

ALBANY COUNTY FIRE DISTRICT 1

Background Check Policy

Approved: 12/21/2022; Luke Hawkins, Brett Wadsworth, Matt Burkhart

Criminal History Record Information (CHRI)

1. Rules and Behavior.

a. Responsible Party.

- i. The individual who is to review and determine suitability must submit to a background check through Division of Criminal Investigation (DCI) following the below instructions.
- ii. The responsible party will need to maintain all retained CHRI in a secure environment accessible only to the responsible party.
 1. CHRI cannot be kept in personnel files as they are accessible to more than the responsible party.
 2. All CHRI will be stored in a secure environment with limited access only to the responsible party.
 3. CHRI will only be retained until suitability is determined by the responsible party unless an applicant is denied.
 4. Denied applicants CHRI will be maintained for a reasonable amount of time to ensure all challenges/appeals have been concluded.
 5. All CHRI will be destroyed by shredding when no longer needed for applicant suitability.
 6. Misuse of CHRI may result in disciplinary action up to and including termination as per agency disciplinary policy.
 7. Only the responsible party may view CHRI.
 8. It is the responsible party's responsibility to make the suitability determination.

b. Background Check Instructions.

- i. The applicant will contact the Albany County Sheriff's Office (ACSO) to determine a time and place for the fingerprinting and legal documents required.
- ii. The applicant will submit to the fingerprinting at the ACSO Detention Facility.
 1. W.S. 7-19-106 and 7-19-201 are the enabling laws for these background checks.
- iii. Once the fingerprints have been taken.
 1. Do not fold, bend or otherwise damage the cards.
- iv. Deliver the fingerprint cards to the District's Responsible Party so the cards can be mailed to DCI.
- v. Albany County Fire District (ACFD1) will provide payment for the background check.

c. Who is required to submit to background checks.

- i. W.S. 7-19-201 (a) states “The following persons shall be required to submit to fingerprinting in order to obtain state and national criminal history record information.” (public safety)
- d. Items that would disqualify a potential volunteer from becoming a member of a volunteer fire department within ACFD1.
 - i. Criminal Background Check:
 1. Any criminal Felony Conviction or entered plea of guilty or no contest.
 2. Any criminal Misdemeanor Conviction or entered plea of guilty or no contest, other than a misdemeanor traffic violation or conviction, which is less than three (3) years old.
 - ii. Traffic Violation / Conviction:
 1. Convicted of three (3) or more on-duty or off-duty moving violations within the previous 36 months (three separate, individual incidents);
 2. A conviction within the previous 36 months of any of the following:
 - a. Driving under the influence of drugs or alcohol;
 - b. Leaving the scene of an accident;
 - c. Fleeing to avoid arrest;
 - d. Reckless Driving;
 - e. Homicide or assault by motor vehicle;
 - f. Driving without auto insurance;
 - g. Driving on a suspended license;
 - h. Refusal to take blood/breathalyzer test for suspected DUI or impaired driving.
 3. For all purposes herein, a conviction shall mean and include entered pleas of guilty or no contest.