Johnson@mt.gov](mailto:Dirk.Johnson@mt.gov)

### **How to Initiate Your Fingerprint Background Check**

#### **STEP TWO:**

Send signed and dated (via email or mail) **Applicants Rights and Consent to Fingerprint** form to Lisa Fischer at Montana State Fire Marshal Office along with name of fire department that is to receive the determination. No determination will be made unless a signed/dated form is received.

Lisa Fischer  
Administrative Assistant  
Montana Department of Justice  
[Lisa.Fischer@mt.gov](mailto:Lisa.Fischer@mt.gov)  
P.O. Box 991  
Great Falls, MT 59403

## Applicant Rights and Consent to Fingerprint

As an applicant who is the subject of a national fingerprint-based criminal history record check for a noncriminal justice purpose (such as an application for employment or a license, an immigration or naturalization matter, security clearance, or adoption), you have certain rights which are discussed below.

- You must be provided written notification<sup>8</sup> by **Montana State Fire Marshal** that your fingerprints will be used to check the criminal history records of the FBI.
- You must be provided, and acknowledge receipt of, an adequate Privacy Act Statement when you submit your fingerprints and associated personal information. This Privacy Act Statement should explain the authority for collecting your information and how your information will be used, retained, and shared.
- If you have a criminal history record, the officials making a determination of your suitability for employment, license, or other benefit 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 the employment, license, or other benefit based on information in the criminal history record.<sup>9</sup>

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.<sup>10</sup>

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 with 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 agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI at the same address as provided above. The FBI will then forward your challenge to the agency that contributed the questioned information and request the agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency. If a change, correction, or update needs to be made to a Montana criminal history record, or if you need additional information or assistance, please contact Montana Criminal Records and Identification Services at [dojcriss@mt.gov](mailto:dojcriss@mt.gov) or 406-444-3625.

*Your signature below acknowledges this agency has informed you of your privacy rights for fingerprint-based background check requests used by the agency.*

Signed:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

<sup>8</sup> Written notification includes electronic notification but excludes oral notification.<sup>9</sup> See 28 CFR 50.12(b).



In accordance with federal law regarding notices and disclosures, MT Dept of Justice requires the entity to which you are applying to work or volunteer to use this form. Form number APR&CF 20170213

## PRIVACY ACT STATEMENT

**Authority:** The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

**Social Security Account Number (SSAN).** Your SSAN is needed to keep records accurate because other people may have the same name and birth date. Pursuant to the Federal Privacy Act of 1974 (5 USC 552a), the requesting agency is responsible for informing you whether disclosure is mandatory or voluntary, by what statutory or other authority your SSAN is solicited, and what uses will be made of it. Executive Order 9397 also asks Federal agencies to use this number to help identify individuals in agency records.

**Principal Purpose:** Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

**Routine Uses:** During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

**Additional Information:** The requesting agency and/or the agency conducting the application-investigation will provide you additional information pertinent to the specific circumstances of this application, which may include identification of other authorities, purposes, uses, and consequences of not providing requested information. In addition, any such agency in the Federal Executive Branch has also published notice in the Federal Register describing any systems(s) of records in which that agency may also maintain your records, including the authorities, purposes, and routine uses for the system(s).

Updated 9/9/2013