

 <p>ARIZONA DEPARTMENT OF CORRECTIONS</p> <p>DEPARTMENT ORDER MANUAL</p>	<p>CHAPTER: 600 INSPECTOR GENERAL</p>	<p>OPR: SS</p>
	<p>DEPARTMENT ORDER: 602 <i>BACKGROUND INVESTIGATIONS</i></p>	<p>SUPERSEDES: DO 602 (09/01/96) DI 83 (09/15/98)</p>
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PURPOSE

The Department requires background investigations be performed on prospective employees, contract staff and volunteers to determine the accuracy of their applications and whether applicants are suitable for employment or volunteers positions, in accordance with Department Order #504, Recruitment and Hiring.

Contractors and/or their employees may be denied access to an institution if they are ex-offenders (see Definitions) or if they have been arrested or indicted for, or convicted of, a felony crime. They may also be denied access if they violate a Department Order, or otherwise represent a threat to the safe, secure and orderly operation of the institution. Contractors and their employees shall not be permitted access to any institution without a background investigation being completed and the access approved by Offender Operations.

PROCEDURES

602.01 APPLICATION PROCESS - Each applicant shall complete and submit to their respective Personnel Liaison all documentation required for the position they are applying, in accordance with Department Orders and Arizona Administrative Code Title 13, Chapter 4, whichever is applicable.

- 1.1 The Background Investigations Unit (BIU) shall investigate all applicants based upon the specific criteria established for the position for which they have applied.
 - 1.1.1 Positions designated as Correctional Officer (CO) series, including reinstatements and former officers, shall have background investigations completed prior to an applicant being hired.
 - 1.1.2 All other applicants shall have a preliminary background review completed prior to the applicant being hired. A full background review shall be initiated within 48 hours of hire date. A preliminary background review shall consist of:
 - 1.1.2.1 A completed background questionnaire review with an Investigator.
 - 1.1.2.2 A completed National Crime Information Center (NCIC) and Arizona Criminal Justice Information System (ACJIS) check.
 - 1.1.2.3 Receipt of a completed finger print card.
- 1.2 Positions that require more extensive investigative criteria include:
 - 1.2.1 Correctional Officer Series, including Community Corrections Officer, CO III, CO IV and all Correctional Officer Retirement (CORP) Positions.
 - 1.2.2 Investigator and Special Investigator positions.
 - 1.2.3 Employees, medical staff, Student Interns and clerical.
 - 1.2.4 Full Time Contract Staff, such as food service canteen staff.
- 1.3 The Hiring Authority or designee shall verify the qualifications and work history on each application and determine if the candidate meets the minimum requirements/qualifications of the position.
- 1.4 The Personnel Liaison, Coordinator or Applicant Advocate shall:

- 1.4.1 For each applicant, review each Background Questionnaire (BQ) and Fingerprint Card (FPC) for completeness and ensure that all signatures and titles for the Hiring Authority or designee and the witnessing official are completed where appropriate.
 - 1.4.2 Ensure that the BQ, "Position Applied For" (page one) is completed as follows:
 - 1.4.2.1 For CO and Investigators, no additional information is needed.
 - 1.4.2.2 For Employees, note "Employee" after position title.
 - 1.4.2.3 For Contractors, note "Contractor" followed by company or firm name.
 - 1.4.2.4 For Volunteers, note "Volunteer" and the type of service provided to the Department.
 - 1.4.3 Ensure that the applicant's signature on page two of the BQ is witnessed by the Personnel Liaison, Coordinator, Applicant Advocate or Recruiter, and dated the same day.
 - 1.4.3.1 Non-department employees shall not witness the applicant's signature.
 - 1.4.3.2 Out-of-state applicants may have a Notary Public witness their signature.
 - 1.4.4 Ensure the psychological evaluation-screening test is completed and forwarded to BIU when results are received. Results for CO and Special Investigator applicants shall be maintained at RUSH, and then forwarded to BIU when the applicant starts employment with the Department.
 - 1.4.5 Forward all background review packets to BIU. For the safety of staff and the public, all applicants shall be properly screened and BQs and FPCs completed. Incomplete BQs and FPCs shall be returned to the respective Personnel Liaison or Applicant Advocate for completion.
 - 1.4.6 The BIU shall:
 - 1.4.6.1 Provide the Hiring Authority a written notification of the results of the background review. Email notification may be used for all positions except CO positions.
 - 1.4.6.2 Note hiring recommendations for COs in RUSH 2000 Applicant Processing System for review and disposition by RUSH.
 - 1.4.7 The Personnel Liaison, Coordinator or Applicant Advocate shall submit a follow-up memorandum or a request via e-mail to BIU if a background review result has not been received after 30 days.
- 1.5 RUSH shall:
- 1.5.1 Ensure that the BQ and FPC are complete.
 - 1.5.2 Enter the data into the RUSH 2000 Applicant Processing System.
 - 1.5.3 Forward the packet to the BIU.

1.6 Administrative Updates

- 1.6.1 The BIU shall, in addition to completing background investigations, complete administrative background updates as requested by the Hiring Authority. Administrative updates are conducted on individuals previously processed and their background files are still active with BIU.
- 1.6.2 The BIU shall ensure that an NCIC/ACJIS check, file review, and an Administrative and Criminal Investigations database review is completed for employees:
 - 1.6.2.1 Transferring or promoting to a new position.
 - 1.6.2.2 Requesting ACJIS certified terminal operator status.
 - 1.6.2.3 Assigned to Inmate Banking.
- 1.6.3 For other circumstances where an administrative update is required, the applicant shall complete a Criminal History Information Request, Form 121-1, or submit a memorandum request containing their Name, Social Security Number, Date of Birth, Driver's License Number and either fax or mail the document to BIU. This includes:
 - 1.6.3.1 Any state auditor or benefits representative.
 - 1.6.3.2 Contractors attending pre-bid meetings.

1.7 Security

- 1.7.1 In accordance with Department Order #121, Arizona Criminal Justice Information and Identification System, Wardens, Hiring Authorities, investigators and ACJIS Operators shall ensure:
 - 1.7.1.1 That ACJIS security and privacy provisions are maintained.
 - 1.7.1.2 That no criminal history information obtained from ACJIS is divulged to an applicant, consultant, contractor or any other person not authorized to receive such information.
 - 1.7.1.3 Only authorized staff members listed on the Department's ACJIS TOC/Practitioners Alphabetical listing receive or review NCIC/ACJIS information.
- 1.7.2 Hiring Authorities and designees shall ensure that all information and reports concerning applicants are:
 - 1.7.2.1 Used for the sole purpose of selecting qualified applicants.
 - 1.7.2.2 Treated as confidential material.
 - 1.7.2.3 Never divulged to applicants or anyone not authorized to receive such information, in accordance with A.R.S. 41-1750 and Department Order #121, Arizona Criminal Justice Information and Identification System.

- 602.02 APPLICANT CRITERIA** - All applicants for Department positions shall receive a background investigation. All employees and volunteers shall, as a condition of employment and/or entry to an institution, meet criteria as follows:
- 1.1 Based upon information contained in the applicant's completed BQ and fingerprint card, the BIU Investigator shall determine if the applicant meets the following criteria:
 - 1.1.1 No criminal history related to job description.
 - 1.1.2 Current Arizona drivers license. (Correctional Officer Security Series only)
 - 1.1.3 The level of education appropriate for position applied for shall be verified by the Hiring Authority. Correctional Officer Series shall be verified by RUSH/BIU. The Hiring Authority shall review educational documents provided by the applicant, i.e., diplomas, degrees and certified transcripts, to verify applicant meets the minimum educational requirements for the position.
 - 1.1.4 Contract staff shall qualify based upon the criteria outlined in Department Order #205, Contractor Security, and section 602.06 of this Department Order.
 - 1.2 Criminal arrest and conviction record shall be completed on all applicants as follows:
 - 1.2.1 Submission of fingerprint card to the Arizona Department of Public Safety (DPS).
 - 1.2.2 National Crime Information Center (NCIC) record check.
 - 1.2.3 Arizona Criminal Justice Information (ACJIS) record check.
 - 1.2.4 Law enforcement agency checks (local police departments) where the applicant lived, worked, and attended school within the last five years with the exception of volunteers, contractors and visitors.
 - 1.2.5 Inquiries to Arizona Department of Transportation, Motor Vehicle Division to determine whether the applicant has a current driver license and a record of traffic violations.
 - 1.3 Military discharge status checks shall be completed on all Correctional Officer Security Series applicants. The applicant shall provide a DD Form 214, an acceptable military record, Form 22 (Reserves) or an active duty identification card.
 - 1.4 Reputable personal history, which includes:
 - 1.4.1 A telephonic or letter inquiry to the applicant's references.
 - 1.4.2 If the position is within the Director's office, interviews with the applicant's neighbors may be conducted to verify the applicant's character and reputation.
 - 1.4.3 A telephonic or letter inquiry to the applicant's previous employers for the past five years.
 - 1.5 For construction contractors and vendors, the BIU shall ensure that, at a minimum, the background investigation requirements of paragraph 602.02, 1.2 are completed, and the information obtained is provided to the Hiring Authority.

- 1.6 A polygraph examination may be requested only after a conditional offer of employment has been made and accepted. The Inspector General or designee shall approve all requests.

602.03 VERIFICATION AND INVESTIGATION DOCUMENTATION

- 1.1 The BIU shall:
 - 1.1.1 Within two work days of completing the background investigation, forward to the requesting Hiring Authority a written report identifying the investigative findings for each applicant. The report shall only be sent to the Hiring Authority listed on the Department ACJIS TOC/Practitioners listing.
 - 1.1.2 Within one work day of completing the background investigation, disseminate the disposition of COs to RUSH via APS/RUSH 2000.
 - 1.1.3 Ensure that all reports regarding applicant investigations are maintained at the Background Investigation Unit file room.
 - 1.1.4 Maintain administrative update files for non-employees separately.
- 1.2 Personnel Liaisons and the Volunteer Representative shall:
 - 1.2.1 Provide BIU with a list of new and removed contractors and volunteers on a quarterly basis. The BIU shall audit and update all files they maintained.
 - 1.2.2 Maintain a current roster of all contract staff who have access to the institution. The roster shall be available for review by the Department's investigators/auditors upon request. A monthly listing of all contract personnel removed from the roster shall be provided to the BIU.
 - 1.2.3 The assigned Facility Activation Bureau Project Manager shall:
 - 1.2.3.1 Maintain a current roster of all Project Contractors who have access to the institutions.
 - 1.2.3.2 Update the roster quarterly and provide a copy to BIU.
 - 1.2.3.3 Provide a copy of the updated roster to the Department's investigators and auditors upon request.
- 1.3 The Employment Unit shall provide BIU with the following:
 - 1.3.1 A listing of CO Reinstatements & Rehires (R&R) for the previous month by the fifth working day of the current month. This report shall include the medical and psychological evaluations for each R&R applicant.
 - 1.3.2 A listing of Sergeants, Lieutenants, CO III's and CO IV's R&R for the previous month by the fifth working day of the current month. This report shall include copies of driver's license, high school diploma, birth certificate, medical and psychological evaluations for each applicant if not already provided.
 - 1.3.3 The Correctional Officer Training Academy (COTA) roster for all applicants starting COTA no later than the second day after COTA start date. This report shall include the medical and psychological evaluations for each Cadet if not already provided.

1.3.4 A listing of applicants "Not Recommended" for hire by BIU, but who are "Recommended" for hire by RUSH or the Hiring Authority. The Employment Unit shall notify BIU of the change in status via memorandum or e-mail. A copy shall be forwarded to the respective Division Director.

1.4 Hiring Authorities or designees shall:

1.4.1 Evaluate the information contained in the Background Investigation Report, and any addendum report(s), used in determining whether the applicant is suitable for the position.

1.4.2 For employees who continue employment after "not recommended for continued process" by BIU, provide BIU via memorandum or email with information on retaining the employee after reviewing BIU information. This is to ensure that the employee's files are maintained at BIU and not archived.

1.5 Personnel shall provide BIU with:

1.5.1 Information regarding employee name changes.

1.5.2 A memorandum or e-mail listing new hires requiring a background check processed at Central Office, if applicable.

1.6 Fingerprint Requirements

1.6.1 All applicants and applicable contract staff shall submit a FPC to BIU for processing as outlined in section 602.06 of this Department Order. The BIU shall submit all FPCs to the DPS for submission to the Federal Bureau of Investigations (FBI).

1.6.2 If an updated background check is necessary due to an employee's change in assignment, an administrative update check shall be conducted and it is not necessary to submit another FPC.

1.6.3 **SECTION DELETED**

1.6.4 Any employee, contractor or volunteer with a break from Department service of less than one year shall not require reprint if BIU has the FBI fingerprint card on file. In the event the FBI fingerprint card is not on file the applicant shall submit a new FPC.

602.04 APPLICANT CRITERIA CORRECTIONAL OFFICER SERIES AND INVESTIGATORS

1.1 All applicants for Department positions outlined in 602.01 are subject to a background investigation. In addition to provisions outlined in 602.02 all applicants are subject to passing as a condition of employment, and/or entry to an institution the following.

1.1.1 The BIU shall investigate applicants for CO series positions prior to the applicants being hired. Investigators for Administrative and Criminal Investigation positions shall have a preliminary background review completed prior to hire date. A full background review shall be completed within 48 hours of the hire date.

1.1.2 The applicants background investigations shall not be recommended for continuance if a background investigation reveals any of the following criminal actions:

- 1.1.2.1 Felony convictions, commission of a felony or applicants who have been adjudicated delinquent, including a conviction of an offense in any other state that would be a felony in Arizona.
- 1.1.2.2 Conviction of a felony - Any applicant arrested or charged with a felony offense, and through the court process was reduced or plea-bargained to a misdemeanor, the conviction shall be treated as a misdemeanor.
- 1.1.2.3 Applicants having been convicted of a felony and completed probation, performed restitution, completed a diversion program, or paid a fine, and is subsequently dismissed or reduced to a misdemeanor, shall be treated as a commission of a felony.
- 1.1.3 Convictions involving moral turpitude as outlined in Department Order #601, Administrative Investigations and Employee Discipline. Moral turpitude is any intentional act or conduct that is marked by baseness, vileness, or depravity; or involves fraud, deceit or dishonesty; or otherwise offends the conscience of the community.
- 1.1.4 Applicants with misdemeanor convictions shall be disqualified for continued process until a one-year from completion of any sentence or probationary periods.
 - 1.1.4.1 Applicants with a disposition pending, such as a court date, probation, fine, or restitution, are not qualified for continued process.
 - 1.1.4.2 A waiver may be obtained at the discretion of the Manager, Inspector Generals Office or designee if the Court disposition has been finalized and the BIU Investigator presents merits in the Background Review to warrant a request. The Inspector General is the Approval Authority.

602.05 APPLICANT VERIFICATION/INVESTIGATION - CONTRACT STAFF

- 1.1 Program Administrators shall:
 - 1.1.1 Provide BIU with:
 - 1.1.1.1 A completed Criminal History Information Request form, or completed BQ. Full time contract staff must submit a complete BQ Questionnaire.
 - 1.1.1.2 A signed Consent to Search Form.
 - 1.1.1.3 A FPC for each person requesting a contractor badge for access into Central Office and institutions.
 - 1.1.1.4 A cover memorandum listing each applicant's name, social security number and date of birth.
 - 1.1.2 Submit a list with the completed Criminal History Information Request(s) or completed BQ(s) and FPC(s) to the appropriate processing Unit at least ten work days before the work is scheduled to begin to allow time for the inquiries to be completed. The Program Administrator's name shall be printed at the top of the list.
 - 1.1.3 Obtain from the contractor, a list that includes the name, date of birth, social security number and driver's license number for each person the contractor proposes would require access to an institution to fulfill the responsibilities of the contract.

- 1.1.4 Attach for each person on the applicant list a completed Criminal History Information Request form.
- 1.2 If the contractors' scheduled work is less than six months, the Program Administrator shall submit the application list, with the Criminal History Information Request and signed Consent To Search forms attached, to the institution's ACJIS Terminal Operator for a warrant and criminal history inquiry. When possible, the attachments shall be submitted to the institution's ACJIS Terminal Operator at least ten work days before the contract work is scheduled to begin. This will allow time for the inquiries to be completed. No paperwork shall be forwarded to BIU; however, Personnel Liaisons shall maintain a roster for tracking accountability.
- 1.3 If the contractors' scheduled work is more than six months in duration, or involves work at more than one complex, or when a state issued license is a requirement of the contract or position, the background investigation and warrant/criminal history inquiry on ACJIS shall be completed by BIU. The Program Administrator shall forward a completed Criminal History Information Request form and a Fingerprint card to BIU. This does not preclude the institution's ACJIS Terminal Operator from conducting an inquiry, if directed to do so by the Program Administrator. BIU shall:
 - 1.3.1 Using information provided by the applicant, for each contractor clearance:
 - 1.3.1.1 Create a record in RUSH 2000.
 - 1.3.1.2 Run NCIC/ACIC criminal history/MVD checks.
 - 1.3.1.3 Enter NCIC/ACIC results in RUSH 2000.
 - 1.3.1.4 Submit FPC to DPS/FBI for processing.
 - 1.3.1.5 Generate and forward to the Hiring Authority a letter advising the results of the background reviews, including the name of the company name and/or the job description.
 - 1.3.1.6 Attach copy of the Hiring Authority letter to paperwork and file.
 - 1.3.2 Consider any relevant factors when determining whether to permit access to an ex-offender, including the following criteria:
 - 1.3.2.1 The requirements of this Department Order.
 - 1.3.2.2 The likelihood that access to an institution will enhance the opportunity for other similar offenses.
 - 1.3.2.3 The time that has elapsed since the last conviction.
 - 1.3.2.4 The likelihood that personal circumstances that led to the offense will recur.
 - 1.3.2.5 The ex-offender's conduct since the last conviction, if known.
- 1.4 Background review shall not be initiated without authorization from the Hiring Authority, who shall provide the name, date of birth, driver's license number, social security number, company name and job description. The job description shall be noted at the bottom of the Criminal History Information Request form. Authorization shall be submitted in one of the following ways:

- 1.4.1 E-mail.
- 1.4.2 Memorandum.
- 1.4.3 Completed BQ or a Criminal History Information Request form.
- 1.4.4 Hiring Authority shall provide the name, date of birth, driver license number, social security number, company name and job description, note job descriptions in the comment section of the Criminal History Information Request, Form 121-1.
- 1.5 BIU shall not process any request received without a FPC, unless the contractor is scheduled to work less than six months as outlined in 1.2 of this section.
- 1.6 Processing procedures for Contractors:
 - 1.6.1 BIU shall process contractors whose employees are primarily in the Phoenix metropolitan area.
 - 1.6.2 For contractors whose employees are primarily outside the Phoenix metropolitan area, the RUSH Satellite Office nearest the contractor shall serve as the processing Unit.
 - 1.6.3 After all contractors for a given project have been fingerprinted, the RUSH Satellite Office contact shall forward all of the completed paperwork, such as Criminal History Information Requests, BQs, Consent to Search Forms and FPCs, to BIU for processing.
- 1.7 If a contractor is denied access to the institution based upon the criminal history obtained from ACIC/NCIC information, the Program Administrator shall advise the employer of the denial for that contractor. The specific information obtained from ACIC/NCIC shall not be disclosed to the employer.

602.06 CATEGORIES OF CONTRACTORS/VOLUNTEER/VENDORS - The following guidelines shall determine **the documents that** must be submitted and the applicable background process to be completed by the BIU.

- 1.1 Frequent - Non-Department personnel interacting with inmates in close physical proximity and/or engaging in verbal interaction for more than eight hours per week. In such cases a complete BQ is required with FPC.
- 1.2 Periodic - Non- Department personnel interacting with inmates in close physical proximity and/or engaging in verbal interaction for more than four but less than thirty-two hours per month. In such cases a complete BQ is required with FPC.
- 1.3 Incidental - Non- Department personnel interacting with inmates in close physical proximity and/or engaging in verbal interaction for up to four hours per month:
 - 1.3.1 Exceeding a six-month period requires a completed Criminal History Information Request and a FPC.
 - 1.3.2 Less than a six-month period requires only a completed Criminal History Information Request.

602.07 APPLICANT VERIFICATION/INVESTIGATION - ALL OTHER POSITIONS

- 1.1 Hiring authorities shall request a background investigation on all-new hire and reinstatement or rehire employees after a conditional offer of employment.
- 1.2 The BIU shall conduct the background investigation including, but not limited to, the procedures outlined in 602.02 of this Department Order.
 - 1.2.1 When possible, the BIU shall conduct and complete the background investigation prior to the hiring of an applicant.
 - 1.2.2 If the background investigation cannot be conducted prior to the hiring of an applicant, the BIU shall conduct the investigation no later than 30 work days following the hiring of the applicant.
- 1.3 At the conclusion of the background investigation, the BIU shall make an appropriate recommendation as to the applicant's suitability for employment to the Hiring Authority.
- 1.4 Prior to the file being forwarded to BIU, Hiring Authorities shall verify:
 - 1.4.1 The qualifications and work history on each application for candidates offered positions to determine if the candidate meets the requirements of the position.
 - 1.4.2 The minimum qualifications of the position and documents, if required, such as birth certificates, driver's license and educational credentials.

602.08 APPLICANT VERIFICATION/INVESTIGATION - INVESTIGATION METHODOLOGY - All verification investigations shall be completed through checking the applicant's:

- 1.1 Criminal history.
- 1.2 Driving history.
- 1.3 Personal history.
- 1.4 Military background, if applicable.
- 1.5 Work history.
- 1.6 Credit history, if applicable.
- 1.7 Veracity through the use of a polygraph examination, when warranted, and only after a conditional offer of employment has been made and accepted. A polygraph examination shall only be conducted when deemed appropriate by the Inspector General or designee to verify all or part of the information contained on an application.
 - 1.7.1 Polygraph records shall be maintained for 36 months and then purged and destroyed in accordance with Department Order #103, Correspondence/Records Control.

602.09 APPLICANT DISQUALIFICATION

- 1.1 Coordinating Responsibilities
 - 1.1.1 The RUSH Administrator shall coordinate all activities involving the disqualification of applicants for Correctional Officer I positions.

- 1.1.2 The Staffing Unit Personnel Manager and hiring authorities shall coordinate all activities involving the disqualification of applicants for positions other than Correctional Officer I.
- 1.1.3 The Inspector General and the hiring authority shall jointly make a recommendation about an applicant's suitability or disqualification, when:
 - 1.1.3.1 The applicant is an ex-offender.
 - 1.1.3.2 The applicant is living with an inmate, releasee or parolee currently under the Department's supervision.
- 1.2 Criminal Activities – Applicants shall be disqualified (the applicant may reapply under the provisions of 504) if a background investigation reveals any of the following criminal actions:
 - 1.2.1 Felony convictions – Including a conviction of an offense in any other state that would be a felony in Arizona.
 - 1.2.2 Convictions involving moral turpitude in accordance with Department Order #601, Administrative Investigations and Employee Discipline. Moral turpitude is any intentional act or conduct that is marked by baseness, vileness, or depravity; or involves fraud, deceit or dishonesty; or otherwise offends the conscience of the community.
 - 1.2.3 Commission of a felony – If there is reasonable evidence that the applicant committed a felony (e.g. a background investigation revealed involvement in an activity that is considered to be a felony crime in Arizona, even if committed in another state.)
 - 1.2.4 Commission Of Theft From An Employer – If there is reasonable evidence that the applicant stole items from an employer or former employer even if the applicant was not arrested or charged with the crime.
- 1.3 Misdemeanor Convictions not Involving Moral Turpitude – An applicant may be disqualified when a relationship exists between given bona fide occupational qualifications and any of the following convictions or violations not involving moral turpitude;
 - 1.3.1 Ordinary misdemeanor convictions.
 - 1.3.2 Motor vehicle license suspension or revocation.
 - 1.3.3 A pattern of excessive traffic violations.
- 1.4 Narcotics/Drug Involvement (Applicants for Correctional Officer Cadet) – An applicant for the Correctional Officer Cadet position shall be disqualified if the applicant:
 - 1.4.1 Currently uses illegal drugs or currently uses drugs illegally.
 - 1.4.2 Ever illegally used drugs except for experimentation.
 - 1.4.2.1 The illegal use of marijuana, or a dangerous drug or narcotic is presumed to be not for experimentation if:
 - 1.4.2.1.1 The use of marijuana exceeds a total of 20 times or exceeds five times since the age of 21 years; or

1.4.2.1.2 The use of any dangerous drug or narcotic, other than marijuana, in any combination exceeds a total of five times, or exceeds one time since the age of 21 years.

1.4.3 Ever sold, produced, cultivated or transported for sale marijuana or other illegal drugs or drugs used illegally.

1.4.4 Experimented with:

1.4.4.1 Marijuana use during the last 12 months.

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- 1.4.4.2 Illegal drugs or drugs used illegally during the last five years.
- 1.4.5 Ever used drugs illegally while employed as an officer in the Correctional Officer Series.
- 1.4.6 Demonstrates a current or past pattern of abuse of prescription medication.
 - 1.4.6.1 A pattern is demonstrated when investigators have determined the candidate has used any prescription medication not prescribed to the candidate, in any combination which exceeds six times in any 12 month period since the age of twenty one. In addition, a pattern shall be demonstrated if the candidate has utilized a medication in an attempt to alter their consciousness, or has frequented multiple physicians to obtain numerous prescriptions of the same medication.
- 1.5 Narcotics/Drug Involvement (Positions Other than Correctional Officer Cadet) – An applicant for a position other than Correctional Officer Cadet shall be disqualified if the applicant:
 - 1.5.1 Currently uses illegal drugs or currently uses drugs illegally.
 - 1.5.2 Is addicted to drugs or has a history of drug addiction and has not, in accordance with Department Order #108, Americans With Disabilities Act Compliance, been rehabilitated.
 - 1.5.3 Ever sold, produced, cultivated or transported for sale marijuana or other illegal drugs or drugs used illegally.
 - 1.5.4 Experimented with:
 - 1.5.4.1 Marijuana during the past 12 months.
 - 1.5.4.2 Illegal drugs or drugs used illegally during the last seven years.
 - 1.5.5 Ever used drugs illegally while employed by the Department.
- 1.6 Unstable Employment History – An applicant may be disqualified if during the background investigation it is discovered that the applicant has displayed a lack of reliability due to an excessive number of jobs during the last five year period.
- 1.7 Military – An applicant who has not received an honorable discharge from military service in any branch of the United States Armed Forces may be disqualified from employment consideration. Dishonorable, General, or an Other Than Honorable (OTH) discharge from military service shall be considered when determining the employment eligibility of a candidate.

IMPLEMENTATION

The Inspector General shall, within 90 days after the effective date of this Department Order, issue a Technical Manual that includes at a minimum:

- Conducting background investigations on all applicants for employment, including contract and volunteer staff.
- Procedures and forms, including the Background Questionnaire form used by the BIU when completing an investigation.

- Compliance with applicable Arizona Revised Statutes, the Arizona Administrative Code and the Americans With Disabilities Act.
- The process used for the verification of:
 - United States citizenship.
 - Eligibility to work in the United States in accordance with the Immigration Reform Act when citizenship is not a bona fide occupational qualification.
 - Criminal history, or lack thereof.
 - Driving record.

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- Educational background.
- Character and reputation.
- Military record.
- All or part of the contents of the application by polygraph examination, only after a conditional offer of employment has been made and accepted, and when deemed necessary by the SSB Administrator.

The Division Director for Support Services shall, within 90 days of the effective date of this Department Order, issue a Technical Manual that explains, at a minimum, the process for terminating a contract if a contractor fails to satisfactorily prevent a contract staff, who was denied access, from providing services or materials to the institution.

DEFINITIONS

APPLICANT - A person who applies for employment with the Department as an employee, contract staff as outlined in Department Order #504, Recruitment and Hiring, or who wishes to serve as a volunteer as defined in Department Order #204, Volunteer Services.

APPLICATION

- Includes the following documents from applicants for all employee positions:
 - Arizona State Employment Application, and any supplements.
 - Background Questionnaire form, and any related statements and supplements.
 - Consent To Search form.
 - Applicant Fingerprint Card (on the standard form provided by DPS).
- Includes the following documents from applicants for all contract and volunteer positions:
 - Background Questionnaire form, and any related statements and supplements.
 - The Criminal History Information Request form shall be used in place of the Background Questionnaire for contract staff whose service is limited, or who contract for one-time jobs, such as a repair service or a roofing contract.
 - Consent To Search form.
 - Applicant Fingerprint Card (on the standard form provided by DPS).

CONTRACTOR - A person, or a State agency, political subdivision, corporation, or association, or its employees or assignees, under contract to provide goods or services to the Department.

EX-OFFENDER - Any person convicted in a court of competent jurisdiction of a misdemeanor or felony crime, the punishment for which could have been, or was, imprisonment in a city or county jail, federal penitentiary or a state prison, excluding those persons who have been pardoned by the President of the United States or the Chief Executive of a State.

HIRING AUTHORITIES - Individuals to whom authority has been delegated to:

- Offer employment to qualified applicants/candidates, contractors and student interns who will work under their supervision.
- Approve a lateral transfer, promotion or voluntary grade decrease of qualified candidates.
- Demote employees.

NOLO CONTENDERE - A person declines to refute the evidence presented but agrees to the charges presented

NON-CORRECTIONAL STAFF WITH SIGNIFICANT INMATE CONTACT - Includes, but is not limited to, persons working in the following positions: Maintenance, canteen, teaching, recreation, para-legals, off-site supervisors of work crews, substance abuse counselors, chaplains, and volunteers.

VERIFICATION/INVESTIGATION - The investigation of an applicant to verify if the application is true and correct, and whether the applicant is suitable **for employment** as outlined in Department Order #504, Recruitment and Hiring.

{Original Signature on File}

CHARLES L. RYAN
DIRECTOR

ATTACHMENT

US GPO 1999 454-801/00021 Fingerprint Card

FORMS LIST

602-1 - Background Questionnaire

AUTHORITY

A.R.S. 13-2316, Computer Fraud, Classification

A.R.S. 41-1492 et seq, Arizonans with Disabilities Act of 1992

A.R.S. 41-1750, Criminal Identification Section

A.R.S. 41-2201 et seq, Arizona Criminal Justice Information System

18 U.S.C. 1030, Fraud (and related activity in connection with computers)

28 C.F.R. 20.1 et seq, Security and Privacy Regulations, Criminal Justice Information Systems

18 C.F.R. 35.130 et seq, Non-Discrimination on the Basis of Disability by State and Local Government Services

Americans with Disabilities Act of 1990, Titles I-V

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
CJIS DIVISION/CLARKSBURG, WV 26306

APPLICANT

TO OBTAIN QUALIFIABLE FINGERPRINTS:

1. USE BLACK INKER'S INK.
2. DISTRIBUTE INK EVENLY ON INKING SLAB.
3. WASH AND DRY FINGERS THOROUGHLY.
4. SOAK FINGERS IN WATER TO SOFTEN AND REMOVE ALL EXCESSIVE OIL.
5. DRY FINGERS AND PLACE IN POSITION TO BE INKED.
6. INK FINGERS AND PRESS THEM AGAINST THE SLAB TO OBTAIN QUALIFIABLE FINGERPRINTS.
7. WASH AND DRY FINGERS THOROUGHLY.
8. REPEAT STEPS 4 THROUGH 6 UNTIL ALL FINGERS HAVE BEEN INKED.

UNOBTAINED

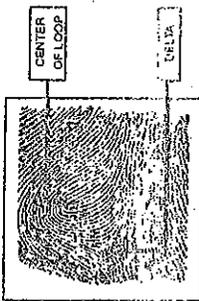
CLAIMING HE UNOBTAINED PRINTS TO SEE IF THEY CAN BE CLASSIFIED, BEARING IN MIND THAT MOST INDIVIDUALS FAIL INTO THE PATTERNS SHOWN ON THE CARD OTHER PATTERNS OCCUR INFREQUENTLY AND ARE NOT SHOWN HERE.

THIS CARD FOR USE BY:

1. LAW ENFORCEMENT AGENCIES IN FINGERPRINTING APPLICANTS FOR LAW ENFORCEMENT POSITIONS.
2. OFFICIALS OF STATE AND LOCAL GOVERNMENTS FOR PURPOSES OF EMPLOYMENT, LICENSING, AND RECORDS, AS AUTHORIZED BY STATE STATUTES AND APPROVED BY THE ATTORNEY GENERAL OF THE RESPECTIVE STATES, LOCAL AND COUNTY GOVERNMENTS, UNLESS SPECIFICALLY BASED ON APPLICABLE STATE STATUTES DO NOT SATISFY THIS REQUIREMENT.
3. FEDERAL GOVERNMENT AGENCIES AND OTHER ENTITIES REQUIRED BY FEDERAL LAW.
4. INDIVIDUALS WHO ARE LEGALLY CLASSIFIED ON ISSUED PASSPORTS AND WHO ARE REQUIRED TO MAINTAIN THE SECURITY OF THESE INSTITUTIONS.

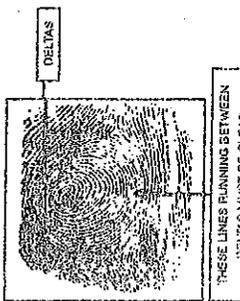
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1. LOOP



THE LINES BETWEEN CENTER OF LOOP AND DELTA MUST SHOW

2. WHORL



THE LINES RUNNING BETWEEN DELTAS MUST BE CLEAR

3. ARCH



ARCHES HAVE NO DELTAS

FD-208 (REV. 5-11-89)
U.S. GOVERNMENT PRINTING OFFICE: 2006-510-112/96025

LAST NAME (NAME)		FIRST NAME		MIDDLE NAME		EBI		LEAVE BLANK	
ALWAYS AKA		AZDPS2000		DPS-AFIS OPERATIONS		PHOENIX, AZ		DATE OF BIRTH (MM/DD/YY)	
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