

CHAPTER: 200

Public/Public Access

DEPARTMENT ORDER:

205 – Contractor Security

**OFFICE OF PRIMARY
RESPONSIBILITY:**

**DD
AS**

Effective Date:

June 23, 2018

Amendment:

N/A

Supersedes:

DO 205 (1/28/09)

Scheduled Review Date:


TBD

ACCESS

Contains Restricted Section(s)

Arizona Department of Corrections

Department Order Manual



Charles L. Ryan, Director

TABLE OF CONTENTS

PURPOSE	1
PROCEDURES	1
1.0 CONTRACTOR REQUIREMENTS	1
2.0 APPLICATION AND SCREENING PROCESS	2
3.0 CONTRACTOR RENEWAL	2
4.0 ALLEGATIONS OF CRIMINAL ACTIVITY	3
DEFINITIONS/GLOSSARY	3
ATTACHMENTS	4
FORMS LIST	4
AUTHORITY	4

PURPOSE

This Department Order establishes a standardized and consistent approach by which contractors acquire and maintain security clearance access to Arizona Department of Corrections locations. This Department Order also establishes procedures for conducting investigations of allegations of criminal activity by contractors.

PROCEDURES

1.0 CONTRACTOR REQUIREMENTS

- 1.1 The Division Director for Administrative Services or designee shall ensure contracts are in accordance with Department Order #302, Contracts and Procurement, and include the following security requirements:
 - 1.1.1 Contractors shall comply with the terms of this Department Order and all other relevant rules and/or written instructions. Refer to Attachment A, Stipulated Requirements for Contractors, for additional information.
 - 1.1.2 Contractors shall agree to cooperate fully in any criminal investigation process, in accordance with Department Order #608, Criminal Investigations.
 - 1.1.3 Routine searches of persons, personal property, equipment, and vehicles shall be conducted in accordance with Department Order #708, Searches.
 - 1.1.4 Contractors shall comply with the Department's Drug and Alcohol Testing Program, in accordance with Department Order #522, Drug-Free Workplace.
 - 1.1.5 The contracted company or designee shall:
 - 1.1.5.1 For Community Corrections contractors, notify the Contract Liaison when any contracted or subcontracted employee who had been cleared for entrance into a Community Corrections Center or prison has been separated from the company.
 - 1.1.5.2 For all other contractors:
 - 1.1.5.2.1 Provide the Contractor Clearance Unit (CCU) and/or the Health Services Contract Monitoring Bureau (HSCMB) a list of their active employees and subcontracted employees by month end.
 - 1.1.5.2.2 Immediately notify the CCU and/or the HSCMB upon separation of employment of one of their employees or subcontracted employees.
- 1.2 Upon completion of the review of an ex-offender contractor applicant in accordance with Department Order #504, Recruitment and Hiring, the CCU and/or the HSCMB shall be notified in writing of the decision to approve or deny the contractor's access.

- 1.2.1 If the contractor is authorized access, the access shall be limited to the Department location where the access was approved. The contractor clearance shall not be valid at any other Department location.

2.0 APPLICATION AND SCREENING PROCESS

- 2.1 The Warden, Bureau Administrator, Contract Coordinator or designee shall forward the following to the CCU and/or the HSCMB:
 - 2.1.1 The background investigation documentation specified in Department Order #602, Background Investigations. Refer to the Glossary of Terms for the definition of Non-Department Employee Amount of Contact and Attachment A, Required Background Investigation Documentation, for specific documentation requirements.
 - 2.1.2 A Contractor 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 A Contractor Information, Form 205-1.
- 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 workdays of the start of the project.
- 2.3 The CCU and/or the HSCMB shall review the specific documentation as outlined above before forwarding to the Background Investigations Unit (BIU) in accordance with Department Order #602, Background Investigations.

3.0 CONTRACTOR RENEWAL – This section is applicable to contractors cleared to enter Department institutions. It is not applicable to contractors who only conduct contracted business in the community and/or Community Corrections Centers.

- 3.1 Contracts/Projects Continuing For More Than One Year – A minimum of 15 business days prior to the contractor’s ID card expiration date, the Warden, Bureau Administrator, Contract Coordinator or designee shall receive the following documents from the contractor and forward them to the CCU, Community Corrections Contract Liaison and/or the HSCMB:
 - 3.1.1 Criminal History Request, Form 121-1
 - 3.1.2 Copy of a valid driver’s license or government-issued photo identification (front and back)
 - 3.1.3 A completed Contractor Information form
 - 3.1.4 A Contractor TB Compliance form as outlined in this Department Order
 - 3.1.5 Copy of current/expiring contractor ID card (front and back)
- 3.2 The completed Criminal History Request form 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.

- 3.2.1 Processed Criminal History Request forms with:
 - 3.2.1.1 No findings shall be approved by the CCU.
 - 3.2.1.2 Findings shall be forwarded to the appropriate Approving Authority. The CCU shall not have approving authority under such circumstances.
 - 3.2.1.2.1 The CCU shall be notified in writing of the Approving Authority's decision.
- 3.3 The CCU shall notify the appropriate Human Resources Liaison and the contracted company's point of contact whether a contractor's identification card may or may not be renewed in accordance with Department Order #515, Identification System.

4.0 ALLEGATIONS OF CRIMINAL ACTIVITY

- 4.1 In the event there are allegations of contractor criminal activity, the Warden, Bureau Administrator or designee shall:
 - 4.1.1 Immediately request the nearest Criminal Investigations Unit to conduct an investigation.
 - 4.1.2 Determine if the subject(s) of the investigation shall be denied access to the Department location pending the outcome of the investigation.
 - 4.1.2.1 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).
 - 4.1.3 Immediately notify the CCU, the Community Corrections Contract Liaison, and/or the HSCMB in writing of the denial.
 - 4.1.4 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, Community Corrections Contract Liaison, and/or the HSCMB in writing when access has been reinstated.
- 4.2 If a contractor 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 Arizona Criminal Justice Identification System (ACJIS), the Warden, Bureau Administrator or designee shall:
 - 4.2.1 Advise the CCU, Community Corrections Contract Liaison, and/or the HSCMB and the contractor's employer of the denial without disclosing the specific information obtained from the inquiry.
 - 4.2.2 Immediately contact the nearest Criminal Investigations Unit office when an ACJIS inquiry has located an outstanding warrant or pending felony charge against a contractor.

DEFINITIONS/GLOSSARY

Refer to the Glossary of Terms

ATTACHMENTS

Attachment A, Stipulated Requirements for Contractors

FORMS LIST

205-1, Contractor Information
205-2, Contracted Company/Crew Application List

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; Definitions
28 CFR 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 FOR CONTRACTORS

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