

**Georgia Crime Information Center
Service Agreement
Criminal History Record Checks by Employers and Licensing Authorities**

Georgia law authorizes the Georgia Crime Information Center (GCIC), a division of the Georgia Bureau of Investigation (GBI), to disseminate criminal history record information to private persons and businesses, public agencies and political subdivisions as provided in the Official Code of Georgia (O.C.G.A) §§ 35-3-34 and 35-3-35.

Certain agencies are authorized by Georgia and federal law to obtain a national criminal history record check. Federal law, commonly referred to as Public Law (Pub. L.) 92-544, requires that a state enact a statute authorizing the check of national criminal history records. The state statute must be specific in nature, identify the category of applicants, require fingerprinting of the applicants and authorize submission of the fingerprints to the FBI for a national criminal history record check. Public agencies with this authority must have a Federal Bureau of Investigation (FBI) assigned Originating Agency Identifier (ORI). Agencies authorized to obtain only a Georgia criminal history record check must have a GCIC assigned Originating Agency Code (OAC). The agency head for each authorized agency or licensing authority must also designate an agency contact. The agency head and contact will sign a GCIC Service Agreement and will receive criminal history record information from GCIC (and the FBI when authorized) on behalf of any private person, business, commercial establishment or authorized governmental agency eligible to request such information. GCIC must be notified in writing whenever there is a change in the agency head or contact and the new agency head or contact must sign a new Service Agreement. Service Agreements must be re-signed every two (2) years, even if the agency head or contact remains the same.

Requesting agencies shall provide the fingerprints of individuals whose records are being requested in a manner prescribed by the GCIC and with the appropriate fee. Agencies should inform each individual that his or her fingerprints will be used to perform Georgia and FBI (when authorized) criminal history record checks for the purpose of determining suitability for licensing or employment.

When the results of a criminal history record check cause an adverse employment or licensing decision, Georgia law requires that the applicant must be informed by the individual, business or agency making the adverse decision of all information pertinent to that decision. This disclosure must include information that a criminal history record check was conducted, the specific contents of the record, and the affect the record had upon the employment/licensing decision. O.C.G.A. §§ 35-3-34(b) and 35-3-35(b) classifies failure to provide all such information to the person subject to the adverse decision as a misdemeanor offense.

Use of Georgia and FBI criminal history records obtained under this Service Agreement are solely for the purpose requested and cannot be disseminated outside the receiving agency. O.C.G.A. § 35-3-38 establishes criminal penalties for requesting, obtaining, communicating or attempting to communicate criminal history record information under false pretenses or in a negligent manner. All criminal history record information received from GCIC and/or the FBI for background check purposes shall be stored in a secure location. Areas in which the information is processed and handled shall be restricted to authorized personnel in the performance of their duties. When such information is no longer needed, it shall be destroyed by burning, shredding or other method rendering the information unreadable.

Agencies utilizing this service agree to keep all records necessary to facilitate a security audit by the GCIC and to cooperate in such audits as GCIC or other authorities may deem necessary. Examples of records that may be subject to audit are: criminal history records, notification that an individual has no criminal history, agency policies and procedures articulating the provisions for physical security, records of all disseminations of criminal history record information, and a current executed Service Agreement with GCIC.

Employers or licensing authorities assume liability for fees incurred with all fingerprint submissions, including fingerprints submitted as undocumented duplicate submissions, fingerprints submitted in error, unannounced test records, etc. Agencies mailing applicant fingerprint cards directly to GCIC may arrange with the GBI Finance Office to be billed for these services. However, agencies submitting applicant fingerprint cards electronically to GCIC must establish billing arrangements prior to beginning submissions. Agencies submitting fingerprint submissions to GCIC via the Georgia Applicant Print Service (GAPS) must register and make payment arrangements with Cogent Systems, Inc. prior to beginning submissions.

All agencies that are billed for services must maintain fiscal responsibility. Failure to comply with the terms of the GBI Finance Billing Agreement will result in termination of the billing arrangement and can result in termination of this Service Agreement. Agencies submitting requests via the GAPS must comply with fee schedules and payment requirements as outlined in that program.

GCIC will provide this service as long as a valid Service Agreement exists.

Georgia Crime Information Center (GCIC)
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Agency Name _____

Agency Address _____

City/State/Zip Code _____

Agency Mailing Address _____

City/State/Zip Code _____

Agency Phone Number _____

Agency Email Address _____

Agency ORI or OAC# _____
(As assigned by FBI or GCIC)

NOTE: If your agency/business does not have an ORI or OAC number, leave the ORI or OAC field blank. An ORI or OAC will be assigned to your agency and mailed to the above address.

IMPORTANT: The agency head, or designee, of a non-criminal justice agency, i.e. State, County or City Government, public or private school requesting an ORI number must submit a letter, on agency letterhead, with a brief description of services provided. Additionally, the request must state whether the agency is requesting an ORI to conduct FBI fingerprint-based record checks under the authority of 1) a specific state law (O.C.G.A.) that is a FBI approved Public Law (Pub. L.) 92-544 statute or, 2) federal authority (such as the Adam Walsh Child Protection and Safety Act). In addition, further information may be necessary for ORI requests submitted for FBI record checks under federal authority.

Will the ORI or OAC # be used for enrollment in Georgia Applicant Processing Services (GAPS)? ____

Agency Head _____ Signature _____ Print Name/Title _____ Date	Agency Contact _____ Signature _____ Print Name/Title _____ Date
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Mail Signed Applicant Service Agreement to:

**Georgia Bureau of Investigation (GBI)
Georgia Crime Information Center (GCIC)
CCH/Identification Services Unit
P.O. Box 370748
Decatur, Georgia 30037-0748
FAX: 404-270-8417
EMAIL: GAApplicant@gbiga.gov**