



<b>BACKGROUND INVESTIGATIONS</b>		
<b>new:</b> ✓ rescinds: 12.5 ✓ amends: All previous		<b>cross-reference:</b>  <b>accreditation standards:</b> NYSLEAP Standard(s): 12.1
<b>effective date:</b> September, 2011	<b>amend date:</b> June, 2020	

**I. PURPOSE**

The purpose of this General Order is to establish and describe the procedures and guidelines for conducting pre-employment background investigations.

**II. POLICY**

It is the policy of the Tompkins County Sheriff's Office to conduct thorough background investigations of all applicants for employment within the Tompkins County Sheriff's Office. Trained personnel shall be utilized when conducting background investigations to better ensure the confidentiality of the inquiry and enhance the overall quality of investigative techniques. It shall be the duty of an investigator to conduct the background investigations.

The Lieutenant in charge of the Criminal Investigation Division will be responsible to assign and monitor background investigations to ensure their thoroughness, quality, and adherence to these procedures. All requests by outside entities for information, references, recommendations, or background checks in reference to any current or former office employees will be referred to the Sheriff or Undersheriff for a response.

**Note:** The term "employees" for purposes of this policy refers to all current and former employees, volunteers, or interns.

**III. PROCEDURE**

**A. Applicant Background Investigations**

1. All applicants for positions to the office shall be subject to a thorough background investigation to be conducted at the request of the Sheriff or Human Resources.
2. An investigator shall be assigned to conduct applicant background investigations to ensure the confidentiality of the inquiries and enhance the overall quality of the investigative techniques.
3. The applicant shall, in a timely manner, complete in writing the personal history questionnaire provided to them by an investigator.

4. The applicant background investigation shall include a personal interview of the candidate. During the interview the background investigator shall:
  - a. Review the candidate's application and ensure that each question has been completely answered. The candidate should rectify vague or incomplete answers.
  - b. Inquiry of any additional information that may be necessary to conduct the background investigation.
  - c. Review the applicant's background questionnaire packet and ask for more information or clarification if needed.
  - d. Photograph the applicant. The applicant's name and photograph will be disseminated within the Sheriff's Office with a request for members to direct any relevant information concerning the applicant to the background investigator.
  - e. Confirm that the applicant has been fingerprinted.
5. The assigned investigator shall follow the written instructions and checklist of tasks as outlined in this policy and the Guardian Alliance background application.
6. Request that the applicant provide a copy of the following documents, if applicable:
  - Birth certificate;
  - Armed Force separation papers (DD-214);
  - Marriage certificate(s);
  - Separation or divorce papers;
  - New York State Driver License;
  - Naturalization papers;
  - School diplomas;
  - Training certificates;
  - Professional licenses;
  - Pistol permit;
  - College transcripts;
  - Credit report.
7. Have the applicant sign an "Authorization for Release of Records" form.
8. The applicant background investigation shall include, but not be limited to, examination, verification, or a personal interview in the following areas:
  - Qualifying credentials;
  - Family background;
  - Educational achievement;
  - Military records;
  - Previous employment;
  - Social and character references (3 minimum);

- Social media presence;
  - Financial references;
  - Motor vehicle history information;
  - Criminal history check through the fingerprint submission;
  - Residences (past & present/ neighborhood check).
9. Background investigators may utilize written communication to obtain the following information:
- School transcripts;
  - Previous employment information or records;
  - Driving records;
  - Military records;
  - Pistol permit information;
  - Information which cannot be obtained locally.
10. Background investigators shall verify the applicant's residency. The following records or interview may verify residency:
- Voter registration (Board of Elections);
  - Motor vehicle records;
  - Electric company billing information;
  - Telephone company billing records;
  - School or work records;
  - Sheriff's Office records;
  - Mortgage documents for property owned by the applicant;
  - Federal, state, or local income or property tax documents;
  - Information and documents provided by the applicant's landlord;
  - Information from the applicant's neighbors;
  - Information from the applicant's present employer.
11. Background investigators shall confirm the applicant's age and date of birth. Birth date may be verified by a combination of the following records:
- Birth certificate;
  - Baptismal certificate;
  - Motor vehicle records;
  - School or work records;
12. Background investigators shall verify the applicant's educational qualifications. Education qualifications may be verified through a combination of the following documents:
- High school diploma and/or transcript;
  - College diploma and/or transcript.
13. Background investigators shall obtain the applicant's criminal history by conducting:
- DCJS and FBI fingerprint checks;

- Sheriff's Office records inquiry;
  - NCIC/DCJS/ALECS wants/warrants inquiry;
  - Local police agencies check;
  - NYS or other applicable State Sex Offender Registries.
14. The applicant's citizenship status shall be verified by the background investigator using the following documents:
- Valid passport;
  - Certified birth certificate;
  - Naturalization documents.
15. Background investigators shall conduct interviews of past and present employers to include, but not be limited to, the following:
- Dates of employment;
  - Attendance record;
  - Work attitude;
  - Ability to get along with others;
  - Performance evaluations;
  - Interviews of co-workers;
  - Reason for leaving.
16. A check of the financial condition and background of the applicant should be conducted. It may include, but is not limited to, information from the following:
- Individual Credit Card company accounts;
  - Applicant's personal bank or financial institution;
  - Credit reporting agency;
  - Personal store charge account;
  - Applicant financial statement.
17. The applicant's military records, if applicable, should be verified by a copy of the discharge orders (DD-214) or verification as provided by the General Services Administration National Personnel Center.
18. The applicant's unemployment record should be verified by contacting the NYS Unemployment Office and, in the case of veterans, the Veteran's Readjustment Allowance Record.
19. Special Licenses and permits shall be verified through the issuing authority.
20. Organizations or affiliations that the applicant belongs to should be checked and contacted.
21. The name and date of birth of any person residing in the same household as the applicant shall be obtained. The local police agencies should be contacted to ascertain whether the police have had contact with these persons.

22. Each member of the applicant's immediate family should be interviewed, if possible. Questions may include, but are not limited to, the following:
  - a. Opinion as to applicant's ability to perform the job.
  - b. Opinion as to the applicant's character/moral compass.
  - c. Recommendation of the family member.
23. The area around the applicant's home should be visited and the neighbors nearby should be canvassed as to their opinion of the applicant. Question to be asked may include, but are not limited to, the following:
  - a. Length of time the neighbor has known the applicant and family.
  - b. Neighborhood problems as a result of the applicant or family/roommates.
  - c. Lifestyle of the applicant and family/roommates.
  - d. Recommendations of the neighbor.
24. Restaurants, bars and liquor stores in the vicinity of the applicant's home should be visited in an effort to gather information regarding the applicant's drinking habits.
25. The background investigators shall interview at least three references cited by the applicant. Investigators should attempt to develop and interview additional references which were not named by the applicant.
  - a. If a person providing information requests confidentiality, they will be treated as a confidential informant. Such persons will not be identified by name in any report or the background investigation file. The personnel conducting the background investigation will use a code to refer to such person(s) (e.g., CI-1 or CI-2). The assigned investigator will maintain the identity of such persons in a secure manner.
26. The Office will use a contracted vendor to conduct a search of social media websites and profiles in the public domain regarding the applicant. Applicants will not be required to disclose passwords to social media sites or profiles. Such a search will only focus on job-related information and the vendor will redact protected class information when presenting results.
27. As part of the background investigation process, the applicant may be subject to a detection of deception examination, such as a polygraph or voice stress analysis. The primary purpose of these examinations is to verify the truthfulness of information that applicants have provided on the personal history questionnaire and to the background investigator directly. The results of such examinations will become part of the final report.

28. The background investigators shall prepare a final report after all background information has been obtained. The final report should be submitted as an Inter-Office Memorandum directed to the Undersheriff. The report should not contain investigator's conclusions or opinions, but rather it should report the factual information obtained through the investigation.
29. Discrepancies found during the background investigation process may be grounds for "failed background" or disqualification from the police officer selection process.

B. Background Investigation Records/Retention

1. The Human Resources Department shall retain background investigation information for candidates who are eliminated from the selection process for five years. Candidates appointed to probationary status shall have their background information become part of their permanent personnel file.

C. Response to Background Requests from Outside Entities

1. All requests by outside entities for information, references, recommendations, or background checks regarding any current or former Sheriff's Office employee will be handled as follows:
  - a. The request will be referred to the Sheriff or Undersheriff for response.
  - b. If there is no signed release and waiver of confidentiality by the subject of the request, only the following information may be released:
    - Name of the subject;
    - Dates of employment;
    - Title of position; and
    - Salary.
  - c. If there is a signed release and waiver of confidentiality by the subject of the request the Sheriff or Undersheriff may respond to the request to the extent permitted by the signed release directly or refer the request to a more appropriate person within the Sheriff's Office (e.g., the subject's direct supervisor). If the request is referred to another person the response will be reviewed and approved by the Sheriff or Undersheriff before it is forwarded outside of the Office.
  - d. A copy of the request and any response will be retained in a file indexed by the subject's name.

By Order Of



Derek Osborne  
*Sheriff*