



# Board of Peace Officer Standards and Training

1600 University Avenue, Suite 200, Saint Paul, MN 55104  
Main: (651) 643-3060 | www.mn.gov/post/

## Background Investigation and Hiring Checklist

Minn. Stat. 626.87, Minn. R. 6700.0700, 6700.0675, 6700.0670

<b>Agency Name</b>	
<b>Applicant Name</b>	<b>Hired?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO
<b>Background Investigator Name</b>	
<b>Chief Law Enforcement Officer Name</b>	
<b>Chief Law Enforcement Officer Signature</b>	<b>Date of Completion</b>

### A. General Requirements

1. Is \_\_\_\_\_ [the applicant] a Citizen of the United States or eligible to work in the United States under federal requirements?  YES  NO

Type of documentation provided as verification: \_\_\_\_\_

Is evidence of citizenship or work eligibility attached?  YES  NO

If no, where can it be found? \_\_\_\_\_

Has Social Security Number been verified?  YES  NO

2. Does the applicant have a valid driver's license?  YES  NO

Number: \_\_\_\_\_ State of Issue: \_\_\_\_\_

Is evidence of driver's license check attached?  YES  NO

If no, where can it be found? \_\_\_\_\_

3. Has applicant provided a complete personal history statement using a form provided by the law enforcement agency and signed all necessary release of information forms?  YES  NO

4. Has applicant been fingerprinted?  YES  NO

Have the applicant's fingerprints been submitted to the BCA for an FBI/BCA fingerprint based criminal history check? YES NO

Has a criminal history check response been received? YES NO

Is the response attached? YES NO If no, where can it be found? \_\_\_\_\_

5. Has the applicant been examined by a licensed medical professional? YES NO

Name of medical professional who performed the examination: \_\_\_\_\_

Date of examination: \_\_\_\_\_ Clinic/Facility: \_\_\_\_\_

Is a copy of the results attached? YES NO If no, where can it be found? \_\_\_\_\_

6. Has the applicant been examined by a licensed psychologist within the past 12 months? YES NO

First and Last Name of psychologist who performed the evaluation: \_\_\_\_\_

Date of evaluation: \_\_\_\_\_ Clinic/Facility: \_\_\_\_\_

Is a copy of the results attached? YES NO If no, where can it be found? \_\_\_\_\_

7. Has the applicant completed Emergency Medical Responder (EMR) training or its equivalent; or training exceeding the requirements for EMR registration? YES NO (May be completed 6 months after hire)

If answer is NO, is the applicant exempt from the Emergency Medical Responder requirement? YES NO

8. Has the applicant consented to, disclosed and facilitated a review of social media accounts, platforms and groups in which the applicant has participated to the extent permitted by law? YES NO

9. If the applicant is currently or previously licensed as a peace officer, have they authorized their prior employing agency/agencies to release the applicant's personnel files data including disciplinary, termination, civil or criminal investigation, and other records or information that are directly related to minimum selection requirements for licensure?  YES NO  N/A

## B. Criminal Conviction Disqualifiers

**Note:** For licensing purposes, as described in Minn. Rules 6700.0100:

"Conviction" means that a person has been charged with a crime and the person was found guilty of that crime, regardless of length of or imposition or execution of any sentence received, any deferred finding of guilt or imposition of sentence by the court, any continuance for dismissal granted by the court, or any expungement of the offense records or conviction.

1. Has the applicant been convicted of a felony in the state of Minnesota or an offense in another jurisdiction that **would be** a felony if committed in Minnesota? YES NO

2. Has the applicant been convicted of a felony in another jurisdiction that **would not be** a felony in Minnesota? YES NO

(Not a disqualifier if the felony has been expunged, set aside, pardoned, or the person's civil rights have been restored and expressly provides for the possession of a firearm)

3. Has the applicant been convicted of any of the following non-felony offenses: YES NO
- a. Gross Misdemeanor Assault in the fifth degree (MSS 609.224)
  - b. Bias crimes, including assaults motivated by bias under MSS 609.2231 Subd. 4,, and criminal damage to property under MSS 609.595 Subd. 2, paragraph (b);
  - c. Domestic Assault (MSS 609.2242)
  - d. Violation of a Domestic Abuse No Contact Order (MSS 629.75 Subd. 2)
  - e. Violation of an Order for Protection (MSS 518B.01 Subd. 14)
  - f. Violation of a Harassment Restraining Order (MSS 609.748 Subd. 6)
  - g. Harassment or Stalking (MSS 609.749)
  - h. Sexual Extortion (MSS 609.3458)
  - i. Criminal Sexual Conduct (MSS 609.341 to 609.3451)
  - j. Indecent Exposure (MSS 617.23)
  - k. Any mistreatment of a vulnerable adult, including under MSS 609.2231; 609.231; 609.2325; 609.233; 609.2335; 609.234; and 609.72 Subd. 3)
  - l. Patrons of Prostitution (MSS 609.324 Subd. 2)
  - m. Making False Claims for Profit to a Public Body or Officer (MSS 609.465)
  - n. Attempting Medical Assistance Fraud (MSS 609.466)
  - o. Theft (MSS 609.52) *Except that misdemeanor theft of moveable property valued at \$500 or less is not an automatic disqualifier*
  - p. Interference with an Emergency Call (MSS 609.78 Subd. 2(1))
  - q. Nonconsensual Dissemination of Private Sexual Images (MSS 617.261)
  - r. Interference with Privacy (MSS 609.746)
  - s. Malicious Punishment of a Child (MSS 609.377)
  - t. Mistreating Animals (MSS 343.21)
  - u. Misconduct of a public officer or public employee (MSS 609.43)
  - v. Narcotics or controlled substance law, excluding any non-felony marijuana offense

If the answer to any of these non-felony offenses was YES, does the applicant qualify for an exemption as described in 6700.0700 Subpart 1a and 1b? YES NO

### C. Other Disqualifiers:

1. Has the applicant ever been required at any point in time to register as a predatory offender under MSS 243.166 or 243.167; or required to register as a sex offender in any other state at any point in time? YES NO
2. Is the applicant listed on the IADLEST National Decertification Index or had a law enforcement license, certification, or authorization to serve as a law enforcement officer in any jurisdiction revoked or rescinded? YES NO
3. Is the applicant free of discriminatory conduct as defined in Minn. Rules 6700.0100 Subp. 26? YES NO
4. Does the applicant have any record of conduct, as described in part 6700.1600 Subpart 1 (H-I), with;
  - a. A hate or extremist group as defined by 6700.0100 Subpart 29; or
  - b. A criminal gang as defined by Minn. Stat. 609.229, Subd. 1.YES NO

If the answer to #2 or #4 is YES, or the answer to #3 is NO, does the applicant qualify for an exemption as described in MN Rules 6700.0700 Subpart 1a and 1b? YES NO N/A

## D. Background Investigation Required Elements

Check when completed

- Use of alcohol, controlled substances and intoxicating substances
- Discriminatory conduct as defined in part 6700.0100
- Education verification
- Employment history
- Military history verification (if applicable)
- Personal and professional references
- Personal interview
- Records checks, such as open sources or social media
- Financial information as permitted by law
- (If applicable) Inquiry to the local prosecuting authority and law enforcement agencies in any jurisdiction in which the applicant has served as a peace officer as to whether the prosecuting authority or law enforcement agency has any knowledge of conduct, records, investigations, or disciplinary or court findings related to the applicant that involves:
  - abuse of police authority;
  - bias against protected class;
  - felony criminal conviction or finding of guilt;
  - conviction or finding of guilt for a crime of dishonesty;
  - mishandling of evidence or property;
  - undisclosed or improper inducements to witnesses or suspects;
  - unauthorized, unreasonable, or excessive use of force;
  - unauthorized access to or unlawful misuse of government data; or
  - other conduct which required a *Brady-Giglio* disclosure by a prosecuting authority.

## E. Other Prohibitions

Although not specified as a licensure disqualification in POST regulations, an applicant may meet all of the minimum selection standards but be ineligible to possess firearms due to conditions set forth in MN Stat. 624.713 or 18 US Code 922. It would be unlawful for an ineligible person to possess a firearm to complete any of the mandatory firearms training needed to obtain and maintain licensure as a peace officer.

Is the applicant eligible to possess firearms?  YES  NO

## **F. Required Notifications**

Background investigation notification submitted to POST: DATE \_\_\_\_\_

Was the POST Board notified of any disqualifications discovered during the background investigation?

YES  NO  N/A

For currently licensed peace officers, was the POST Board notified of any Standards of Conduct violations discovered during the background investigation?  YES  NO  N/A

## **G. More Rigid Standards**

A law enforcement agency may require its applicants to meet more rigid standards than those prescribed.

## **H. Documentation**

The CLEO must retain the documentation necessary to show compliance with the background and minimum selection requirements for the duration of any resulting employment.

If the applicant is not employed by the agency, the background investigation must be retained for six years or as required by the agency's retention schedule, whichever is longer.

The documentation is subject to periodic review by the board, and must be made available to the board at its request.