

**CHAPTER: 200**

**Public/Public Access**

**DEPARTMENT ORDER:**

**205 – Contractor and Program Associate  
Security**

**OFFICE OF PRIMARY  
RESPONSIBILITY:**

**TP  
EPCR  
OPS**

**Effective Date:**

**November 1, 2024**

**Amendment:**

**N/A**

**Supersedes:**

**DO 205 (10/27/21)**

**Scheduled Review Date:**

**2027**

**ACCESS**

**Contains Restricted Section(s)**

**Arizona  
Department  
of  
Corrections  
Rehabilitation  
and Reentry**



**Department Order Manual**

A handwritten signature in black ink, appearing to read "Ryan Thornell", is written over a horizontal line.

**Ryan Thornell, Director**

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## **PURPOSE**

This Department Order (DO) establishes a standardized and consistent approach by which contractors and/or Program Associates acquire and maintain security clearance access to Arizona Department of Corrections, Rehabilitation and Reentry locations. This DO also establishes procedures for conducting investigations of allegations of criminal activity by contractors and/or Program Associates.

## **PROCEDURES**

### **1.0 CONTRACTOR/PROGRAM ASSOCIATES REQUIREMENTS**

- 1.1 The **Assistant Director for Financial Services** or designee shall ensure contracts are in accordance with DO #302, Contracts and Procurement.
- 1.2 Contractors and Program Associates **must** comply with the following security requirements:
  - 1.2.1 Comply with the terms of this DO and all other relevant rules and/or written instructions. Refer to Attachment A, Stipulated Requirements, for additional information.
  - 1.2.2 Agree to cooperate fully in any criminal investigation process, in accordance with DO #608, Criminal Investigations.
  - 1.2.3 Routine searches of persons, personal property, equipment, and vehicles, in accordance with DO #708, Searches.
  - 1.2.4 The Department's Drug and Alcohol Testing Program, in accordance with DO #522, Drug-Free Workplace.
  - 1.2.5 The company or designee **must**:
    - 1.2.5.1 Notify the Contract Liaison when any contracted or subcontracted employee who had been cleared **and approved** for entrance has been separated from the company.
    - 1.2.5.2 Provide a list of their active employees and subcontracted employees **at the end of each** month.
    - 1.2.5.3 Immediately notify the Contractor Clearance Unit (CCU) upon separation of employment of one of their employees or subcontracted employees.
- 1.3 Upon completion of the review of an ex-offender applicant in accordance with DO #504, Recruitment and Hiring, the CCU and/or the Healthcare Services Division, shall be notified in writing of the decision to approve or deny the contractor's access.
  - 1.3.1 If the applicant is **approved**, access shall be limited to the **specific approved** Department location **only**. Clearance **will** not be valid at any other Department location, **unless specified in the approval**.

- 1.4 Contractors and Program Associates shall be informed, in writing, of the Department's policies on confidentiality of information. Each contractor/Program Associate shall sign the Mission Statement Acknowledgement, Form 501-2, agreeing to abide by them.

## 2.0 CONTRACTORS APPLICATION AND SCREENING PROCESS

- 2.1 The Warden, Bureau Administrator, Contract Coordinator, or designee shall forward the following to the CCU and/or the Healthcare Services Division:
  - 2.1.1 Background investigation documentation specified in DO #602, Background Investigations.
  - 2.1.2 TB Compliance, Form 116-8, which shall be required for frequent and periodic inmate contact, as defined in the Glossary of Terms.
  - 2.1.3 Contractor Information, Form 205-1.
  - 2.1.4 Mission Statement Acknowledgement, Form **501-2**.
- 2.2 When a clearance is required for multiple contractor applicants with incidental contact, as defined in the Glossary of Terms, the Project Coordinator/Program Administrator shall provide a completed Contracted Company/Crew Application List, Form 205-2, to the CCU within 15 **business** days prior to the start of the project.
- 2.3 The CCU and/or the Healthcare Services Division shall review the specific documentation as outlined above before forwarding to the Background Investigations Unit (BIU) in accordance with DO #602, Background Investigations.

## 3.0 PROGRAM ASSOCIATE SCREENING PROCESS

- 3.1 Organizations approved by the Assistant Director **of the Division** shall have a designated lead, who shall coordinate the clearance process for **their** respective Program Associate.
- 3.2 The designated lead shall forward all required forms to the prospective Program Associate and include a list of places to have fingerprints done.
- 3.3 The prospective Program Associate shall complete the following documents and provide them to the designated lead.
  - 3.3.1 Program Associate Information, Form 205-3
  - 3.3.2 Criminal History Request, Form 121-1
  - 3.3.3 Copy of a government issued photo identification (front and back).
  - 3.3.4 Mission Statement Acknowledgement, Form **501-2**
- 3.4 The prospective Program Associate shall contact:
  - 3.4.1 The **Volunteer Coordinator**, who shall schedule the drug test, and email the test results to the designated lead.

3.4.2 The Occupational Health Nurse (OHN), who shall schedule the Tuberculosis (TB) test, and email confirmation to the designated lead.

3.5 The designated lead shall compile **and send** a completed packet (including drug results email), **and** the completed TB Compliance, Form 116-8 (upon receipt of email confirmation from OHN), to the CCU.

3.5.1 The CCU shall review **the packet** and, if complete, send to BIU.

3.5.1.1 **The appropriate Assistant Director shall be the final approving authority.**

**4.0 RENEWAL PROCESS** – This section **applies** to contractors and/or Program Associates cleared to enter Department institutions. It **does not apply** to contractors who only conduct contracted business in the community and/or Community Corrections Centers.

4.1 Contracts/Projects **that Extend Beyond One Year** – A renewal request shall be submitted no sooner than 30 calendar days prior to the ID card expiration date, but no later than 15 calendar days. The Warden, Bureau Administrator, or designee, shall ensure the following documents are received from the contractor and/or Program Associate and forward them to the CCU, and/or the Community Corrections Contract Liaison:

4.1.1 Criminal History Request, Form 121-1

4.1.2 Copy of a government issued photo identification (front and back).

4.1.3 Completed Contractor **Information, Form 205-1**, or Program Associate Information, **Form 205-3**

4.1.4 TB Compliance, **Form 116-8**

4.1.5 Mission Statement Acknowledgement, **Form 501-2**

4.1.6 Copy of current/expiring contractor and/or Program Associate ID card (front and back)

4.2 The completed Criminal History Request, **Form 121-1**, shall be forwarded to the appropriate Arizona Criminal Justice Information System (ACJIS) Operator for processing. Upon completion, the form shall be forwarded to the designated approving authority.

4.2.1 Processed Criminal History Request, **Form 121-1**, with:

4.2.1.1 “No findings” **which** may be approved by the CCU.

4.2.1.2 “Findings” **which** shall be forwarded to the appropriate approving authority. The CCU shall not have approving authority under such circumstances.

4.2.1.2.1 The CCU shall be notified in writing of the approving authority’s decision.

4.3 The CCU shall notify the appropriate Human Resources Liaison, the contracted company’s point of contact, and/or the Program Associate’s designated lead whether an identification card may or may not be renewed in accordance with DO #515, Identification System.

## 5.0 ALLEGATIONS OF CRIMINAL ACTIVITY AND/OR REVOCATION OF A CLEARANCE

- 5.1 If criminal allegations of a contractor and/or Program Associate **are reported** to the Warden, Bureau Administrator, or designee, **they** shall:
- 5.1.1 Immediately request the Criminal Investigations Unit (CIU) conduct an investigation.
  - 5.1.2 **Make the determination** if the subject(s) of the investigation shall be denied access to the Department location pending the outcome of the investigation.
    - 5.1.2.1 Subject(s) shall be denied access pending the outcome of the investigation when the allegation is related to a felony or serious misdemeanor (i.e., assault, harassment, and endangerment).
  - 5.1.3 Immediately notify the CCU and/or the Community Corrections Contract Liaison in writing of a denial or revocation.
  - 5.1.4 When the investigation results determine the allegation(s) of criminal activity is unfounded, permit the subject(s) access to the Department location, and immediately notify the CCU and/or the Community Corrections Contract Liaison in writing when access has been reinstated.
- 5.2 If a contractor and/or Program Associate is denied access to a Department location based on the criminal history obtained from Arizona Crime Information Center/National Crime Information Center (ACIC/NCIC) and/or the ACJIS, the Warden, Bureau Administrator, or designee shall:
- 5.2.1 Advise the CCU of the denial without disclosing the specific information obtained from the inquiry.
  - 5.2.2 Immediately contact the nearest **CIU** office when an ACJIS inquiry has located an outstanding warrant or pending felony charge against a contractor and/or Program Associate.

## DEFINITIONS/GLOSSARY

Refer to the Glossary of Terms for the following:

- Community Corrections Contract Liaison
- Contractor/Program Associate
- Contractor Clearance Unit
- **Frequent Contact**
- Healthcare Services Division
- **Incidental Contact**
- **Non-Department Employee Amount of Inmate Contact**
- **Periodic Contact**
- Program Associate

## ATTACHMENTS

Attachment A, Stipulated Requirements

## **FORMS LIST**

**116-8, TB Compliance**

**121-1, Criminal History Request**

205-1, Contractor Information

205-2, Contracted Company/Crew Application List

205-3, Program Associate Information

**501-2, Mission Statement Acknowledgement**

## **AUTHORITY**

A.R.S. § 13-2316, Computer Tampering; Venue; Forfeiture; Classification

A.R.S. § 41-1750, Central State Repository; Department of Public Safety; Duties; Funds; Accounts; Definitions

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

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

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

## ATTACHMENT A

### STIPULATED REQUIREMENTS

Parameter	Requirement
Alcohol and Illegal Drugs	Prohibited in accordance with DO #522, <u>Drug-Free Workplace</u>
Background Check and Fingerprinting	Refer to DO #602, <u>Background Investigations</u>
Identification Cards	<ul style="list-style-type: none"> <li>• Visiting contractors and/or Program Associates for business and training related purposes (i.e., Pre-bid Conferences) – Department-issued visitor cards shall be worn at all times.</li> <li>• All other contractors and/or Program Associates – Refer to DO #515, <u>Identification System</u>.</li> </ul>
Tuberculosis (TB) Clearance	Refer to DO #116, <u>Employee Communicable Disease Exposure Control Plan</u>
Grooming Standards	Refer to DO #503, <u>Employee Grooming and Dress</u>
Personal Property	<p>For personal property requirements, refer to DO #513, <u>Employee Property</u> and DO #109, <u>Smoking and Tobacco Regulations</u></p> <p>Camera/Cellular Phone:</p> <ul style="list-style-type: none"> <li>• Visiting contractors and/or Program Associates – Permitted in presence of Department escort; restricted to business-related purposes only.</li> <li>• All other contractors and/or Program Associates – Permitted with Warden’s approval, use restricted to business-related purposes only.</li> </ul>
Vehicles	Vehicles shall be locked and parked only in designated areas.
Tool Inventories	<ul style="list-style-type: none"> <li>• Visiting contractors and/or Program Associates – N/A</li> <li>• All other contractors and/or Program Associates – Complete inventory to be maintained on site</li> </ul>
Work Area	Contractors shall remain in their authorized work area(s) at all times under the direction of the Warden, Bureau Administrator, Contract Coordinator, or designee.