

Moral Fitness and Criminal Background Information

Discretionary Grounds for Denying, Suspending or Revoking Private Security Certification or Licensure:

The Department may deny or revoke the certification or licensure of any applicant or private security provider after written notice and hearing, if requested, upon finding that an applicant or private security provider:

Fails to meet the minimum standards for certification or licensure as a private security provider as defined in OAR 259-060-0020;

Has falsified any information submitted on the application for certification or licensure or any documents submitted to the Department pertaining to private security certification or licensure;

Has violated any of the temporary assignment provisions of OAR 259-060-0120(1);

Has failed to submit properly completed forms or documentation in a time frame as designated by the Department;

Has failed to pay a civil penalty or fee imposed by the Department when due;

Has failed to comply with any provisions found in the Act or these rules; or

Lacks moral fitness.

For the purposes of this standard, the Department, through the Policy Committee and Board, has defined lack of moral fitness as:

Dishonesty. Lack of honesty includes, but is not limited to, untruthfulness, dishonesty by admission or omission, deception, misrepresentation or falsification;

Lack of Good Character. Lack of good character includes, but is not limited to, failure to be faithful and loyal to the employer's charge and failure to use discretion and compassion;

Mistreatment of Others. Mistreatment of others includes, but is not limited to, violating another person's rights and failure to respect others;

Lack of Public Trust. Failure to maintain public trust and confidence includes, but is not limited to, acting in an unlawful manner or not adhering to recognized industry standards; or

Lack of Respect for the Laws of this State or Nation. Lack of respect for the laws of this state and nation includes a pattern of behavior which leads to three or more arrests or convictions within a ten-year period prior to application or during certification or licensure.

CRIMINAL HISTORY – Certain convictions DISQUALIFY you from being certified and you will not be allowed to work as a private security provider, under Oregon law. The attached criminal disqualifier list is provided for you to determine whether or not you want to apply. If you apply for certification or licensure and your criminal background check shows that you have been convicted of any of the below listed crimes or equivalent crimes in other jurisdiction your application will be disqualified. Please call DPSST at 503 378-8531 if you have any questions. NOTE: If you have history that you believe should have been “expunged” or removed from your record, but you do not **know** (proof in hand) that it was expunged or removed; you should verify your belief prior to applying. A crime is not removed from your record until you go through the formal process to have it removed. Believing a conviction was removed, or forgetting a conviction existed, is not a valid defense and your application for certification or licensure may be denied.

PERSON FELONIES, Life time disqualifiers

Person Felonies are in numerical statutory order.

CRIMES OF DOMESTIC VIOLENCE, 10-year disqualifiers

Any misdemeanor crime of domestic violence as defined in statute.

DRUG-RELATED MISDEMEANORS/FELONIES, 10-year disqualifiers

All drug-related offenses above violation level.

NON-PERSON FELONIES, 10-year disqualifiers

All other felonies in addition to the person felonies listed below.

PERSON CLASS A MISDEMEANORS, 10-year disqualifiers

All person misdemeanors listed below.

ADDITIONAL MISDEMEANORS, 10-year disqualifiers

ANY MISDEMEANOR ARISING FROM CONDUCT WHILE ON DUTY AS A PRIVATE SECURITY PROVIDER, 10-year disqualifier

The list(s) below identifies the name of the crime and the statute number under Oregon law. Equivalent crimes committed in any other jurisdiction (including the military) or as a juvenile carry the same period of disqualification.

Person Felonies are in numerical statutory order and are lifetime disqualifiers.

ORS 162.165 Escape I

ORS 162.185 Supplying Contraband in Crime Categories 6 and 7 (OAR 213-018-0070(1) and (2))

ORS 163.095 Aggravated Murder

ORS 163.115 Murder

ORS 163.115 Felony Murder

ORS 163.118 Manslaughter I

Person Felonies continued

ORS 163.125 Manslaughter II

ORS 163.145 Negligent Homicide

ORS 163.160(3) Felony Domestic Assault

ORS 163.165 Assault III

ORS 163.175 Assault II

ORS 163.185 Assault I

ORS 163.187(4) Felony Strangulation

ORS 163.196 Aggravated Driving While Suspended or Revoked

ORS 163.205 Criminal Mistreatment I

ORS 163.207 Female Genital Mutilation

ORS 163.208 Assaulting a Public Safety Officer

ORS 163.213 Use of Stun Gun, Tear Gas, Mace I

ORS 163.225 Kidnapping II

ORS 163.235 Kidnapping I

ORS 163.264 Subjecting another Person to Involuntary Servitude

ORS 163.266 Trafficking in Persons

ORS 163.275 Coercion in Crime Category 7 (OAR 213-018-0035(1))

ORS 163.355 Rape III

ORS 163.365 Rape II

ORS 163.375 Rape I

ORS 163.385 Sodomy III

ORS 163.395 Sodomy II

ORS 163.405 Sodomy I

ORS 163.408 Sexual Penetration II

ORS 163.411 Sexual Penetration I

ORS 163.413 Purchasing Sex with a Minor

ORS 163.425 Sexual Abuse II

ORS 163.427 Sexual Abuse I

ORS 163.465 Felony Public Indecency

ORS 163.479 Unlawful Contact with a Child

ORS 163.452 Custodial Sexual Misconduct in the First Degree

ORS 163.525 Incest

ORS 163.535 Abandon Child

ORS 163.537 Buying/Selling Custody of a Minor

ORS 163.547 Child Neglect I

ORS 163.670 Using Child in Display of Sexual Conduct

ORS 163.684 Encouraging Child Sex Abuse I

ORS 163.686 Encouraging Child Sex Abuse II

ORS 163.688, Possession of Material Depicting Sexually Explicit Conduct of Child I

ORS 163.689, Possession of Material Depicting Sexually Explicit Conduct of Child II

ORS 163.732 Stalking

ORS 163.750 Violation of Court's Stalking Order

ORS 164.075 Theft by Extortion Crime Category 7 (OAR 213-018-0075(1))

ORS 164.225 Burglary I Crime Categories 8 and 9 (OAR 213-018-0025(1) and (2))

ORS 164.325 Arson I

ORS 164.395 Robbery III

ORS 164.405 Robbery II

Person Felonies continued

ORS 164.415 Robbery I

ORS 164.877(3) Tree Spiking (Injury)

ORS 166.070 Aggravated Harassment

ORS 166.087 Abuse of Corpse I

ORS 166.149 Aggravated Vehicular Homicide

ORS 166.165 Intimidation I

ORS 166.220 Unlawful Use of a Weapon

ORS 166.275 Inmate in Possession of Weapon

ORS 166.385(3), Felony Possession of a Hoax Destructive Device

ORS 166.643 Unlawful Possession of Soft Body Armor Crime Category 6 (OAR 213-018-0090(1))

ORS 167.057 Luring a Minor Online Sexual Corruption of a Child I

ORS 167.012 Promoting Prostitution

ORS 167.017 Compelling Prostitution

ORS 167.320(4) Felony Animal Abuse I ORS 167.322 Aggravated Animal Abuse I

ORS 468.951 Environmental Endangerment

ORS 475.840(6) (a) Manufacturing or Delivering a Schedule IV Controlled Substance Thereby Causing Death to a Person

ORS 475.908 Causing Another to Ingest a Controlled Substance Crime Categories 8 and 9 (OAR 213- 019-0007 and 0008)

ORS 475.910 Unlawful Administration of a Controlled Substance Crime Categories 5, 8, and 9 (OAR 213-019-0007, 0008, and 0011)

ORS 609.990(3) (b) Maintaining Dangerous Dog

ORS 811.705 Hit and Run Vehicle (Injury)

ORS 813.010(5), Felony Driving Under the Influence of Intoxicants (as provided in OAR 213-004-0009); 2011 Or Laws Ch. 598

ORS 830.475(2) Hit and Run Boat

ORS 97.981 Purchase or Sale of a Body Part for Transplantation or Therapy

ORS 97.982 Alteration of a Document of Anatomical Gift

Attempts or solicitations to commit any Class A or Class B person felonies.

Person Misdemeanors are in numerical statutory order and are 10-year disqualifiers.

ORS 162.315 Resisting Arrest

ORS 163.160 Assault IV

ORS 163.187 Strangulation

ORS 163.190 Menacing

ORS 163.195 Recklessly Endanger Another

ORS 163.200 Criminal Mistreatment II

ORS 163.212 Use of Stun Gun, Tear Gas, Mace II

ORS 163.415 Sexual Abuse III

ORS 163.454 Custodial Sexual Misconduct in the Second Degree

ORS 163.465 Public Indecency

ORS 163.467 Private Indecency

ORS 163.476 Unlawfully Being in a Location Where Children Regularly Congregate

ORS 163.545 Child Neglect II

ORS 163.575 Endanger Welfare of Minor

Person Misdemeanors continued

ORS 163.687 Encouraging Child Sex Abuse III

ORS 163.700 Invasion of Personal Privacy

ORS 163.709 Unlawfully Directing a Laser Pointer

ORS 163.732(1) Stalking

ORS 163.750(1) Violating Court's Stalking Order

ORS 165.572 Interfering with Making a Police Report

ORS 166.065(4) Harassment/Offensive Sexual Contact

ORS 166.155 Intimidation II

ORS 166.385(2) Misdemeanor Possession of a Hoax Destructive Device

ORS 475.986(1) (d) Unlawful Administration of a Controlled Substance

ORS 609.990(3) (a) Maintaining Dangerous Dog

ORS 813.010, Driving Under the Influence of Intoxicants (in OAR 213-004-0009)

ORS 167.054 Furnishing Sexually Explicit Material to a Child

Attempts or solicitations to commit any Class C person felonies.

Additional Misdemeanors, are in numerical statutory order and are 10-yr disqualifiers

ORS 161.405(2) (d) Attempt to Commit a Class C Felony or Unclassified Felony

ORS 161.435(2) (d) Solicitation of a Class C Felony

ORS 161.450(2) (d) Conspiracy to Commit a Class A misdemeanor

ORS 162.075 False Swearing

ORS 162.085 Unsworn Falsification

ORS 162.145 Escape III

ORS 162.235 Obstructing Governmental or Judicial Administration

ORS 162.247 Interfering with a Peace Officer

ORS 162.295 Tampering with Physical Evidence

ORS 162.335 Compounding a Felony

ORS 162.365 Criminal Impersonation

ORS 162.369 Possession of a False Law Enforcement Identification Card

ORS 162.375 Initiating a False Report

ORS 162.385 Giving False Information to Police Officer for a Citation or Arrest on a Warrant

ORS 162.415 Official Misconduct I

ORS 163.435 Contributing to the Sexual Delinquency of a Minor

ORS 164.043 Theft III

ORS 164.045 Theft II

ORS 164.125 Theft of Services

ORS 164.140 Criminal Possession of Rented or Leased Personal Property

ORS 164.235 Possession of Burglar's Tools

ORS 164.255 Criminal Trespass I

ORS 164.265 Criminal Trespass while in Possession of a Firearm

ORS 164.335 Reckless Burning

ORS 164.354 Criminal Mischief II

ORS 164.369 Interfering with Police Animal

ORS 164.377(4) Computer Crime

ORS 165.007 Forgery II

ORS 165.055(4) (a) Fraudulent Use of a Credit Card

ORS 165.065 Negotiating a Bad Check

Additional Misdemeanors continued

ORS 165.570 Improper Use of Emergency Reporting System

ORS 166.116 Interfering with Public Transportation

ORS 166.240 Carrying of Concealed Weapons

ORS 166.250 Unlawful Possession of Firearms

ORS 166.350 Unlawful Possession of Armor Piercing Ammunition

ORS 166.425 Unlawful Purchase of Firearm

ORS 167.007 Prostitution

ORS 167.062 Sadomasochistic Abuse or Sexual Conduct in a Live Show

ORS 167.075 Exhibiting an Obscene Performance to a Minor

ORS 167.080 Displaying Obscene Material to Minors

ORS 167.262 Adult Using Minor in Commission of Controlled Substance Offense

ORS 167.320 Animal Abuse I

ORS 167.330 Animal Neglect I

ORS 471.410 Providing Liquor to a Person under 21 or Intoxicated Person

ORS 807.620 Giving False Information to a Police Officer/Traffic

ORS 811.540(3) (b) Fleeing or Attempting to Elude Police Officer

Any crime with similar elements in any other jurisdiction.