



Kansas Attorney General

Derek Schmidt

Private Detective Licensing Unit

120 SW 10th Avenue, 2nd Floor

Topeka, KS 66612-1597

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www.ag.ks.gov

AGENCY LICENSE – INITIAL APPLICATION

This application is submitted under oath and must be signed in the presence of a notary public. Knowingly providing false information on this application or any accompanying documents may result in the denial of a license, and subject the applicant to prosecution for the crime of perjury, K.S.A. 21-5903, and amendments thereto, a severity level nine (9) non-person felony, or other applicable criminal charges.

Part I: Instructions

Agency Name: _____ Date: _____
(Print agency name) (Month/day/year)

In addition to the completed agency application form, the following items must be submitted:

- If applicable, attach a copy of the agency's occupation or business license, or application therefor, issued by the city, county or state where the agency maintains its principal place of business.
- If registered as a corporation, limited liability company or partnership, attach a copy of the agency's certificate and most current annual report listing the officers and directors of the business entity.
- \$250.00 Agency Application Fee. Submit a personal check, money order or cashier's check made payable to the Attorney General. **The application fee is non-refundable.**
- Verification of a corporate surety bond in the amount of \$100,000 or more OR a certificate of insurance showing general liability insurance providing coverage in the amount of \$100,000 or more for bodily injury or property damage caused by negligence and errors or omissions; OR verification of \$100,000 or cash deposit with the state treasurer.
- Completed initial private detective application form for the *applicant* submitting this application on behalf of the agency. No additional fee is required if the applicant does not intend to act in the capacity of a private detective or otherwise engage in private detective business.
- Completed initial private detective application forms for each *owner, officer, director, partner or associate* of the agency. No additional fee is required if the applicant does not intend to act in the capacity of a private detective or otherwise engage in private detective business.

This application form must be completed in its entirety and submitted along with supporting documents and applications completed by all individuals meeting any of the criteria listed above. An incomplete application will result in processing delays. Generally, applications will be processed within 90 days of receipt.

Fees and Application Forms:

A complete schedule of fees and application materials is available at no cost on the Attorney General’s website, www.ag.ks.gov. Printed application packets are available through the Private Detective Licensing Unit. A fee of \$15.00 must accompany each request for an application packet.

Agency License Certificate:

Upon approval of this application, the agency license will be mailed to the attention of the individual completing this application at the agency business address. The license will be valid two years from the date of issuance. It will be renewable every two years. The agency license certificate must be posted in a conspicuous place in the principal place of business.

Other Information:

The following statutes and regulations pertaining to the Private Detective Licensing Act are posted on the Attorney General’s website at www.ag.ks.gov.

- Private Detective Licensing Act - K.S.A. 75-7b01 et seq.
- Kansas Administrative Regulations - K.A.R 16-1-7 and K.A.R. 16-2-1(a) through K.A.R. 16-6-3
- Criminal Carrying of Weapons - K.S.A 21-6302 (d) (3).

Please direct questions to the Private Detective Licensing Unit, Office of Attorney General, (785) 296-4240, or email ksagpi@ag.ks.gov.

Mail completed application and all attachments to:

Private Detective Licensing
Office of Attorney General
120 SW 10th Ave
Topeka, Kansas 66612-1597

Part II: Agency Information

A private detective agency license is required if you or your business entity intends to employ any person(s) to engage in detective business.

1. Agency name: _____
(Print agency name)

Type of business: Corporation Partnership Association Sole Proprietorship

2. Person submitting application on behalf of agency: _____
(Print last name, first name , middle name)

3. Street address of agency: _____
(Street Number)

(City, State & Zip Code)

4. Business mailing address: _____
(if different than #3)

5. Telephone number: _____ FAX number: _____

E-mail address: _____

6. Provide a statement of the general nature of the private detective business in which the agency intends to engage: _____

7. Provide the following information* for **each** officer, director, partner or associate of the agency. **If an officer, director, partner or associate intends to engage in private detective business, that individual must complete and submit the initial private detective license application.**

➤ Name _____ Position _____
(Print last name, first name, middle name)

Res. address _____
(Number & Street) (City) (State) (Zip)

Date of birth: _____ SSN# _____ Driver's Lic # _____
(Month/day/year)

Will engage in detective business? Yes No

➤ Name _____ Position _____
(Print last name, first name, middle name)

Res. address _____
(Number & Street) (City) (State) (Zip)

Date of birth: _____ SSN# _____ Driver's Lic # _____
(Month/day/year)

Will engage in detective business? Yes No

➤ Name _____ Position _____
(Print last name, first name, middle name)

Res. address _____
(Number & Street) (City) (State) (Zip)

Date of birth: _____ SSN# _____ Driver's Lic # _____
(Month/day/year)

Will engage in detective business? Yes No

➤ Name _____ Position _____
(Print last name, first name, middle name)

Res. address _____
(Number & Street) (City) (State) (Zip)

Date of birth: _____ SSN# _____ Driver's Lic # _____
(Month/day/year)

Will engage in detective business? Yes No

➤ Name _____ Position _____
(Print last name, first name, middle name)

Res. address _____
(Number & Street) (City) (State) (Zip)

Date of birth: _____ SSN# _____ Driver's Lic # _____
(Month/day/year)

Will engage in detective business? Yes No

➤ Name _____ Position _____
(Print last name, first name, middle name)

Res. address _____
(Number & Street) (City) (State) (Zip)

Date of birth: _____ SSN# _____ Driver's Lic # _____
(Month/day/year)

Will engage in detective business? Yes No

➤ Name _____ Position _____
(Print last name, first name, middle name)

Res. address _____
(Number & Street) (City) (State) (Zip)

Date of birth: _____ SSN# _____ Driver's Lic # _____
(Month/day/year)

Will engage in detective business? Yes No

Attach additional copies of this page, if needed, to list **all** owners, officers, directors, partners and associates.

*Providing a social security number is voluntary, but it is requested pursuant to K.S.A.74-139 and 74-148 and may be provided to the Kansas Director of Taxation for tax purposes and/or the Department for Children and Families for child support purposes.

Please answer the following questions. If you answer “yes” to any of these questions, please provide a full explanation on a separate sheet of paper and attach to the application.

8. In the past, to your knowledge, has any owner, officer, director, partner or associate of the agency:
- (a) been arrested or cited for **any** crime other than minor traffic violations in this state or any other state?
Yes No
 - (b) been indicted or convicted of a felony in this state or any other state?
Yes No
 - (c) been convicted of a misdemeanor in this state or any other state?
Yes No
 - (d) been the subject of a complaint to any department, bureau, board, prosecuting officer, criminal court, or any other governmental or regulatory body or officer in this state or any other state?
Yes No
 - (e) had any license as a private detective, issued in Kansas or any other jurisdiction, denied, suspended, revoked, or subjected to other disciplinary action in this state or any other state?
Yes No
 - (f) become a law enforcement officer or been granted a special commission from any law enforcement?
Yes No
 - (g) been found incompetent, incapacitated or impaired by reason of mental condition, deficiency or disease?
Yes No
 - (h) become addicted to, dependent on or abusive of alcohol or any controlled substance, narcotic or drugs?
Yes No
 - (i) received inpatient or outpatient treatment for alcohol, any controlled substance, narcotic or drug addiction, dependence or abuse?
Yes No

Remember: Any owner, officer, director, partner or associate of the agency who intends to personally engage in detective business must complete and submit an initial private detective license application.

APPLICANT'S AFFIDAVIT

(Must be signed before a Notary Public)

I, _____, am authorized by the _____,
(Print applicant name) (Print agency name)

Private Detective Agency, to sign the agency application. I have read and examined the statements made in the above application and the information contained herein is true and correct to the best of my knowledge and belief. I understand that private detective agencies can only employ licensed private detectives to engage in investigative activities, such as surveillance, interviews and background investigations. I, and the Agency represented herein, understand that in Kansas the unlicensed practice of 'detective business,' as defined by K.S.A. 75-7b01, is a crime. Anyone, except as authorized under K.S.A. 75-7b03, who engages in 'detective business' in Kansas must be licensed as a private detective by the Kansas Attorney General.

Applicant's Signature

Title or Position in the Agency

Date

Subscribed and sworn to before me this _____ day of _____, _____

Notary's Signature

My commission expires: _____

**WAIVER AGREEMENT
AND
FBI PRIVACY ACT STATEMENT**

Fingerprint-Based Record Checks for Noncriminal Justice Purposes

I hereby authorize (*Name of Authorized Recipient*) Office of the Kansas Attorney General to submit a set of my fingerprints to the Kansas Bureau of Investigation (KBI) for the purpose of identifying me and accessing and reviewing Kansas and/or national criminal history records that may pertain to me. Pursuant to K.S.A. 22-4701 et seq. and K.S.A. 22-5001, the Authorized Recipient may obtain my criminal history record information for noncriminal justice purposes. By signing this waiver, it is my intent to authorize release to the above-referenced Authorized Recipient of any Kansas and/or national criminal history record that may pertain to me. I further understand that, if applicable, the Authorized Recipient may choose to deny me unsupervised access to children, the elderly, or individuals with disabilities until the criminal history background check is completed.

I understand that, upon my request, the Authorized Recipient will provide me a copy of the criminal history background report, received on me, for the purpose to challenge the accuracy and completeness of any information contained in any such report. I may be afforded a reasonable amount of time to correct or complete the criminal history record (or decline to do so) before the Authorized Recipient makes a final decision about my status as an employee, volunteer or contractor, or my eligibility for any pertinent license, certification or registration. See 28 CFR 50.12(b).

I understand that officials receiving the results of the criminal history record check are to use those results only for authorized purposes and are prohibited from retaining or disseminating such results in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council. (See 5 United States Code (USC) 552a(b); 28 USC 534(b); 42 USC 14616, Article IV(c); 28 CFR 20.21(c), 20.33(d), and 906.2(d).)

FBI PRIVACY ACT STATEMENT

Authority:

The FBI's acquisition, preservation, and exchange of information requested by this form is generally authorized under 28 U.S.C.534. Depending on the nature of your application, supplemental authorities include numerous Federal statutes, hundreds of State statutes pursuant to Pub.L. 92-544, Presidential executive orders, regulations and/or orders of the Attorney General of the United States, or other authorized authorities. Examples include, but are not limited to: 5 U.S.C. 9101; Pub.L. 94-29; Pub.L. 101-604; and Executive Orders 10450 and 12968. Providing the requested information is voluntary; however, failure to furnish the information may affect timely 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, security, licensing, and adoption, may be predicated on fingerprint-based checks. Your fingerprints and other information contained on (and along with) this form may be submitted to the requesting agency, the agency conducting the application investigation, and/or FBI for the purpose of comparing the submitted information to available records in order to identify other information that may be pertinent to the application. During the processing of this application, and for as long hereafter as may be relevant to the activity for which this application is being submitted, the FBI may disclose any potentially pertinent information to the requesting agency and/or to the agency conducting the investigation. The FBI may also retain the submitted information in the FBI's permanent collection of fingerprints and related information, where it will be subject to comparisons against other submissions received by the FBI. Depending on the nature of your application, the requesting agency and/or the agency conducting the application investigation may also retain the fingerprints and other submitted information for other authorized purposes of such agency(ies).

**WAIVER AGREEMENT
AND
FBI PRIVACY ACT STATEMENT (Cont.)**

Fingerprint-Based Record Checks for Noncriminal Justice Purposes

Routine Uses:

The fingerprints and information reported on this form may be disclosed pursuant to your consent, and may also be disclosed by the FBI without your consent as permitted by the Federal Privacy Act of 1974 (5 USC 552a(b)) and all applicable routine uses as may be published at any time in the Federal Register, including the routine uses for the FBI Fingerprint Identification Records System

(Justice/FBI-009) and the FBI's Blanket Routine Uses (Justice/FBI-BRU). Routine uses include, but are not limited to, disclosures to: appropriate governmental authorities responsible for civil or criminal law enforcement, counterintelligence, national security or public safety matters to which the information may be relevant; to State and local governmental agencies and nongovernmental entities for application processing as authorized by Federal and State legislation, executive order, or regulation, including employment, security, licensing, and adoption checks; and as otherwise authorized by law, treaty, executive order, regulation, or other lawful authority. If other agencies are involved in processing this application, they may have additional routine uses.

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 system(s) of records in which that agency may also maintain your records, including the authorities, purposes, and routine uses for the system(s).

**RIGHT TO OBTAIN AND CHALLENGE ACCURACY
OF CRIMINAL HISTORY RECORDS**

You may request a copy of your state and/or national criminal history record from the Authorized Recipient for the purpose of challenging for accuracy and completeness.

Alternatively, you may obtain a copy of your **Kansas criminal history record information** (CHRI) to review for accuracy and completeness, by submitting a set of your fingerprints, a letter requesting your criminal history record, and payment of the appropriate fee to the KBI. For further details, including the current fee, visit the following Internet website: http://www.kansas.gov/kbi/info/info_brochures.shtml then find the brochure named "Record Checks for Non-Criminal Justice Purposes". Or, to provide official court documents to make a correction you may write to:

Kansas Bureau of Investigation
Attn: Criminal History Records
1620 SW Tyler
Topeka, Kansas 66612-1837

If a change is made to your Kansas criminal history record due to a challenge, a new copy of your Kansas criminal history record will be sent to the Authorized Recipient to make a final decision about your status as an employee, volunteer or contractor, or your eligibility for any pertinent license, certification or registration, or adoption.

To obtain a copy of your **national CHRI, also known as the Identity History Summary**, for review and challenge you must submit a set of your fingerprints and the appropriate fee to the FBI. Information regarding this process may be obtained at: <https://www.fbi.gov/services/cjis/identity-history-summary-checks>. Or, you may write to:

FBI CJIS Division
Attn: Criminal History Analysis Team 1
1000 Custer Hollow Road
Clarksburg, West Virginia 26306

**WAIVER AGREEMENT
AND
FBI PRIVACY ACT STATEMENT (Cont.)**

Fingerprint-Based Record Checks for Noncriminal Justice Purposes

The FBI will forward your challenge to the appropriate contributing agency to verify or correct the entry. Upon receipt of an official communication directly from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency (see 28 CFR 16.30 through 16.34). The Authorized Recipient must submit a new set of fingerprints and fee to receive the updated federal criminal history record.

I have ____ **OR** have not ____ been convicted of a crime.

If convicted, describe the crime(s), the date and location of the crime(s), and the name of the convicting court:

Under penalty of perjury, I hereby declare that I am the person described below, and understand that any falsification of this statement constitutes a severity level 9, nonperson felony under the provisions of Title 21 Kansas Statutes Annotated, Section 5903.

I have been provided the Waiver Agreement, FBI Privacy Act Statement, and information how to challenge my criminal records for accuracy and completeness.

Signature

Date

Printed Name

Date of Birth__

Residential Address

City

State

Zip

TO BE COMPLETED BY THE FINGERPRINTING AGENCY:

Method of Verifying Identity:

Driver's License

State Issued ID Card

Military ID Card

State/Branch: _____

ID Number: _____

Agency Name: _____

Address: _____

Telephone: _____ Fax: _____

Name of Individual Verifying Identity: _____

***AUTHORIZED RECIPIENT: 1. Must maintain original or arrange for KBI to maintain.
2. Must provide a copy to the applicant.***