

## **Criminal Background Investigations:**

Effective immediately, the OPM will begin to operate only as the rules require for background investigations of applicators and qualifying parties. The rules basically state the OPM is to ask if the applicant has **EVER** been convicted of a felony. A class 6 undesignated offense is a felony until such time as the court enters an order designating the offense a misdemeanor. It does not matter if it was set aside, expunged, was undesignated, reduced to a misdemeanor etc.; they all show up when the background investigation is performed, so please declare them. The OPM rules also require disclosure of any misdemeanors involving moral character as defined by the Misdemeanors involving Moral Character List provided on the Applicant with Criminal Conviction Supplement.

Businesses are responsible for the employees they hire, and the OPM encourages businesses to conduct their own background investigations of potential employees. The OPM website will be updated to stress to consumers to make sure they know who they are hiring and some questions they may want to ask.

### **The Process:**

For applicator or QP licensure, applicants must fill out the form and submit it with appropriate fees ensuring the appropriate box is checked regarding criminal background history.

1) If the applicant has not been convicted of a misdemeanor involving moral character or felony, they will be approved for immediate testing. Should the OPM find a background investigation is warranted and a person did not reveal a felony conviction, this is reason for revocation of the license.

2) If the applicant has a criminal history, the applicant must submit a fingerprint card and the fee to have it reviewed. The applicant will be approved for immediate testing. However, the applicant will not be licensed until the background history is returned and it is determined appropriate to allow licensure. Everyone must realize that even if the person passes the exam, if the person has an inappropriate criminal background, the person still may not be licensed. So the money spent on testing may be lost.

If anyone has questions regarding this notice please contact the OPM at 602-255-3659. The following is the link to the Applicant with Criminal Conviction Supplement from the OPM website:

<http://www.sb.state.az.us/PDFDocuments/Applications/ApplicantwithCriminalConvictionSupplement.pdf>