

FILING CAPTION: Amending background investigation and psychological evaluation requirements for implementation of House Bill 2936.

The proposed rule changes for OAR 259-008-0010, 259-008-0011, 259-008-0015, and 259-008-0080 include recommended additions noted with **bold and underlined text** and deletions noted with ~~strikethrough text~~. For ease of review, only the amended sections of the rule have been included (omissions are noted with ***).

The attachment for OAR 259-008-0015(4) is located at the end of this document.

259-008-0015
Background Investigations

~~(1) A background investigation must be conducted by a public or private safety agency on each individual being considered for employment or utilization as a public safety professional or instructor, as defined in OAR 259-008-0080, to determine if the applicant is of good character.~~

~~(2) The background investigation must include, but is not limited to, investigation into the following:~~

- ~~(a) Criminal history and arrests;~~
- ~~(b) Department of Motor Vehicles (DMV) records;~~
- ~~(c) Drug and alcohol use;~~
- ~~(d) Education verification;~~
- ~~(e) Employment history;~~
- ~~(f) Military history verification;~~
- ~~(g) Personal and professional references. Personal and professional references may include, but are not limited to, friends, associates, family members, and neighbors;~~
- ~~(h) Personal Interview. The personal interview may occur before or after the investigation and may be used to clarify discrepancies in the investigation;~~
- ~~(i) Department of Public Safety Standards and Training Professional Standards records;~~
- ~~(j) Residential history;~~
- ~~(k) Work eligibility; and~~
- ~~(l) Records checks, which may include, but are not limited to:~~
 - ~~(A) Police records, district attorney, court and Oregon Judicial Information Network (OJIN) records;~~
 - ~~(B) Open sources or social media, as permitted by law; and~~
 - ~~(C) Financial information, as permitted by law.~~

~~(3) Each individual being considered for employment or utilization as a public safety professional or instructor must provide a personal history statement. The statement must include, but is not limited to:~~

- ~~(a) Verification of the background information referred to in section (2);~~
- ~~(b) A complete list of all public or private safety agencies an individual has applied with;~~
- ~~(c) A signed declaration acknowledging under penalty of perjury that all of the information the applicant has provided during the background investigation and in the~~

Easy Read Version of Proposed Rule Changes Filed for
OAR 259-008-0010, 259-008-0011, 259-008-0015, and 259-008-0080

personal history statement is true and correct to the best of the applicant's knowledge;
and

~~(d) A signed release allowing background investigation information to be shared with other public or private safety agencies in which the applicant may become affiliated with.~~

~~(4) Results of the background investigation on all public safety professionals and instructors must be retained by the public or private safety agency in accordance with the Secretary of State's Record Retention Schedule and must be available for review at any reasonable time by the Department.~~

(1) Public and private safety agencies must complete a background investigation prior to hiring or utilizing an applicant as a public safety officer. The hiring agency's background investigation must meet or exceed the background investigation standards defined in this rule.

(2) A completed background investigation must include the following:

(a) A completed personal history questionnaire that meets the Applicant Personal History Questionnaire Standards defined in section (4) of this rule.

(b) Investigation of the applicant's:

(A) Criminal History and Arrests;

(B) DPSST Regulatory Records Check;

(C) Drug and Alcohol Use;

(D) Education;

(E) Employment History. When an applicant's employment history includes prior public safety or private security employment, the investigation must include review of complaints, personnel investigations, and disciplinary actions against the public safety officer or private security provider;

(F) Finances;

(G) Memberships and Associations. This includes but is not limited to the applicant's membership or participation in hate groups, racial supremacist organizations, or militant groups, or the applicant's display of symbols of racism or racial supremacy;

(H) Military History;

(I) Motor Vehicle Records;

(J) References. This must include three or more personal or professional references provided by the applicant that were interviewed by the hiring agency;

(K) Residential History;

(L) Work Eligibility; and

(M) Other Records As Needed. These may include but are not limited to out of state records, police records, district attorney records, court records, open sources, or social media as permitted by law.

(c) An interview of the applicant conducted in conjunction with the background investigation.

(d) A signed declaration acknowledging under penalty of perjury that the information provided by the applicant for the background investigation and the personal history questionnaire is true and correct to the best of the applicant's knowledge.

(e) A signed release that allows the applicant's background investigation information to be shared with other public or private safety agencies the applicant may become affiliated with.

(f) A psychiatric or psychological evaluation of the applicant conducted in accordance with OAR 259-008-0010 or OAR 259-008-0011. The documentation required for section (3) of this rule must include the evaluator's name and license number and a description of the evaluator's assessment of the applicant's tendencies, feelings and opinions toward diverse cultures, races and ethnicities and differing social, political, economic and life statuses.

(3) The hiring agency must document completion of the background investigation using the checklist form provided by DPSST or using a form or manner that clearly documents completion of the background investigation standards defined in section (2) of this rule. Documentation must include a description of the findings of the investigation, a description of how the information was investigated, or any combination of the two.

(4) Applicant Personal History Questionnaire Standards. DPSST adopts the Personal History Questions dated July 1, 2023. (See the attached PDF file linked below.)

(a) The Personal History Questions must be included in the personal history questionnaire the hiring agency provides the applicant.

(b) The hiring agency may administer the Personal History Questions using the questionnaire form provided by DPSST or an alternate format. When using an

alternate format, the questions may not be altered, but they may be used in any order. The hiring agency may add additional questions.

(5) Background investigations must be retained by the hiring agency in accordance with the Secretary of State’s Record Retention Schedule and must be made available for review if requested by DPSST.

259-008-0010

Minimum Standards for Employment as a Law Enforcement Officer or Utilization as a Reserve Officer

(2) Age. No law enforcement unit **public or private safety agency** in this state may employ or utilize any person under the age of 21 years as a police officer, corrections officer, parole and probation officer, regulatory specialist or reserve officer.

(3) Background Investigation. No public or private safety agency in this state may employ or utilize a police officer, corrections officer, parole and probation officer, regulatory specialist or reserve officer without completing a background investigation of the applicant in accordance with OAR 259-008-0015.

~~(11) (10) Police Officer and Reserve Officer Pre-employment Psychological Screening. Effective January 1, 2020, a law enforcement unit may not hire a police officer or a reserve officer without a pre-employment psychological screening conducted in accordance with this rule.~~

Pre-employment Psychological Evaluation. No public or private safety agency in this state may employ or utilize a police officer, corrections officer, parole and probation officer, regulatory specialist or reserve officer without completing a pre-employment psychological evaluation of the applicant conducted in accordance with this rule.

(a) As used in this section:

(A) “Licensed psychologist” means a psychologist licensed by the Oregon Board of Psychology or the licensing body in the state where the psychologist provides the psychological services.

(B) “Psychiatrist” means a physician with a specialty in psychiatry licensed by the Oregon Medical Board or the licensing body in the state where the psychiatrist provides the psychiatric services.

(C) “Psychological evaluation” or “evaluation” means a psychiatric or psychological evaluation of the applicant.

(a) This requirement applies to police officers and reserve officers hired on or after January 1, 2020, including:

~~(A) Police officers and reserve officers who move from one law enforcement unit to another law enforcement unit on or after January 1, 2020; and~~

~~(B) A reserve officer employed by a law enforcement unit prior to January 1, 2020, when the reserve officer becomes a police officer for the law enforcement unit on or after January 1, 2020, and the reserve officer has not completed a pre-employment psychological screening conducted in accordance with this rule.~~

(b) A psychological evaluation is required as follows:

(A) When an applicant is initially hired by the hiring agency;

(B) When a law enforcement officer or a reserve officer is rehired by the same agency after a separation of employment that is more than 180 days; or

(C) When a public safety professional who has been continuously employed or utilized by the hiring agency becomes a police officer or reserve officer for that agency and the public safety professional has not had a psychological evaluation that is equal to the evaluation used by the hiring agency when hiring an applicant as a police officer or reserve officer.

~~(c)~~ **(b)** The psychological screening process **evaluation** is used to:

(A) identify ~~Identify~~ mental conditions, personality disorders, personality traits, or behavior patterns that may adversely affect the officer's applicant's ability to perform the essential functions of a police officer or reserve officer the job with reasonable skill, safety, and judgement based upon the pre-employment psychological screening evaluation criteria established by the law enforcement unit. hiring agency; and

(B) Conduct an assessment of the applicant's tendencies, feelings and opinions toward diverse cultures, races and ethnicities and differing social, political, economic and life statuses.

~~(d)~~ **(e)** The psychological screening **evaluation** must be conducted by a licensed mental health professional **psychologist or psychiatrist** who can demonstrate, to the law enforcement unit's **hiring agency's** satisfaction, expertise in clinical assessment and the assessment of normal personality characteristics, skills, and abilities relevant to public safety personnel selection. "Licensed Mental Health Professional" includes:

~~(A) A psychologist who is licensed by the Oregon Board of Psychology or the licensing body in the state where the person provides the psychological services; or~~

~~(B) A mental health professional who is licensed by the licensing body in the state where the person provides mental health services.~~

(e) ~~(d)~~ The psychological screening **evaluation** must include the following:

(A) A written psychological test battery relevant to the ~~pre-employment~~ psychological screening **evaluation** criteria established by the ~~law enforcement unit~~ **hiring agency**. The results of the written test should be reviewed and verified by the licensed mental health professional prior to the ~~in-person~~ interview;

(B) An assessment of the applicant's tendencies, feelings and opinions toward diverse cultures, races and ethnicities and differing social, political, economic and life statuses;

(C) (B) An in-person interview conducted by the licensed mental health professional psychologist or psychiatrist; and

(D) (C) A report provided by the licensed mental health professional psychologist or psychiatrist in the manner requested by the law enforcement unit hiring agency.

(f) (e) The psychological screening evaluation must conform to with the applicable standards of the Americans with Disabilities Act (ADA) Title 42 USC 1210.

(g) (f) Psychological screenings Evaluations older than one year are no longer valid for the purposes of satisfying the pre-employment psychological screening requirement this rule.

(h) (g) Hiring decisions are the responsibility of each law enforcement unit hiring agency. The law enforcement unit hiring the police officer or reserve officer The hiring agency maintains the discretion to determine how the information provided in a psychological screening the evaluation report impacts the hiring decision.

259-008-0011

Minimum Standards for Employment as a Telecommunicator and Emergency Medical Dispatcher

(1) Background Investigation. No public or private safety agency in this state may employ a telecommunicator or emergency medical dispatcher without completing a background investigation of the applicant in accordance with OAR 259-008-0015.

(10) Pre-employment Psychological Evaluation. No public or private safety agency in this state may employ a telecommunicator or emergency medical dispatcher without completing a pre-employment psychological evaluation of the applicant conducted in accordance with this rule.

(a) As used in this section:

(A) “Licensed psychologist” means a psychologist licensed by the Oregon Board of Psychology or the licensing body in the state where the psychologist provides the psychological services.

(B) “Psychiatrist” means a physician with a specialty in psychiatry licensed by the Oregon Medical Board or the licensing body in the state where the psychiatrist provides the psychiatric services.

(C) “Psychological evaluation” or “evaluation” refers to a psychiatric or psychological evaluation of the applicant.

(b) A psychological evaluation is required as follows:

(A) When an applicant is initially hired by the hiring agency; or

(B) When a telecommunicator or emergency medical dispatcher is rehired by the same hiring agency after a separation of employment that is more than 180 days.

(c) The psychological evaluation is used to:

(A) Identify mental conditions, personality disorders, personality traits, or behavior patterns that may adversely affect the applicant’s ability to perform the essential functions of the job with reasonable skill, safety, and judgment based upon the psychological evaluation criteria established by the hiring agency; and

(B) Conduct an assessment of the applicant’s tendencies, feelings and opinions toward diverse cultures, races and ethnicities and differing social, political, economic and life statuses.

(d) The psychological evaluation must be conducted by a licensed psychologist or psychiatrist who can demonstrate, to the hiring agency’s satisfaction, expertise in clinical assessment and the assessment of normal personality characteristics, skills, and abilities relevant to public safety personnel selection.

(e) The psychological evaluation must include the following:

(A) A written psychological test battery relevant to the psychological evaluation criteria established by the hiring agency;

(B) An assessment of the applicant’s tendencies, feelings and opinions toward diverse cultures, races and ethnicities and differing social, political, economic and life statuses;

(C) An interview conducted by the licensed psychologist or psychiatrist; and

(D) A report provided by the licensed psychologist or psychiatrist in the manner requested by the hiring agency.

(f) The psychological evaluation must conform with the applicable standards of the Americans with Disabilities Act (ADA) Title 42 USC 1210.

(g) Evaluations older than one year are no longer valid for the purposes of satisfying this rule.

(h) Hiring decisions are the responsibility of each hiring agency. The hiring agency maintains the discretion to determine how the information provided in the evaluation report impacts the hiring decision.

259-008-0080

Instructors for Mandated Training

(1) Definitions. For the purposes of this rule:

(a) “Instructor” means an individual, including volunteer or loaned personnel, who is employed or utilized by DPSST or the Department of Corrections for the instruction of any portion of a Board-approved curriculum for a mandated training course, including the following:

(A) The DPSST basic police, corrections, parole and probation, regulatory specialist, telecommunications or emergency medical dispatcher courses, excluding field training;

(B) The Department of Corrections basic corrections course, excluding field training;

(C) The career officer development courses, excluding field training;

(D) A DPSST instructor development course; or

(E) The DPSST supervision leadership academy or organizational leadership management course.

(b) “Employer” means DPSST or the Department of Corrections.

(5) Pursuant to OAR 259-008-0015, the **The** employer must conduct a background investigation on each individual being considered for employment or utilization as an instructor.

PERSONAL HISTORY QUESTIONS

Dated July 1, 2023

❖ Instructions

These Personal History Questions are adopted by reference in OAR 259-008-0015. Public and private safety agencies must collect the information and ask the questions outlined below through the personal history questionnaire the hiring agency provides to the applicant.

- Where noted in the outline, the questions must be asked without alteration.
- The hiring agency may use the questions in any order.
- The hiring agency may add additional questions.

❖ Applicant Information.

➤ *Data to Collect: The following information must be collected from the applicant.*

- Last Name
- First Name
- Middle Name
- DPSST Number
- Social Security Number
- Date of Birth
- Place of Birth
- Gender
- Height
- Weight
- Eye Color
- Hair Color
- Race
- Current Driver's License or Identification Number and the Issuing State
- Physical Address, City, State, Zip
- Mailing Address, City, State, Zip
- Home Phone
- Cell Phone
- Work Phone
- Email
- Former Names, Aliases, or Nicknames
- Citizenship Status
- Applications to Other Agencies. Data related to any other criminal justice agency the applicant has applied to.
 - Agency Name and State
 - Title of Position Applied
 - Approximate Date Application Submitted

PERSONAL HISTORY QUESTIONS

Dated July 1, 2023

❖ **Personal History.**

➤ *Data to Collect: The following information must be collected from the applicant.*

- Current domestic partner, significant other, or spouse:
 - Full name
 - Other names used
 - Date of Birth (DOB)
 - Email address
 - Phone number
- Ex-domestic partners, significant others, or spouses:
 - Full name
 - Other names used
 - Date of Birth (DOB)
 - Address
 - Email address
 - Phone number
- ALL children (Including adopted, step and/or foster children):
 - Full name
 - Date of Birth (DOB)
 - Child's additional parent/guardian
 - Child's relationship to applicant
 - Address
 - Email address
 - Phone number
- ALL family members to include father, mother, siblings (including half, step, and in-laws):
 - Full name
 - Date of Birth (DOB)
 - Relationship to applicant
 - Address
 - Email address
 - Phone number

➤ *Personal History Questions: The following questions must be asked of the applicant exactly as shown.*

- Have you ever been denied entry into another country?
- Have you used any social media? If you answer yes, list all platforms used and the username or screen name for each of your current and past social media accounts.
- Have you ever accessed or used any part of a computer, computer system, software/web application or program in a way that was against the law, contrary to policy, or without authorization?
- Do you belong to, or associate with, any groups or associations?

PERSONAL HISTORY QUESTIONS

Dated July 1, 2023

- Have you ever been a member of any foreign or domestic organization, association, movement, group or combination of persons which has adopted or shows a policy of advocating for discrimination, the commission of force, or violence to deny other persons their rights under the Constitution of the United States of America or the State of Oregon; or which seeks to alter the form of government of the United States of America by unconstitutional means?
- Do you have, or have you ever had, a tattoo signifying membership in, or affiliation with, a criminal enterprise, street gang, or any group that advocates violence against individuals because of their race, religion, political affiliation, ethnic origin, nationality, gender, sexual orientation, or disability?
- Have you ever been a member or associate of a criminal enterprise, street gang, or any group that advocates for discrimination or violence against individuals because of their race, religion, political affiliation, ethnic origin, nationality, gender, sexual orientation, or disability?
- Have you ever had a complaint of unnecessary force or brutality filed against you?
- Have you ever hit or physically overpowered a current or former domestic partner, romantic partner, significant other, spouse, or family member?
- Have you ever been involved in a physical fight, confrontation, or other violent act?
- Have you ever used your position or authority to benefit yourself or another, or to harm another, contrary to policy or in violation of the law?
- Have you ever caused physical injury to another person?
- *The following question is for law enforcement applicants only (police, police reserves, corrections, parole and probation, OLCC regulatory specialist). This question is not required on a questionnaire that is used exclusively for telecommunicators or emergency medical dispatchers:* Is there any reason you would not be able to use deadly force, if necessary, in the line of duty?

❖ Drug/Alcohol Use

➤ *Data to Collect: The following information must be collected from the applicant.*

List all impairing drugs/substances you have used that were not specifically prescribed to you by a medical professional.

- For each drug/substance, explain:
 - If you ever grew, manufactured, sold, smuggled or transported the drug/substance.
 - If you ever purchased, used, possessed or experimented with the drug/substance.
 - Date you first used the drug/substance.
 - Date you last used the drug/substance.
 - How the drug/substance was ingested, consumed or topically applied.
 - How the drug/substance was obtained.

➤ *Drug/Alcohol Use Questions: The following questions must be asked of the applicant exactly as shown.*

- Within the past five (5) years, have you associated with friends, acquaintances, housemates, or family members who have illegally possessed or used drugs or

PERSONAL HISTORY QUESTIONS

Dated July 1, 2023

narcotics, as defined in federal law, or who have illegally used prescription medications?

- Have you ever misused yours or anyone else's prescription medication
- Have you ever forged or altered a prescription for drugs?
- Have you ever gone to work under the influence of drugs, including marijuana, or alcohol?
- Have you ever caused a disruption or acted as a nuisance while under the influence?
- Have you ever engaged in violent behavior while using or under the influence of alcohol?
- Have you ever furnished an alcoholic beverage to anyone under the age of 21 years who was not under your custodial control?
- Have you ever consumed alcohol within an hour prior to starting work/class?
- Have you ever consumed alcohol while working or during a class, including break or meal periods??
- Have you ever failed an employment related drug test?

❖ **Employment**

➤ *Data to Collect: The following information must be collected from the applicant.*

- Provide a list of the last ten years of employment in part-time, full-time, temporary, seasonal, self-employment, and volunteer positions held.
 - Employer Name
 - Employment Status
 - Employer Address, City, State, Zip
 - Hire Date
 - Separation Date
 - Position Held
 - Supervisor's name, title, phone number, and email address
 - HR manager's name, title, phone number, and email address
 - Three co-workers' names, titles, phone numbers, and email addresses
 - Is it okay to contact this employer?
 - Reason for leaving

➤ *Employment Questions. The following questions must be asked of the applicant exactly as shown.*

- Do you have any period of unemployment longer than 30 days between the jobs you listed above?
- Have you ever received correction or discipline at work, to include verbal or written reprimands?
- Have you ever been fired, released from probation, or asked to resign from any place of employment?
- Have you ever failed a background investigation?

Attachment for Oregon Administrative Rule (OAR) 259-008-0015 (4)

Page 4 of 13

PERSONAL HISTORY QUESTIONS

Dated July 1, 2023

- Have you ever been the subject of a complaint at work that resulted in disciplinary action?
- Have you ever been voluntarily or involuntarily demoted in a job?
- Have you ever had a pay raise or promotion delayed or withheld due to performance or conduct?
- Have you ever been involved in a physical/verbal altercation with a supervisor, co-worker, or customer?
- Have you ever quit without giving proper notice?
- Have you ever resigned in lieu of termination, had a negotiated resignation/settlement agreement, or resigned while under suspension or while dismissal proceedings were pending?
- Have you ever had your probationary period extended for any reason?
- Have you ever been accused of or investigated for discrimination or harassment by a co-worker, supervisor, or customer?
- Have you ever engaged in sexual intercourse or touched, with or without clothing, the intimate body parts of another person while at work??
- Will any of your past or present employers give you an unfavorable recommendation?
- Have you ever been informed by a previous employer that you were ineligible for rehire?
- Have you ever had your integrity questioned in an employment setting?
- Have you ever refused to follow a lawful direct order from a supervisor?
- Have you ever viewed or emailed pornographic material while at work?
- Have you ever damaged a company vehicle?
- Have you ever failed to report damage to a company vehicle or other property?
- Have you ever broken any rules, regulations, policies, or laws while driving a company vehicle?
- Have you ever taken or used any money, property, or equipment for personal gain from a place where you worked?
- Have you ever taken a co-worker's property or money without permission?
- Have you ever received money from inaccuracies on an expense report?
- Have you ever falsified yours or someone else's timecard?
- Have you ever left work without permission?
- Have you ever slept on a job without permission?
- Have you ever been the subject of a job-related investigation?
- Have you ever received an unsatisfactory performance review?
- Have you ever shared, sold or released confidential information outside of the agency/company or with others not authorized to receive such information?
- Have you ever called in to work sick when you were neither sick nor caring for a sick family member?
- Have you ever been talked to or warned at work about lateness, absences, or sick leave abuse, excluding protected leave?
- Have you ever missed days or been late to work due to drug or alcohol consumption?

PERSONAL HISTORY QUESTIONS

Dated July 1, 2023

- Have you ever been talked to or warned by an employer about your drinking or use of any drugs, including marijuana?
- Has your work performance ever been affected by your use of alcohol or drugs, including marijuana?
- Have you ever removed equipment, components, or software from an employer for personal use?
- Have you ever used a company/department computer contrary to any company/department policy?
- Have you ever been denied employment by a public safety or criminal justice agency?
- Have you ever been accused of or investigated for untruthfulness, dishonesty, or misrepresentation?

❖ Education

➤ *Data to Collect: The following information must be collected from the applicant.*

- Do you have a HIGH SCHOOL DIPLOMA or GED?
- Schools Attended.
 - School name
 - Start/end dates
 - Type of degree, certificate or diploma earned OR the number of hours completed (quarter, semester or other)

➤ *Education Questions. The following questions must be asked of the applicant exactly as shown.*

- Have you ever been placed on academic probation or received discipline at any of the schools or institutions you attended?
- Have you ever been suspended or expelled from any of the schools, academies, or institutions you attended?
- Have you ever plagiarized, cheated, or engaged in any other intellectual dishonesty at any of the schools, academies, or institutions you attended?
- Have you ever assisted another person to cheat, plagiarize or engage in intellectual dishonesty?
- Have you ever been accused of or investigated for plagiarism, cheating, or any other intellectual dishonesty from any of the schools, academies, or institutions you attended?
- Have you ever been accused of or investigated for assisting another person to cheat, plagiarize or engage in intellectual dishonesty?
- Have you ever dropped out, failed, or been dismissed from a public safety academy?

❖ Residential History

➤ *Data to Collect: The following information must be collected from the applicant.*

Attachment for Oregon Administrative Rule (OAR) 259-008-0015 (4)

Page 6 of 13

PERSONAL HISTORY QUESTIONS

Dated July 1, 2023

- Provide a list of all current and prior addresses for the last 10 years. If you were younger than 17 during this timeframe, provide residence information since age 17. Include the following information for each location:
 - Dates residing
 - Rent or own
 - Physical address, city, state, zip or country
 - Current contact information for the landlord or owner
 - Current contact information for others who lived with you
- List any cities and states or countries you have lived in since birth that are not already listed.
- *Residential History Questions. The following questions must be asked of the applicant exactly as shown.*
 - Have you ever been asked to leave, been issued an eviction notice, or been evicted?
 - Have you ever left a residence owing rent, utilities, or other household expenses?
 - Have you ever had any neighbor disputes?

❖ **Military History**

- *Data to Collect. The following information must be collected from the applicant.*
 - Provide a list of all branches of the military you have served and include the following Information:
 - Branch
 - Enlistment Date
 - Discharge Date
 - Re-entry Code
 - Type of Discharge
 - MOS and Job Title
 - Selective Service Registration Number
- *Military History Questions. The following questions must be asked of the applicant exactly as shown.*
 - Have you ever held any type of secret clearance issued by a federal agency?
 - Have you ever had any type of clearance denied, revoked, suspended, or downgraded?
 - Have you ever performed duties that required certification under a “Human Reliability” or “Personnel Reliability” (PRP) program?
 - Have you ever been denied or had your certification removed under a “Human Reliability” or “Personnel Reliability” (PRP) program?
 - Were you ever questioned, detained, the subject of any report, held on suspicion, cited, taken into custody, or arrested for any offense, or a defendant in any trial by civilian or military authorities?

PERSONAL HISTORY QUESTIONS

Dated July 1, 2023

- Have you ever taken military property without permission for personal use, to sell or give away?
- Were you ever reduced in rank or grade while in the service?
- Were you ever A.W.O.L. or on any unauthorized leave while in the service?
- Did you ever receive any type of disciplinary action (NJP, Article 15, captain's masts, company punishments)?

❖ Finances

- *Data to Collect. The following information must be collected from the applicant.*
 - Current household monthly income. This includes, rental property, investments, income, and all other sources of income, including income from your current domestic partner, significant other, or spouse.
 - Provide the following information for current debt obligations including utilities, mortgages, rent, car loans, educational loans, and any other miscellaneous expenses:
 - Type of expense or debt
 - Monthly payment amount
 - Current balance
 - Original debt amount and date incurred
 - Creditor's name, address, phone number
 - Any late payments
 - Total amount of all monthly payments
- *Financial Questions. The following questions must be asked of the applicant exactly as shown.*
 - Have you ever filed for or declared bankruptcy (Chapter 7, 11, or 13)?
 - Have you ever been refused credit?
 - Have you ever been referred to a collection agency?
 - If you become employed by this agency, do you anticipate any additional personal income other than your salary?
 - Have you ever had anything repossessed?
 - Have your wages ever been garnished?
 - Are you responsible for any court-ordered payments? (E.g., child support, alimony, judgment, restitution, etc.)
 - Have you ever been over 30 days late in paying child support or alimony?
 - Have you ever been delinquent on income or other tax payments?
 - Have you ever failed to file income tax as required by law or falsified information on an income tax form?
 - Have you ever avoided paying any lawful debt?
 - Have you ever failed to repay a debt?
 - Have you ever borrowed money to pay for a gambling debt?
 - Do you currently have any outstanding debts because of gambling?

Attachment for Oregon Administrative Rule (OAR) 259-008-0015 (4)

Page 8 of 13

PERSONAL HISTORY QUESTIONS

Dated July 1, 2023

- Have you ever spent or received money for illegal purposes? (E.g., illegal drugs, prostitution, purchase of fraudulent documents, etc.)
- Have you ever written a check when you knew you did not have enough money in your account?
- Have you ever been defrauded or been a victim of identity theft?
- Have you ever defrauded anyone?

❖ **Criminal History and Arrests/Legal**

➤ *Data to Collect: The following information must be collected from the applicant.*

- List all arrests, criminal citations to appear, convictions, juvenile adjudications, any police contacts, and any Fish and Wildlife offenses, regardless of outcome, from 16 years of age to present. Provide the following information for each reported incident.
 - Incident date
 - Type of incident
 - Describe incident
 - Investigating agency
 - Disposition of incident

➤ *Legal/Criminal History Questions. The following questions must be asked of the applicant exactly as shown.*

- Are there any criminal and/or other types of charges pending against you?
- Have you ever committed or been convicted of an offense punishable as a crime (includes felonies, misdemeanors, and violations) or received an adjudication in ANY local, state, federal, military, or tribal jurisdiction?
- Have you been found guilty (includes guilt except for insanity or its equivalent) or entered a plea of guilt or no contest for any offense punishable as a crime (includes felonies, misdemeanors, and violations) in ANY local, state, federal, military, or tribal jurisdiction?
- Have you ever entered a diversion or similar type program because of a criminal proceeding?
- Have you ever been a suspect in a criminal investigation that resulted in a civil compromise agreement?
- Have you ever been incarcerated for any reason in any jurisdiction?
- Do you have a court disposition in any jurisdiction for possession of less than one ounce of marijuana that occurred prior to July 1, 2015?
- Have you ever filed or been the subject of any restraining order, stay away order, protective order, or stalking order filed against you?
- Have you ever had a charge of contempt of court filed against you?
- Have you ever taken or refused to take a polygraph?
- Have you ever been referred to a juvenile department or required to appear before a juvenile court for unlawful or criminal conduct?

PERSONAL HISTORY QUESTIONS

Dated July 1, 2023

- Have you ever had a sanction imposed by any court (including those set aside/or a diversion)?
- Are you aware of any court that would not consider you a credible witness?
- Have you ever been placed on court ordered probation?
- Have you ever had a judgment rendered against you?
- Are there any pending civil actions against you?
- Have you ever been the subject of any criminal or civil rights investigation?
- Have you ever been required to appear before a court or judge?
- Have you ever been a defendant in a civil action for collection of a debt?
- Have you ever been a party in a civil lawsuit? (E.g., small claims, actions, dissolutions, child custody, paternity, support, etc.)
- Have the police ever responded to any of your residences for any reason?
- Have you or a current or former domestic partner, significant other, or spouse ever been referred to or the subject of an investigation by a child or adult protective services agency?
- Have you settled any civil lawsuit in which you, your insurance company or anyone else on your behalf was required to make payment to another party?
- Have you ever filed a false insurance or worker's compensation claim?
- Have you ever falsified an official report or statement?
- Has any member of your family (including in-laws), your current domestic partner, significant other or spouse, or anyone you are related to or lived with been arrested or convicted for anything other than traffic violations?
- Have you ever deliberately done anything to hurt a child?
- Have any dependent children in your care ever been taken into protective custody?
- Have you ever given or displayed pornographic material to anyone under the age of 18?
- Have you ever inappropriately touched the intimate body parts of a person under the age of 18?
- Have you ever engaged in any type of sexual activity with a person under the age of 18?
- Have you ever purposefully exposed or displayed your privates to a person under the age of 18?
- Have you ever taken pictures of a disrobed person under the age of 18?
- Have you ever bought or retained pictures of a disrobed person under the age of 18?
- Have you ever viewed sexual pictures of a person under the age of 18?
- Have you ever communicated with a person under the age of 18 with the intent to perform a sexual act?
- Have you ever had a search warrant executed on your person, property, or residence?
- Have you ever or are you now wanted for any reason by any law enforcement agency?
- Have you ever been involved in or committed any of the acts listed below?
 - Arson

PERSONAL HISTORY QUESTIONS

Dated July 1, 2023

- Assault
- Assault with a weapon
- Blackmail or extortion
- Burglary
- Child abuse or neglect
- Contributing to the delinquency of a minor
- Downloading, viewing, or possessing child sexual abuse material
- Driving while intoxicated
- Elder abuse or neglect
- Embezzlement
- Filing a false police report or call to 9-1-1
- Forgery
- Fraudulent use of credit/debit card, ATM, or bank card
- Hate or bias crime
- Hit and run collision
- Illegal gambling
- Illegal Hunting or fishing
- Impersonating a police officer or government official
- Indecent exposure or obscene conduct
- Insurance fraud
- Menacing or threatening with intent to harm
- Murder, homicide, attempted murder, manslaughter, or assault with the intent to kill someone
- Perjury
- Possession of alcohol as a minor
- Possession of an illegal explosive/destructive device
- Possession of falsified or altered identification, including use of another's ID
- Prostitution or solicitation of prostitution
- Public intoxication
- Rape or sexual assault
- Reckless driving
- Resisting arrest or obstructing a law enforcement officer
- Robbery
- Stalking
- Theft
- Trespassing
- Using a false identification
- Vandalism
- Voyeurism or peeping

Attachment for Oregon Administrative Rule (OAR) 259-008-0015 (4)

PERSONAL HISTORY QUESTIONS

Dated July 1, 2023

- Any other criminal act whether or not you were caught

❖ **Motor Vehicle Records/Operations**

➤ *Data to Collect: The following information must be collected from the applicant.*

- All driver's licenses or state IDs issued to you. Include the number, issuing state and expiration date.
- Current auto insurance companies and policy number(s).
- All motor vehicles registered to your name. Include the make, model, and year of the vehicle and the license plate and issuing state.
- Traffic citations/moving violations, or warnings, excluding parking citations. Include the following with each report.
 - Citation date
 - Citation type
 - Contact agency
 - Disposition

➤ *Motor Vehicle Records/Operations Questions. The following questions must be asked of the applicant exactly as shown.*

- Has your driver's license ever been suspended, revoked or canceled?
- Has a citation ever resulted in a warrant or caused your license to be suspended or withheld due to failure to appear?
- Have you ever failed to appear in court, complete a diversion, pay a fine or complete traffic school?
- Have you ever been involved as the driver in a motor vehicle accident?
- Have you ever driven a vehicle without auto insurance?
- Have you ever been refused automobile liability insurance or a bond, or had them terminated or denied?
- Have you ever been placed in a "High Risk" automobile insurance category, such as SR 22?
- Have you ever been notified by the motor vehicles division that your driver's license was about to be suspended or revoked for any reason?
- Have you ever been refused a driver's license?
- Have you ever been found to be at fault for a motor vehicle accident?
- Have you ever had a vehicle impounded because of a traffic stop?

❖ **References**

➤ *Data to Collect: The following information must be collected from the applicant.*

- List three additional references, not already listed, who have known you at least three years. Do not include persons related to you by blood or marriage, current co-workers, or current supervisors. Include the following with each report.

PERSONAL HISTORY QUESTIONS

Dated July 1, 2023

- Full name
- Relationship
- Length of time known
- Date of last contact
- Email, mailing address, phone number