

Rule 14 – Fingerprint-Based Criminal History Record Check

Effective May 15, 2021

- (a) No person shall be eligible for certification as a Colorado peace officer if they have a disqualifying incident.
- (b) Per § 24-31-304, C.R.S. and POST Rules, all persons seeking to enroll in a training academy shall submit their fingerprints to CBI no more than 60 days prior and at least one week before enrolling in the training academy. 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 results.
 - (I) The Board recommends that an applicant's fingerprints be 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 associated with this service are the responsibility of the applicant.
 - (II) Provisional and renewal applicants may request the POST Applicant Fingerprint Card when they are unable to submit fingerprints electronically. The applicant is responsible for having their fingerprints taken prior to the applicant's participation in the testing process as a provisional or renewal applicant.
 - (III) Applicants enrolling in a basic or reserve training academy fingerprinted in accordance with the academy's policies and procedures. The academy is responsible for ensuring 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 applicant's enrollment in the academy.
 - (IV) Fingerprint results are valid throughout the certification process and through the life of certification. If certification expires or is revoked they become invalid. Applicants renewing their certification must submit new fingerprints.

- (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 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.
- (f) Basic and reserve training academies.
 - (I) A training academy shall not enroll any person who has been convicted of an offense that would result in the denial of certification pursuant to § 24-31-305(1.5), C.R.S. The only exception shall be if the Board has granted the person an exemption from denial of enrollment pursuant to § 24-31-304(4)(a), C.R.S. and POST Rule 7, *Variances*.
 - (II) No person shall be enrolled in a training academy unless the person has been fingerprinted on a POST Applicant Fingerprint Card and an academy has submitted the person's completed POST Applicant Fingerprint Card and fee to CBI, or fingerprints have been submitted by a CBI-authorized vendor, prior to enrolling the person in the academy.
 - (III) A POST Form 11-E, *Enrollment Advisory Form*, shall be completed on the first day of the academy by both the person enrolled in the academy and the academy director or designee. The completed *Enrollment Advisory Form* shall be maintained at the academy.
 - (IV) The academy director shall ensure that an accurate and complete enrollment roster for each academy class is received at POST electronically by the tenth (10) day after the academy commences. The enrollment roster will be completed on the template provided by POST to the academy director.
 - (A) The enrollment roster must be fully completed with all personal information, education, military service, etc. and returned to POST staff. After entry, the roster will be returned to the academy director with assigned PID numbers.

- (V) If the results of a criminal history record check reveal that a person currently enrolled in an academy is prohibited from enrolling pursuant to § 24-31-304(2), C.R.S., the Board or its designated representative(s) shall notify the academy. The academy shall take appropriate measures to immediately dismiss the person from the academy.

- (g) Exemption from denial of enrollment.
 - (I) If a person anticipates that he or she will be prohibited from either enrolling in a training academy or participating in the testing process as a provisional or renewal applicant because he or she has been convicted of any misdemeanor described in § 24-31-305(1.5), C.R.S., the person may submit a request for exemption from denial of enrollment under POST Rule 8, *Appeal Process for Peace Officer Applicants - Certification Denial as a Result of a Misdemeanor Conviction*.

 - (II) Only if the person has, in fact, submitted a request for exemption from denial of enrollment under POST Rule 8, *Appeal Process for Peace Officer Applicants - Certification Denial as a Result of a Misdemeanor Conviction*, and the request has been granted by the Board, will the person be permitted to either enroll in a training academy or participate in the testing process as a provisional or renewal applicant.

 - (III) No person convicted of a felony may request an exemption from denial of enrollment.