



**DEPARTMENT OF PUBLIC SAFETY  
POLICIES & PROCEDURES**



<b>POLICY NUMBER</b>	
PRS: 06	
<b>EFFECTIVE DATE:</b> 05/23/2016	<b>ORIGINAL ISSUED ON:</b> 05/23/2016
<b>REVISION NO:</b>  ORIGINAL	

**SUBJECT: BIANNUAL LIMITED BACKGROUND INVESTIGATIONS**

**1.0 PURPOSE**

The purpose of this policy is to establish requirements for biannual limited background investigations on specific Department of Public Safety (DPS) personnel.

**2.0 POLICY**

It is the policy of the Department of Public Safety to conduct biannual limited background investigations on specific Department of Public Safety personnel, in order to ensure compliance with job requirements.

**3.0 APPLICABILITY**

This policy applies to all personnel in safety sensitive positions, and other employees who are allowed to operate department issued vehicles.

**4.0 REFERENCES**

NONE

**5.0 DEFINITIONS**

- A. **DPS** – Department of Public Safety.
- B. **Driver’s License Check** – Driver’s history and current license status.
- C. **Employee** – Any person employed by the Department of Public Safety.
- D. **Interstate Identification Index (III)** – A database maintained by the Federal Bureau of Investigation that compiles records from each state criminal record repository as well as records from federal and international criminal justice agencies.
- E. **Limited Background Investigation** – An investigation that consists of a driver’s license, criminal and/or civil court case, National Crime Information Center (NCIC), and Interstate Identification Index (III) checks.
- F. **National Crime Information Center (NCIC)** – A Federal Bureau of Investigation database containing information on: supervised release, National Sex Offender Registry, foreign fugitive, immigration violator, missing person, protection order, unidentified person, U.S. Secret Service protective, gang, known or appropriately suspected terrorist, wanted person, identity theft, violent person, and National Instant Criminal Background Check System (NICS) denied transaction.
- G. **Safety Sensitive Position** – A position approved as such by the State Personnel Board, including a supervisory or managerial position in which impairment by drug or alcohol use would constitute an immediate and direct threat to public health or safety and, includes, but is not limited to: health care providers, peace officers, pilots, correctional officers, employees who are required to carry a firearm, employees who regularly transport other people as their principal job, and positions involving use of equipment that could pose a risk to public health or safety.

## BIANNUAL LIMITED BACKGROUND INVESTIGATIONS

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### 6.0 PROCEDURE

- A. A limited background investigation will be conducted on all DPS personnel who are in safety sensitive positions. Reference can be made to *Attachment A. List of DPS Safety Sensitive Positions*. Other civilian personnel, who are not in safety sensitive positions, and who are allowed to operate a department issued vehicle, will require a driver's license check only.
- B. All investigations will be completed twice a year, at the discretion of the Standards Bureau Commander.
- C. The Standards Bureau Commander will create a current list of employees to whom this policy applies. This list will be forwarded to the Law Enforcement Records Bureau (LERB) and include the following information:
  - 1. The employee's name;
  - 2. The type of background investigation that is required for that employee (limited or driver's license check only);
  - 3. The employee's date of birth;
  - 4. The employee's social security number; and
  - 5. The employee's driver's license number.
- D. The LERB will perform the appropriate investigation on each employee and return the results to the Standards Bureau Commander.
- E. With the results provided by the LERB, **the Standards Bureau Commander** will notify the commander for each employee with a questionable return to have an Administrative Inquiry completed. The commander will be provided a copy of all documentation related to that employee. Examples of questionable information may include, but not be limited to: a warrant for arrest, an active restraining order, an active criminal or civil case, or a suspended/revoked license.
- F. In the event questionable information develops during the investigation, the employee will be given a reasonable opportunity by his/her supervisor to view the documents that contain the questionable information, and explain, take care of, and/or refute the discoveries.
- G. If, after speaking with the employee, the employee's supervisor believes the information needs further investigation, the supervisor shall forward the inquiry and any supporting documentation to the Internal Affairs Division Commander. If appropriate, the employee may be placed on administrative leave or administrative duties pending the outcome of the Internal Affairs Investigation. Reference can be made to *ADM: 04 Internal Investigations* for guidance.
- H. If no questionable information develops, the Standards Bureau Commander will retain the data provided by LERB. .

### 7.0 ATTACHMENT

- A. **List of DPS Safety Sensitive Positions**

### 8.0 APPROVAL

APPROVED BY: S/ Scott Weaver DATE: May 23, 2016  
DPS Cabinet Secretary