

Criminal Background Checks – EOM and OCA Positions



District Personnel Instruction No. 4-28

Effective Date	Expiration Date	Related DPM Chapters
July 20, 2015	Retain Until Superseded	4

Overview

The purpose of this District Personnel Manual (DPM) Instruction is to require criminal background checks for positions in the Executive Office of the Mayor and Office of the City Administrator due to the high-risk nature of the positions’ duties and responsibilities.

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General Provisions

The **Executive Office of the Mayor** (EOM) provides District agencies with vision and policy direction, and provides agencies with the leadership, support, and oversight to implement specific policy goals and objectives of the administration. The **Office of the City Administrator** (OCA) is responsible for the day-to-day management of the District government, setting operational goals, and implementing the legislative actions and policy decisions of the Mayor and DC Council. All positions within EOM and OCA are deemed high-risk and are subject to criminal background checks.

Criminal background checks for EOM and OCA employees shall be conducted in accordance with the provisions of E-DPM Instruction No. 4-16, dated August 4, 2010 (“Requirements for Criminal Background Checks and Traffic Records Checks for the Protection of Children and Youth.”)

EOM and OCA Offices

Employees and volunteers in positions within the EOM and OCA that are subject to criminal background checks; include, but are not limited to the following:

- **Executive Office of the Mayor**
 - Office of the Mayor
 - Mayor's Office of Talent and Appointments
 - Office of Community Affairs
 - Serve DC
 - Mayor's Office of Legal Counsel
 - Office of Policy and Legislative Affairs
 - Office of Federal and Regional Affairs
 - Office of the Secretary of the District of Columbia
- **Office of the City Administrator**
 - Office of Labor Relations and Collective Bargaining
 - Deputy Mayor for Public Safety and Justice

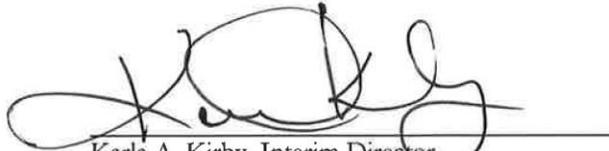
Authorities

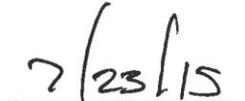
- D.C. Official Code § 1-204.22(2)(3)(11);
- D.C. Official Code § 1-609.02(c);
- Mayor's Order 2008-92, Delegation and Sub-Delegations of Authority – Director of the D.C. Department of Human Resources and Agency Heads and Rescission of Mayor's Order 2000-83, dated June 26, 2008; and
- Mayor's Order 2011-183, Delegation of Personnel Authority to Identify and Designate Positions Subject to, and to Conduct, Criminal Background Investigations for Employees in Subordinate Agencies, dated November 2, 2011.

Inquires

For regulation or policy-related inquiries on this DPM instruction, please contact the Policy Unit, DCHR, at (202) 442-9700.

For information regarding implementation of suitability-related provisions of this instruction or for other compliance-related inquiries regarding criminal background, please contact the Compliance Unit, DCHR, at (202) 442-9631.


Karla A. Kirby, Interim Director


Date

Attachments:

- DCSF 04-14, Criminal Background Authorization Form (Issued 6/15)
- DCSF 04-15, Criminal Background Disclosure Form (Issued 6/15)
- DCSF 04-16, Criminal Background Referral Form (Issued 6/15)

The Executive Office of the Mayor provides District agencies with vision and policy direction, and provides agencies with the leadership, support, and oversight to implement specific policy goals and objectives. The Office of the City Administrator is responsible for the day-to-day management of the District government, setting operational goals and implementing the legislative actions and policy decisions of the Mayor and DC Council.

By law, mayor's orders, and personnel regulations, appointees, employees or volunteers in the Executive Office of the Mayor and Office of the City Administrator must complete and sign the authorization on this form to authorize a criminal background check.

- I understand that an appointee, employee or volunteer who intentionally provides false information in the course of applying for a position is subject to prosecution pursuant to the District of Columbia Theft and White Collar Crimes Act (D.C. Official Code § 22-2405).
- The criminal background check will be conducted by the District of Columbia Metropolitan Police Department, or another authorized agent, in accordance with the policies and procedures established by the Federal Bureau of Investigation.
- I understand that I have the right to obtain a copy of the criminal background check report and to challenge the accuracy of that report.
- I hereby authorize the Metropolitan Police Department, and any other authorized agent of the District of Columbia government, to check and obtain any and all necessary criminal background records to verify my eligibility for a hacker's license.

Male Female

.....
Applicant Name

.....
Social Security Number

.....
Date of Birth

.....
Applicant Signature

.....
Date

By law, mayor's order, and personnel regulations requires each employee, applicant and volunteer to make an affirmation of his/her entire adult criminal history which respect to the following offenses:

1. Murder, manslaughter, mayhem, malicious disfiguring of another, abduction, kidnapping, burglary, theft, breaking and entering, robbery, or larceny;
2. Assault with the intent to commit any felony;
3. Assault on a police officer, or other government official, without regard to level of sentencing;
4. A violation of narcotic laws, except simple narcotics possession without intent to distribute (misdemeanor) or possession of drug paraphernalia; or
5. A sexual offense, including indecent exposure; promoting, procuring, compelling, soliciting, or engaging in prostitution; corrupting minors (sexual relations with children); molesting; voyeurism; committing sex acts in public; incest; rape; sexual assault; sexual battery; or sexual abuse; but, excluding sodomy between consenting adults.

CRIMINAL BACKGROUND DISCLOSURE STATEMENT – For each of the following questions, indicate either yes or no:

- Have you ever been convicted of any of the offenses listed above (items 1-5)? Yes No
- Have you ever pleaded nolo contendere to any of the offenses listed above (items 1-5), or their equivalent, either in the District of Columbia, or in any state or territory? Yes No
- Are you currently on probation before judgment or on a stet docket involving a criminal charge for any of the offenses listed above (items 1-5)? Yes No
- Have you ever been found not guilty by reason of insanity for any of the offenses listed above (items 1-5), or their equivalent, in the District of Columbia or in any state or territory? Yes No

I affirm the answers provided in this document are true and accurate. I understand that making a false statement on this document is a criminal offense and that, if convicted, I could be fined up to \$1,000 and imprisoned for 180 days.

Male Female

.....
Applicant Name

.....
Social Security Number

.....
Date of Birth

.....
Applicant Signature

.....
Date

The employee/applicant/volunteer must present the Referral Form with picture identification to the:

**Metropolitan Police Department Headquarters
Civilian Fingerprinting Section
Henry J. Daley Building
300 Indiana Avenue, N.W., 3rd Floor, Room 3054
Washington, D.C. 20001**

Employee/Applicant/ Volunteer Full Name (Print) Social Security Number

Signature of Employee/Applicant/Volunteer Date

Position Title

HR Representative (Print) Telephone Number

MPD Representative (Print) Date

FOR OFFICIAL USE ONLY

Distribution: Original: MPD Copy: Referring Agency Copy: DCHR Copy: Applicant/Employee/Volunteer