

## **BACKGROUND INFORMATION**

The Department has established different disqualifiers related to each type of certification and licensure in relation to the level of public interaction and different private security provider duties and responsibilities. Each certification or license will have different discretionary disqualifying factors, an individual may be approved for one certification but denied other certifications or licenses types.

Certain convictions are mandatory disqualifiers, which causes you to be ineligible to hold a certification or licensure for a specific period of time, and you will not be allowed to work as a private security provider under Oregon law.

Other criminal dispositions or engaging in certain types of conduct, causes you to be ineligible for a period of time specific to the certificate or license you are applying for or hold. Please review discretionary disqualifiers for each certification level.

### **DEFINITIONS AND REQUIREMENTS:**

“Criminal Disposition” includes a conviction, violation, adjudication, civil compromise, an entered plea of guilty or no contest, or a finding of guilty except for insanity or its equivalent, for any violation of a criminal law in this state or any other jurisdiction.

“Jurisdiction” means any tribunal with authority to render a criminal disposition, including but not limited to municipal, state, federal including military, tribal tribunals, and any tribunal outside the United States or a United States owned territory where a criminal offense must be proven beyond a reasonable doubt.

Disclosure of Criminal Dispositions. An applicant for certification or licensure must disclose their criminal dispositions, including any juvenile adjudications. Any applicant with a juvenile adjudication must provide the Department with official records for the petition and any judgements issued in the adjudication.

NOTE: If you have criminal 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 prior to applying. A crime is not removed from your record until you go through a court 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.

Please email [dpsst.security@state.or.us](mailto:dpsst.security@state.or.us) or call DPSST at 503 378-8531 if you have any questions regarding background requirements.

## **Mandatory Grounds for Denial/Revocation or Refusal to Renew Certification/License**

**\*APPLIES TO ALL PRIVATE SECURITY PROVIDER LEVELS OF CERTIFICATION/LICENSURE AS OUTLINED**

- **ORS 137.700 Felony Convictions (Measure 11 Crimes) \*see full list of Measure 11 Crimes at the end of this document:**
  - Certified/Licensed Provider = Mandatory Revocation
  - Applicant = Mandatory Denial - unless **TEN** years have passed from the final date of completion of all court ordered obligations (all imprisonment, parole, probation and post-prison supervision).
- **All other felony convictions that are not ORS 137.700 Crimes (Measure 11 Crimes):**
  - Certified/Licensed Provider = Mandatory Revocation
  - Applicant = Mandatory Denial - unless **FOUR** years have passed from the final date of completion of all court ordered obligations (all imprisonment, parole, probation and post-prison supervision).
- **Is required to register or is registered as a sex offender under ORS 163A.010, 163A.015, 163A.020 or 163A.025.**
  - Certified/Licensed Provider = Mandatory Revocation
  - Applicant = Mandatory Denial

## **Discretionary Grounds for Denial/Revocation or Refusal to Renew**

**\*APPLIES TO ALL PRIVATE SECURITY PROVIDER LEVELS OF CERTIFICATION/LICENSURE AS OUTLINED**

The Department may deny, revoke or refuse to renew 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 defined in OAR 259-060-0020, OAR 259-060-0300, OAR 259-060-0310 and OAR 259-060-0320:

- 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;
- Failed to meet or failed to comply with any provisions found in the Act or these rules; or
- Failed to pay a civil penalty or fee imposed by the Board when due.

## ALARM MONITOR PROFESSIONAL CERTIFICATION

OAR 259-060-0300

**MAY** DENY, REVOKE or REFUSE TO RENEW for the following misconduct:

- Engaged in conduct or conduct resulting in a criminal disposition (not including mandatory disqualifiers) where the conduct occurred within the **FOUR** years prior to application for certification or while certified which includes:
  - **Dishonesty or Deceit**
- Engaged in conduct that resulted in a criminal disposition for any violation of criminal law where the conduct occurred while providing private security services and within the **FOUR** years prior to application for certification or while certified; or
- Engaged in conduct while providing private security services which constitutes:
  - **Harassment;**
  - **Stalking;**
  - **Intimidation;**
  - **Bullying;**
  - **Intentional or reckless physical harm; or**
  - **Threatening harm of a person or group of people.**

## UNARMED PROFESSIONAL AND EVENT AND ENTERTAINMENT PROFESSIONAL CERTIFICATIONS

OAR 259-060-0310

**MAY** DENY, REVOKE or REFUSE TO RENEW for the following misconduct:

- Engaged in conduct or conduct resulting in a criminal disposition (not including mandatory disqualifiers) where the conduct occurred within the **FOUR** years prior to application for certification or while certified which includes:
  - **dishonesty or deceit**
  - **sexual offense**
  - **drug related misconduct**
  - **destruction of property or**
  - **violence, abuse or neglect against a person or animal**
- Engaged in conduct that resulted in a criminal disposition for any violation of criminal law where the conduct occurred while providing private security services and within the **FOUR** years prior to application for certification or while certified; or

- Engaged in conduct while providing private security services that constitutes:
  - **Harassment;**
  - **Stalking;**
  - **Intimidation;**
  - **Bullying;**
  - **Intentional or reckless physical harm; or**
  - **Threatening harm of a person or group of people.**

**ARMED PROFESSIONAL, PRIVATE SECURITY INSTRUCTOR  
CERTIFICATIONS AND EXECUTIVE AND SUPERVISORY MANAGER  
LICENSURES**  
OAR 259-060-0320

**MAY** DENY, REVOKE or REFUSE TO RENEW for the following misconduct:

- Engaged in conduct or conduct resulting in a criminal disposition (not including mandatory disqualifiers) where the conduct occurred within the **TEN** years prior to application for certification or while certified which includes:
  - **Dishonesty or deceit;**
  - **A sexual offense;**
  - **Drug related misconduct;**
  - **Destruction of property;**
  - **Illegal use or possession of a deadly weapon; or**
  - **Violence, abuse or neglect against a person or animal**
- Engaged in conduct that resulted in a criminal disposition for any violation of criminal law where the conduct occurred while providing private security services and within the **TEN** years prior to application for certification or while certified; or
- Engaged in conduct while providing private security services that constitutes:
  - **Harassment;**
  - **Stalking;**
  - **Intimidation;**
  - **Bullying;**
  - **Intentional or reckless physical harm; or**
  - **Threatening harm of a person or group of people.**

## **ORS 137.700 Felony Convictions (Measure 11 Crimes):**

Attempt or Conspiracy to Commit Aggravated Murder (ORS 163.095)  
Murder in the second degree (ORS 163.115)  
Murder in the first degree (Chapter 635, 2019 Laws),  
Attempt or Conspiracy to Commit Murder in any degree  
Manslaughter in the First Degree (ORS 163.118)  
Manslaughter in the Second Degree (ORS 163.125)  
Aggravated Vehicular Homicide (ORS 163.149)  
Assault in the Second Degree (ORS 163.175)  
Assault in the First Degree (ORS 163.185)  
Kidnapping in the Second Degree (ORS 163.225)  
Kidnapping in the First Degree (ORS 163.235)  
Rape in the Second Degree (ORS 163.365)  
Rape in the First Degree (ORS 163.375)  
Sodomy in the Second Degree (ORS 163.395)  
Sodomy in the First Degree (ORS 163.405)  
Sexual Penetration in the Second Degree (ORS 163.408)  
Sexual Penetration in the First Degree (ORS 163.411)  
Sexual Abuse in the First Degree (ORS 163.427)  
Using a Child in a Display of Sexually Explicit Conduct (ORS 163.670)  
Arson in the First Degree (ORS 164.325)  
Robbery in the Second Degree (ORS 164.405)  
Robbery in the First Degree (ORS 164.415)  
Compelling Prostitution (ORS 167.017)