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SUBJECT: BACKGROUND INVESTIGATIONS

EFFECTIVE DATE: March 21, 2022

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IACLEA STANDARDS: 5.2.4, 5.2.5, 5.2.6

CSU POLICE SYSTEMWIDE POLICY – NO

APPROVED: Alfredo B. Fernandez, Chief of Police

I. PURPOSE

The purpose of this policy is to describe the background investigation procedure as it applies to all applicants for various positions within the Department of Police Services. Additionally, this policy establishes guidelines to be used as a resource for effective background investigations to provide the most qualified and suitable employees.

II. POLICY

It shall be the policy of the California State University, Northridge Department of Police Services to utilize the California Commission on Peace Officer Standards and Training (P.O.S.T.) list of “Job Dimensions” for peace officer and public safety dispatcher applicants which are used as a professional standard in background investigations. Additionally, background investigations for all agency personnel will be conducted within the guidelines of State and Federal laws, statutory guarantees, Commission on Peace Officer Standards and Training regulations, Government Codes, university regulations, etc., as applicable.

III. DEFINITIONS

A. CSUN PD – California State University, Northridge Police Department, a synonymous name for the California State University, Northridge Department of Police Services

B. P.H.S. - Personal History Statement

- C. P.O.S.T. - Peace Officer Standards and Training
- D. Trained Background Investigator – Individuals who have completed the P.O.S.T. Background Investigator’s Course may conduct a background investigation on the authorization of the Chief of Police. Background investigations may also be conducted by a trained, contract investigator approved by the Chief of Police.

IV. DOCUMENTS UTILIZED IN THE BACKGROUND INVESTIGATION PROCESS

- A. The following forms are utilized in all areas of the background process:
 - 1. *Initiating the Background Process*- lists all of the required documents necessary to initiate the background process and which background investigator will be conducting the background.
 - 2. *Authorization to Conduct Pre-Employment Background Investigation (Peace Officer Candidates)*- candidates’ authorization of an intensive investigation into all aspects of personal, medical, and psychological fitness, and that such investigation will include contacting persons and/or organizations who have information relating to the candidate’s background.
 - 3. *Authorization to Release Information for Employment*- Notarized waiver that authorizes California State University Northridge Department of Police Services, or contracted background investigator on behalf of California State University Northridge Department of Police Services to read, review, photocopy documents or speak to anyone for the purposes of conducting a background investigation to determine a candidate’s suitability for any given position.
 - 4. *Advisement to Candidates Regarding False Statements*- Advisement that a lack of truthfulness or deception of any type will automatically and irrevocably result in the candidate’s application being rejected from further consideration.
 - 5. *Advisement to Applicants Regarding the Use of Credit Information for Employment Purposes*- Authorizes California State University Northridge Department of Police Services or contracted background investigator on behalf of California State University Northridge Department of Police Services, to obtain credit history information for the purposes of employment.
 - 6. *Advisement to Peace Officers/Public Safety Dispatchers Seeking Lateral Advisement* - Advises those applicants seeking lateral placement as a peace officer or public safety dispatcher that any derogatory information obtained during the background investigation process that would indicate the applicant is suspected of having or had been engaged in illegal activities while employed as either a peace officer or a public safety dispatcher would likely bar them from further consideration from the position and information obtained may be shared with their current employer for their independent investigation.

7. *Personal History Statement (PHS) Instructions*- Used to clarify the procedure in completing the PHS, along with addressing medical, legal and employment information during the background process.
8. *PHS- Police Officer, Public Safety Dispatcher or Civilian Applicant Version*- P.O.S.T. document used to obtain all personal information including, but not limited to, employment, education, residence, references, drug use history and criminal history as a basis for initiating the background investigation process.
9. *Pre-Investigative Questionnaire*- California State University Northridge Department of Police Services (CSUN PD) Supplemental questionnaire used by the background investigator to glean additional information on the applicant's history.
10. *Confidential Inquiry Questionnaire*- Inquiry sent to the applicant's references to glean information concerning the applicant.
11. *Records Check with Local Law Enforcement Agencies*- Inquiry sent to all law enforcement agencies in the jurisdiction the applicant resides/resided, is/was employed or attended school.
12. *Other Agencies Applied For*- Inquiry sent to all other law enforcement agencies the applicant has applied for to determine which stage(s) of the application process he/she has completed. This also includes a verification of prior criminal justice employment and terms of separation.
13. *School Questionnaire*- Inquiry sent to the applicant's current or former educational institution(s) to glean information as to the applicant's academic history.
14. *Landlord Questionnaire*- Inquiry sent to the applicant's current and previous landlord to glean information as to the applicant's history as a tenant.
15. *Background Investigation Checklist*- Form used by the background investigator to notate all actions taken in the course of the background process including, but not limited to, names of references, dates of personal contact or receipt of confidential inquiries, dates of law enforcement checks, receipt of transcripts, etc.
16. *Conditional Offer of Employment*- Letter used to notify a candidate that a conditional offer of employment is being extended on the condition that he/she successfully complete the medical examination, psychological assessment and that the remainder of the background investigation does not disclose information that would prevent the candidate from being offered the position.
17. *Rejection Notice*- Letter sent to applicants who have been disqualified at some point in the background process indicating the reason(s) for disqualification.

V. PROCEDURES

A. Pre-Employment Background Investigation Process:

1. The Department designated trained background investigator, or contract investigator, will receive basic candidate information from the Chief of Police or her/his designee. Normally, the contract investigator will conduct police officer, dispatcher, and civilian backgrounds, unless directed otherwise by the Chief of Police.
2. A background investigation packet will be provided to the candidate to complete. Upon completion of the packet and collection of required documents, the candidate will then meet with their respective background investigator for review of the information contained in the packet.
3. Required documentation to initiate the background process include:
 - a. Completed Personal History Statement (PHS) (police, dispatcher or civilian version, as applicable) and supplemental CSUN PD Pre-Investigative Questionnaire;
 - b. Notarized Authorization to Release Information for Employment (police, dispatcher or civilian version, as applicable);
 - c. Authorization to Conduct a Pre-Employment Background Investigation (peace officer applicants);
 - d. Advisement to Candidates Regarding False Statements (all candidates);
 - e. Advisement to Applicants Regarding the Use of Credit Information for Employment Purposes (all candidates);
 - f. Birth certificate (certified copy) and name change paperwork, as applicable (all candidates);
 - g. Social Security card (all candidates);
 - h. Driver license and DMV copy of driver history (last five years) (all candidates);
 - i. Proof of automobile liability insurance (all candidates);
 - j. High School Diploma/G.E.D. Certificate/High School Proficiency AND transcripts (all candidates);
 - k. College Diploma(s) AND transcripts (all candidates);
 - l. Credit history report (all candidates);
 - m. Proof of Selective Service Registration (as required by law);

- n. Military discharge documentation- DD214 Long Form (if applicable);
 - o. Marriage Certificate(s) (if applicable, police officer candidates only);
 - p. Dissolution/Annulment Order(s) (if applicable, for police officer and dispatcher candidates only);
 - q. Copy of P.O.S.T. Certificate(s), including Police Academy Diploma(s) and any other certificates, awards and recognitions, if applicable;
 - r. Copy of Guard Card/gun permit (police officer applicants only, if applicable);
 - s. Copy of traffic collision reports, within the last three years which candidate has been named as a driver (all candidates, if applicable);
 - t. Copy of any police report in which candidate has been listed as an arrestee (all candidates, if applicable).
4. The background investigation for all candidates will additionally include:
- a. Criminal records check via fingerprints processed through DOJ and FBI (and a firearms clearance and CACI check for police officer candidates only), and civil check;
 - b. Driver license check, including driving history;
 - c. Contact with all law enforcement agencies where the applicant has listed residency, previous employment, or has attended school, for at least the past five years and request of a records check;
 - d. Contact with at least three employers, including current employer and previous employers for the last 10 years to determine the quality of the candidates work record;
 - e. Verification of any prior criminal justice employment including terms of separation.
 - f. Interviews with at least two or more residential neighbors;
 - g. Verification of at least three professional references;
 - h. A credit history check, including all other relevant financial information;

- i. A military history check and;
 - j. Verification of qualifying credentials.
5. In addition to the steps listed above, police officer and public safety dispatcher candidates will also include:
- a. An interview with the candidate's spouse or significant other;
 - b. A home visit with the candidate and his/her family;
 - c. Contact with the basic training academy, if applicable, to review academic history and determine if any disciplinary problems exist.
6. The results of the background investigation must be submitted in writing to the Chief of Police for the purpose of evaluation to determine whether the candidate is suitable for hire. The investigator shall construct a written narrative of his/her findings to include:
- a. Investigator Checklist
 - b. Narrative
 - c. Executive Summary
 - d. All relevant attachments and copies.
7. Applicants for Matador Patrol (student community services assistants) will be required to be fingerprinted through DOJ and the department will make contact with at least two references, employers, or a combination thereof, as a condition of employment. Matador Patrol background investigations will be coordinated by the designated unit coordinator.
8. Per Penal Code 1105, applicants must be provided with a copy of their Criminal Offender Record Information (CORI), if the information is a basis for an adverse employment decision.

VI. P.O.S.T. COMMISSION REGULATION, CALIFORNIA GOVERNMENT CODE and PENAL CODE QUALIFICATIONS FOR PEACE OFFICERS AND PUBLIC SAFETY DISPATCHERS

- A. P.O.S.T. Commission Regulation 1950 and the California Government Code sections 1029 and 1031, as authorized by California Penal Code 13510 specifies that all peace officer applicants shall:
 - 1. Be a citizen of the United States or a permanent resident alien who is eligible for and has applied for citizenship except as provided in Section 2267 of the Vehicle Code;

2. Be at least 18 years of age, however, CSU practice, in compliance with industry standards, require that all police officer candidates shall be at least 21 yrs. of age by the time of appointment to a sworn position.;
 3. Be free of felony convictions and be fingerprinted for the purposes of search of local, state, and national fingerprint files to disclose any criminal record(s);
 4. Be a U.S. high school graduate, pass the General Education Development test indicating high school graduation level, pass the California H.S. Proficiency Examination, or have attained a two-year, four-year, or advanced degree from an accredited college or university;
 5. Be found to be free from any physical, emotional, or mental condition that might adversely affect the exercise of the powers of a peace officer; and
 6. Be of good moral character, as determined by a thorough background investigation.
- B. P.O.S.T. Commission Regulations 1956-1960 and California Penal Code section 13510(c), establish minimum standards for public safety dispatcher candidates. The Department of Police Services will use the minimum standards established for peace officer candidates, as stated in this policy, which exceed the minimum standards established by law.
- C. The P.O.S.T. 10 Background Investigation dimensions will be used as a professional standard in the background investigation for peace officers and public safety dispatchers and include:
1. *Integrity*- Refusing to yield to the temptation of bribes, gratuities, payoffs, etc. Refusing to tolerate unethical or illegal conduct on the part of other law enforcement personnel. Showing strong moral character and integrity in dealing with the public. Being honest in dealing with the public.
 2. *Impulse Control/Attention to Safety*- Avoiding impulsive and/or unnecessarily risky behavior to ensure the safety of oneself and others. It includes thinking before acting, taking proper precautions, keeping one's impetuous, knee-jerk reactions in check, and behaving in conscious regard for the larger situation at hand. It includes safe driving practices, attention to safety, and impulse/anger control.
 3. *Substance Abuse and Other Risk-Taking Behavior*- Avoiding engaging in behavior that is inappropriate, self-damaging, and can adversely impact the agency; includes alcohol and drug abuse, domestic violence, sale of drugs and gambling.
 4. *Stress Tolerance*- Maintaining composure, particularly during time-critical emergency events and other stressful situations; weathering negative events and circumstances and maintaining an even-temperament and positive attitude. It includes accepting criticism and responsibility

for mistakes without becoming overly defensive or allowing it to hamper behavior or job performance.

5. *Confronting and Overcoming Problems, Obstacles and Adversity*- Involves willingness and persistence in confronting problems and personal adversity. It includes taking control of situations, as necessary and demonstrating hustle and drive in reaching goals.
 6. *Conscientiousness*- Involves diligent, reliable, conscientious work patterns; performing in a timely, logical manner in accordance with rules, regulations, and organizational policies. It includes dependability, personal accountability and responsibility, orderliness, thoroughness in detail orientation, and initiative and drive.
 7. *Interpersonal Skills*- Interacting with others in a tactful and respectful manner, and showing sensitivity, concern, tolerance, and interpersonal effectiveness in one's daily interactions. It includes social interest and concern, social self-confidence, persuasiveness, assertiveness, and teamwork.
 8. *Decision-Making and Judgment*- Involves the ability to make timely, sound decisions, especially in dangerous, pressure-filled situations, and/or where information is incomplete or conflicting. It includes the ability to sift through information to glean that which is important, and, once identified, to use that information effectively.
 9. *Learning Ability*- Ability to comprehend and retain a good deal of factual information. Ability to recall factual information pertaining to laws, statutes, codes, etc. Ability to learn and to apply what is learned and capable of learning the factual material which is required of a law enforcement officer.
 10. *Communication Skills*- Ability to express oneself in writing and speech. Ability to read with good comprehension. Ability to write a report which accurately describes what has happened. Ability to speak clearly and to make one's self understood.
- D. Prior to appointment to probationary status, peace officer candidates and public safety dispatcher candidates will be required to undergo and successfully pass a medical examination and psychological fitness examination conducted by qualified professionals (i.e., licensed physician/psychologist/psychiatrist) designated by the Chief of Police of the CSUN Department of Police Services in accordance with P.O.S.T. standards. Community Service Officers are only required to undergo a medical examination as part of their background investigation. A comprehensive background investigation/report is completed separate from the psychological and medical screening processes.

VII. DISQUALIFIERS

- A. In accordance with California Government Code section 1029, peace officer applicants will be disqualified under the following circumstances:

1. Any person who has been convicted of a felony
 2. Any person who has been convicted of an offense in any other jurisdiction which would have been a felony if committed in this state;
 3. Any person who has been charged with a felony and adjudged by a superior court to be mentally incompetent;
 4. Any person who has been found not guilty by reason of insanity of any felony;
 5. Any person who has been determined to be a mentally disordered sex offender;
 6. Any person adjudged, addicted to, or in danger of being addicted to narcotics, convicted, and committed to a state institution.
 7. Any person who has been convicted of a crime based upon a verdict or finding of guilt of a felony by the trier of fact, or upon the entry of a plea of guilty or nolo contendere (i.e., no contest) to a felony.
- B. A candidate's process may be terminated by, but not limited to, the following:
1. Order of the Chief of Police;
 2. Candidate falsifies or lies on PHS or associated forms;
 3. Candidate does not submit legible and complete information as requested;
 4. Candidate does not respond to calls or provide documents in a timely fashion;
 5. Candidate fails to show up for appointment(s);
 6. Candidate fails to meet P.O.S.T. standards for minimum qualifications, including medical examination and psychological fitness examination;
 7. Candidate does not meet department needs;
 8. Candidate requests to be withdrawn.
- C. The following examples of illegal drug use or possession will be considered automatic disqualifiers for peace officer applicants, with no exceptions:
1. Any adult use or possession of a drug classified as a hallucinogenic within seven years prior to application for employment.
 2. Any adult use or possession of marijuana within one year prior to application for employment.

3. Any other illegal adult use or possession of a drug not mentioned above, including but not limited to amphetamines, methamphetamines, cocaine, designer drugs such as ecstasy, heroin, inhalants, and steroids, within three years prior to application for employment.
 4. Any illegal adult use or possession of a drug while employed in any law enforcement capacity, including military police.
 5. Any adult manufacture, cultivation or transportation of a drug or illegal substance.
 6. Failure to divulge to the police department during the background investigation any information about personal illegal use or possession of drugs.
 7. Any drug test of the applicant, during the course of the hiring process, where illegal drugs are detected.
- D. The following examples of illegal drug use or possession will be considered in relationship to the overall background of that individual and may result in disqualification:
1. Any illegal use or possession of a drug as a juvenile.
 2. Any illegal adult use or possession of a drug that does not meet the criteria of the automatic disqualifiers specified above; e.g. marijuana use no longer than one year ago.
 3. Any legal or unauthorized use of prescription medications.

VIII. RETENTION PERIOD

All contents of a background investigation including results of medical examinations and psychological fitness examinations will be retained for a period of five (5) years from separation of employment with the department or from the application process. All background investigation materials/reports shall be maintained in a secured location within the department's administration office. The retention period applies to both successful and withdrawn or disqualified candidates.