

Georgia Department of Public Safety

Policy Manual

SUBJECT PRE-EMPLOYMENT BACKGROUND INVESTIGATIONS Office of Professional Standards	POLICY NUMBER 19.01
DISTRIBUTION SWORN EMPLOYEES	REVISED DATE 4/20/2018
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19.01.1 Purpose

The background investigation is to be a thorough, concise and factual inquiry into an applicant's suitability for employment with the Department of Public Safety. The background investigation should document both weak and strong characteristics of the applicant. The application process may be terminated at any time if it is discovered that minimum hiring requirements are not met. Careful attention should be given when any derogatory information about an applicant is developed and every effort should be made to prove or disprove the information. Any information obtained or developed is strictly confidential and will be released only as required by law.

19.01.2 Procedures

A. General

1. The background investigation, which is strictly confidential, shall be documented in the following format:
 - a. Interview summaries shall be a synopsis of the answers given in response to required questions.
 - b. Interview summaries shall be a synopsis of information of an exceptionally positive nature, information reflecting negative comments, or information requiring follow-up investigation.
 - c. Interview summaries shall contain a statement that all pertinent issues and required questions were addressed.
2. Members of the Office of Professional Standards and other authorized members of the Department of Public Safety shall conduct background investigations under the direction of the Director of the Office of Professional Standards.
3. Investigators shall complete appropriate training as deemed necessary by the Director of the Office of Professional Standards.
4. Background investigations will be conducted without regard to race, color, creed, national origin, ancestry, citizenship, religion, political opinions or affiliations, age, disability, genetic information, gender, pregnancy, childbirth or related condition, military or veteran status, or other status protected by federal or state law or regulation.

5. Completed background investigations shall be forwarded to the Human Resources Director following a case review by the Director of the Office of Professional Standards or their designee. The Investigator shall retain no copies of background investigations. All background investigations shall be maintained by the Office of Professional Standards in accordance with the Department retention schedule.
6. In the event an investigation is terminated, a complete summary describing the reason for terminating the investigation shall be submitted to the Director of the Office of Professional Standards.
7. When conducting background investigations on out-of-state applicants, investigators shall seek guidance from the Director of the Office of Professional Standards concerning the appropriateness of travel by the investigator in furtherance of the investigation.
8. Division Directors may conduct additional pre-employment reference checks, to supplement the Office of Professional Standards pre-employment background investigation.

B. Responsibilities

1. Human Resources Division shall:
 - a. Be responsible for initial entry and updates to the Applicant Tracking System database.
 - b. Send pre-employment background packets to applicants and upon return from the applicants, shall review for compliance with minimum employment standards.
 - c. Conduct, at a minimum, the following intelligence queries relative to the applicant:
 - 1) Driver's Record
 - 2) Criminal Record
 - 3) Financial/Credit Record
 - 4) Military Service Records (if applicable)
 - d. Ensure that any previous files on the applicant are noted to the Background Investigations Unit along with the current request for investigation.
 - e. Be responsible for sending notice of disqualification to applicants deemed unsuitable for employment under DPS Minimum Employment Standards.
 - f. Return any investigative files to the Office of Professional Standards for retention.
2. Background Investigations Unit shall:
 - a. Be responsible for scheduling the applicant for a polygraph examination.

- 1) Polygraph examiners shall have successfully completed a basic course of polygraph instruction at a polygraph school accredited by the American Polygraph Association and meet all requirements for membership in the American Polygraph Association.
- 2) The Human Resources Director and the Director of the Office of Professional Standards shall obtain results from the agency conducting the exam for review.
 - b. If an individual is unable to complete a polygraph examination, their application shall be placed in a pending status until such time that they are able to satisfactorily complete the polygraph exam.
 - c. Review the applicant's Pre-Employment Polygraph Screening Booklet, extracting relevant information contained therein and providing that information to Investigators to be used for the purpose of investigative leads.
 - d. If minimum employment standards are met, following a polygraph examination, submit the applicant's fingerprints to the state and federal law enforcement authorities.
 - e. Assign, after the review of the Background Supervisor, the applicant's background investigation to an Investigator and be responsible for the initial review of the completed investigative file prior to the final review by the Director of the Office of Professional Standards or their designee.
 - f. Be responsible for updating the Applicant Tracking System database throughout the investigative process.
 - g. Maintain investigative files in a secure location for the time-periods specified in Department retention schedule.
3. Investigator

The Investigator shall be responsible for conducting the background investigation and for properly documenting the relevant information in investigative summaries. In addition, the investigator shall:

- a. Avoid unwarranted invasions of the applicant's privacy while, at the same time, developing the information necessary to evaluate the applicant's suitability for employment.
- b. Ensure that all information obtained during the background investigation is treated as strictly confidential at all times.

4. Director of the Office of Professional Standards

The Director shall be responsible for directing the investigation, reviewing all documentation, and ensuring that the investigation is completed in compliance with Department of Public Safety standards, as well as providing training to departmental personnel designated as Investigators.

C. Standard Operating Procedures

1. Investigators assigned to conduct background investigations shall be furnished the following documentation:
 - a. Pre-employment Questionnaire completed by the applicant.
 - b. Personal Data Form completed by the applicant.
 - c. Certified copy of Birth Certificate.
 - d. Proof of citizenship or legal residence in the United States.
 - e. Authorization for Release of Personal Information and Release of Credit History signed by the applicant.
 - f. Full-length photograph of the applicant.
 - g. High School transcripts.
 - h. College transcripts.
 - i. DD-214 Military Discharge for each period of military service completed by the applicant.
 - j. Military Service Records (if discharge was other than Honorable or General Under Honorable Conditions).
 - k. Proof of Georgia Peace Officer's Standards and Training Council (P.O.S.T.C.) Certification.
 - l. Proof of compliance with the Federal Selective Service Act (if male between 18 and 26 years of age).
 - m. Results of all intelligence queries completed.
 - n. Results of any prior DPS background investigation on applicant.
2. Evaluations of applicants are strictly confidential and not subject to disclosure. At the start of all interviews in background investigations, those persons being interviewed shall be advised by the investigator of the reason for the interview. The investigator shall also inform them that their evaluations of the applicant will be strictly confidential. The advisement to the person being interviewed shall be documented in the appropriate area of the Investigative Summary.
3. If derogatory information is developed during the review of the applicant's data, it shall be noted in the Investigative Summary.

D. Interview With Applicant

1. At some point during the background investigation, the investigator will conduct an in-person interview with the applicant if feasible, If an in-person interview is not achievable, the investigation will accomplish the interview via telephone or electronic conferencing. During all applicant interviews the investigator shall:
 - a. Review with the applicant the Pre-Employment Questionnaire and the Personal Data Form to ensure accuracy and completeness of all information.

The applicant will initial any changes on the form.

- b. Solicit explanation or clarification from the applicant concerning any derogatory or contradictory information listed on either form or in the documents provided by the applicant. The applicant shall be required to discuss any questionable or unfavorable information and to provide a statement concerning the details of the incident(s) and the circumstances surrounding each.
 - c. Solicit explanation or clarification from applicant concerning any derogatory or contradictory information revealed in the background investigation or intelligence queries not previously disclosed by the applicant.
2. During the interview, at a minimum, the applicant shall be asked the following questions (Exhibit 19.01-1)

E. Local Law Enforcement References

The investigator shall inquire for any criminal history or intelligence with local law enforcement authorities (city, county, current and/or retired DPS personnel) in the area where the applicant lives or has previously lived as an adult.

F. Personal References

1. The investigator shall interview no less than three individuals, either in person or by telephone, listed by the applicant as personal references. The personal references are to appraise the character, ability and experience of the applicant. If derogatory information is provided by the personal reference, the information shall be included in the interview summary. During the interview, the investigator shall, at a minimum, ask the following required questions:
 - a. Are you related to the applicant? If so, what is your relationship?
 - b. How long have you known the applicant? In what capacity?
 - c. Where and how did you become acquainted with the applicant?
 - d. If you discuss something with the applicant in confidence, will that confidentiality be maintained?
 - e. Have you ever seen the applicant intoxicated? If yes, describe the circumstances.
 - f. Have you ever seen the applicant use illegal drugs?
 - g. To your knowledge, has the applicant expressed or displayed any prejudice towards any racial, sexual, ethnic or religious groups?
 - h. To your knowledge, does the applicant meet family and personal obligations in a prompt and complete manner?
 - i. To your knowledge, what is the applicant's reputation in the community relative to past personal behavior and integrity?

- j. Are you aware of any circumstances or conditions that might disqualify the applicant from employment with a law enforcement agency or affect their suitability for the position under consideration? If yes, explain.
 - k. To your knowledge, is the applicant loyal to the government of the United States?
 - l. Do you consider the applicant to be a good candidate for a position with the Department of Public Safety?
 - m. Among the persons who know the applicant, which individual knows the applicant best and could respond to the questions, which I have asked you?
2. If the applicant did not list the additional persons identified during the interviews as references, the investigator is to follow-up and conduct similar interviews with at least two of them. It is the responsibility of the investigator to ensure that a minimum of two persons not listed by the applicant is interviewed.

G. Interview of Independent References

1. Individual references may include but are not limited to:
 - a. Persons whose names were obtained from references provided by the applicant.
 - b. Co-worker or former co-workers.
 - c. Members or Pastor of applicant's church.
 - d. Members of social/civic clubs to which applicant belongs.
 - e. Neighbors or former neighbors.
 - f. Relatives other than immediate family.
2. The investigator should be cognizant that personal feelings may influence the responses of any individual reference in the interview. Therefore, allegations of adverse conduct by the applicant should be independently substantiated if possible.
3. During the interview, the individual reference shall be advised that their answers are strictly confidential and informed of the position that the applicant is seeking and the duties/responsibilities. With the exception of Question (m), interviews with independent references shall be conducted in the same manner as the personal reference interviews set forth in Section F. The independent references shall also be asked the following question:

"Are you aware of any circumstances, which may disqualify the applicant from employment with a law enforcement agency?"

H. Interview of Acquaintances

Under normal circumstances, there is no need to conduct interviews with the acquaintances listed by the applicant on the Personal Data Form. If, in the opinion of the investigator or Director of Office of Professional Standards, there is a need to conduct additional interviews, for any reason, it is within the discretion of the

investigator and/or Director to conduct interviews with one or more of the acquaintances. With the exception of Question (m), interviews with acquaintances will be conducted in the same manner as the personal reference interviews set forth in Section F, and shall remain strictly confidential.

I. Employers

1. The investigator is required to interview the present and past employers listed by the applicant. The number of past employers contacted shall be at the discretion of the investigator who shall be responsible for ensuring that the applicant's work history is adequately investigated.
2. When conducting the interviews with employers, the investigator shall utilize a signed Authorization for the Release of Personal Information. The investigator shall outline the position for which the applicant has applied and the duties related to such a position. Any information of an extraordinarily positive or negative nature shall be documented. At a minimum, the investigator shall ask the following questions in relation to the applicant's work history:
 - a. What are the exact dates of employment?
 - b. Describe the applicant's job title and the duties related to the employment?
 - c. What circumstances are associated with the applicant's leaving the employment?
 - d. Would the applicant be eligible for rehire?
 - e. Was the applicant punctual and dependable?
 - f. Was the applicant ever disciplined? If yes, describe action taken.
 - g. How did the applicant get along with co-workers?
 - h. Was the applicant a productive worker?
 - i. Did the applicant abuse leave?
 - j. Was the employer ever contacted by the applicant's creditors for the purpose of obtaining assistance in rendering of payments?
 - k. What was the applicant's reputation for honesty?
 - l. Did the applicant ever display any evidence of racial, sexual, ethnic or religious prejudice?
 - m. To your knowledge, what is the applicant's reputation with supervisors and co-workers relative to personal conduct and integrity?
 - n. Are you aware of any circumstance that might disqualify the applicant from employment with a law enforcement agency?
3. Copies of any relevant personnel information provided by employers will be incorporated into the investigator's report and shall remain strictly confidential.

4. If possible, the investigator shall ensure that the immediate supervisor is interviewed concerning the applicant's work habits and reputation for integrity.

J. Education Record Verification

The investigator shall ensure that the transcripts provided by the applicant from all high schools and colleges/universities attended are verified if the authenticity of the documents is in question.

K. P.O.S.T.C. Certification

If the applicant has ever been P.O.S.T.C. certified in Georgia, the investigator would make inquiry with the Peace Officer's Standard and Training Council (P.O.S.T.C.) any adverse information which is obtained will be appropriately investigated by the investigator.

L. Military Service Record

If the applicant served in the military services, the investigator shall contact the Military Police and/or Criminal Investigative Division of the duty stations listed for any record of applicant. If the applicant was discharged under less than honorable conditions, military records may be obtained and reviewed for any adverse information.

M. Intelligence Queries

The investigator shall review the queries provided in the background packet and shall investigate any adverse information.

N. Background Investigation File Review

The Director of the Office of Professional Standards or their designee shall thoroughly review each completed background investigation file and make an assessment as to the applicant's suitability as an employee. The completed investigative report shall be forwarded to the Human Resources Director for review.

- O. Updated background investigations shall routinely be conducted on applicants who have full pre-employment background investigations on file with the Department of Public Safety and not more than six months since the conclusion of the preceding investigations. Investigative efforts shall begin from the closed date of the previous investigation.

- P. Full background investigations shall not routinely be conducted when assistance is requested from local, state and federal law enforcement agencies. Investigative efforts shall be dictated by details of the request and information provided by requestor as well as limitations of the agency's Release of Personal Information.