

CONDUCTING A BACKGROUND INVESTIGATION

The purpose for this manual is to provide a structured procedure to help acquire, organize and report background information on prospective employees.

A proper background investigation is an objective, fact-finding process that results in an accurate record of a candidate's past conduct and behavior. Your job, if you are a background investigator, is to investigate and report the pertinent aspects of the candidate's background, not evaluate those facts. Your investigation, therefore, should be descriptive, not evaluative.

Your objective is to provide sufficient information so the Police Chief or administrator making the employment decision can judge the significance of a candidate's past conduct in relation to the job requirements.

The background investigator's role can be distinguished from that of a criminal investigator in at least one important way. A criminal investigator is typically oriented toward negative information. Facts that might mitigate the significance of a crime or demonstrate the suspect's personal strengths and abilities are matters to be considered by the defendant's attorney or perhaps his/her probation officer, not the criminal investigator.

A background investigator, however, must consider both negative and positive information. While it is important to investigate all incidents in the background of candidates which may reflect unfavorably upon their ability to perform satisfactorily as police officers, it is equally important to include information on any mitigating circumstances surrounding an incident, which might explain or diminish its significance.

Finally, the rights of the candidate should be safeguarded throughout the process. One of those rights is the right to a fair, careful, and thorough evaluation of his/her candidacy. Another important right is the right of privacy. There is always the potential for conflict between the department's right to certain information concerning the candidate's background and the candidate's right to privacy. It is the investigator's responsibility to avoid unwarranted invasion of a candidate's privacy while, at the same time, developing the information necessary for a sound judgment as to the candidate's suitability for employment. This responsibility requires (1) that

only job-related inquiries be made, and (2) that the information obtained be treated as strictly confidential.

The Personal History Statement

The basic document on which your background investigation should be based is the Personal History Statement completed by the applicant. The candidate should be provided with a copy of the Personal History Statement, and given a reasonable length of time to complete and return it. At the same time, candidates should be given a list of the documents which they will be required to provide.

These documents include:

1. Birth certificate
2. Driver's license
3. Naturalization papers (if applicable)
4. High school diploma or G.E.D. certificate
5. College transcripts/diplomas
6. Credit report dated no more than 90 days prior
7. Copy of military discharge papers, DD-214 Form 4 (if applicable)
8. Marriage license (if applicable)
9. Social security card or receipt for duplicate request
10. TECLOSE certificates (if applicable)

Where possible, the applicant should be told as early in the selection process as possible, which documents will be required for the background investigation. Also, the applicant should be fingerprinted, and requests for criminal records sent to the appropriate agencies as early as possible, including the FBI.

Investigative Considerations

Throughout the investigation, the investigator should keep in mind the following:

1. Confidentiality
 - a. The information given by an applicant in the Personal History Statement, and information obtained by the investigator is private and confidential. At no time during the investigation or thereafter, should any portion of the investigation be revealed to persons other than those who are authorized to evaluate the results.

- b. As a general rule, the information gathered from third persons during the background investigation should not be revealed to the applicant. Only department officials authorized to evaluate the applicant should have access to this information. However, under various circumstances, the applicant may become aware of the contents of the investigation. For example, during the discrepancy interview some information may be disclosed when the applicant is questioned about inconsistencies or contradictions between information given in the Personal History Statement and that obtained during the investigation. During the discrepancy interview, the investigator should avoid revealing the source of any information.
- c. Other situations in which an applicant may have access to background investigation information from third persons would include federal administrative action by the Equal Employment Opportunity Commission, and state and federal court actions. These administrative agencies and courts may have rules of procedure and evidence which would give the applicant access to information gained during the background investigation.
- d. Medical information: Information gathered during the medical examination is subject to the same confidentiality restrictions as the above information. Medical or mental health information should be referred to the examining physician. All of the information gathered is to be used solely to make a sound judgment as to the applicant's physical and mental ability to perform the job of a law enforcement officer, and no medical information can be collected until after a conditional offer of employment has been made. Medical records must be kept in a separate, restricted access file, or a sealed envelope in the regular file folder, with access only on a need- to-know basis.

2. Demeanor of Investigating Officer

The applicant and all other persons contacted during the course of the investigation may not have had prior personal contact with a law enforcement officer. It is important that they be left with a feeling that courtesy, integrity, and thoroughness are qualities of law enforcement officers in general, and of the law enforcement agency represented by the investigator.

3. Discontinuance of Investigation

If, during the course of the investigation, information is obtained which will positively lead to rejection of the candidate, the investigator should consult with the appropriate superior officer to determine if the investigation should be discontinued.

4. Objectivity

It is very important that the investigator maintain objectivity throughout the investigation. No personal biases should affect the quality and content of the investigation.

5. Evaluation of References

The investigator should carefully evaluate all relatives, references, acquaintances, and other contact persons to determine their qualifications to speak on various aspects of the applicant's character. Consider: (1) the type of interaction the individual had with the applicant, (2) the duration and recency of that contact, and (3) any relevant education, training, experience, or specialized knowledge the individual may have.

Beginning the Investigation

To begin the background investigation, the investigator should carefully review the signed, completed Personal History Statement. It is the basic document of the investigation. It should be checked for inconsistencies, conflicting statements, or omissions. It should be checked against the initial application form, and should be checked against all verifying documents. The investigator should note any incomplete items, for discussion with the applicant.

Next, the investigator conducts a preliminary interview with the applicant, reviews the Personal History Statement for completeness and clarity, and discusses any questionable areas. Where the Personal History Statement reveals unusually favorable or unfavorable information, the investigator obtains further details from the applicant.

During the initial phases of the investigation, the investigator assembles the necessary documents to verify the applicant's birth date, fulfillment of the high school education requirement, military service, U. S. citizenship, and possession of a valid Texas driver's license. These documents should be secured from the applicant, copied, and returned to the applicant to ensure that they are not lost or misplaced.

To speed up the process, records that will take some time to obtain should be requested as soon as possible. For example, fingerprint cards should be sent immediately to the Department of Public Safety and to the F.B.I. A request for all previous law enforcement employment should be sent to TCLEOSE.

Preparing a Folder/Work Sheet

The investigator catalogues the documents which are needed to verify compliance with all requirements, or which are needed to support other facts. The list should include the following:

1. Birth Date:
 - a. Any offered documentation to verify date of birth, to facilitate criminal history checks;
2. Required Education:
 - a. High school diploma, or
 - b. General Educational Development (G.E.D.) certificate, or
 - c. Other education and training that is claimed, such as college transcripts
3. Valid Texas driver's license

The names, addresses and telephone numbers of persons to be contacted or personally interviewed are obtained, so that these people can be contacted in a logical sequence. To save time, appointments should be made in advance. The investigator's schedule should be kept flexible to enable him or her to follow leads developed during the investigation.

A separate list of persons or sources of information that require contact by mail is also made. For example, requests must be made by mail to the F.B.I., the Department of Public Safety, TCLEOSE, courts, and some out-of-town or out-of-state references. Subsequent sections in this manual provide more information on specific information sources which will require mailed inquiries.

Securing Necessary Forms Authorizing Release of Information

Before the investigation begins, the investigator has the applicant sign a form or forms authorizing the release of information. These forms should be completed and signed by the applicant in sufficient quantity to provide at

least one for each school, financial and employment source identified in the Personal History Statement.

Special precautions should be taken when soliciting financial information. It is a good idea to require the investigator to present a copy of the release to each source interviewed or questioned, to verify that the investigation is for employment purposes.

For military records information, the applicant must sign the release authorization block of the "Request Pertaining to Military Records" If medical information from a private firm or physician is necessary, an appropriate authorization for release of medical records is needed. However, such information can only be sought after a Conditional Offer of Employment, and not before, or it would violate the Americans with Disabilities Act.

Sending Letters of Inquiry and Requests for Information

Personal interviews are preferable to mailed inquiries, since more information can be obtained, and the source of information evaluated. When interviews are impractical, sources of information should be contacted by mail. The investigator should determine what letters or requests for information forms must be mailed. Replies should be reviewed by the investigator as soon as they are received, and any questionable areas pursued before the investigation is terminated. People are more likely to comply with your requests if you enclose a self-addressed, stamped envelope.

Interviewing

Suggested interview questions on various topics are provided under the appropriate topic headings throughout this manual. The investigator should try to obtain specific facts to support any general statements given.

Take complete notes of all interviews, in order to ensure accuracy. Quoting or paraphrasing is preferred over subjective conclusions. Be sure to record the name, address, and telephone number of each person interviewed, as well as the date, time and location of the interview.

Discrepancy Interview

Once the background investigation has been completed (or during the course of the investigation), if the investigator becomes aware of inconsistencies or contradictions between information supplied in the

Personal History Statement and that obtained during the investigation, he/she should schedule a discrepancy interview with the applicant to resolve the questionable areas. The investigator should not reveal the source of any information obtained during the background investigation.

Final Evaluation of the Applicant

The background investigator is in the best position to evaluate the applicant's personal characteristics. From the facts gathered, the investigator writes a final report which summarizes all the facts gathered, including a final section which summarizes his/her evaluation of the applicant's qualifications with regard to the job dimensions. The investigator does not make the final hire/no-hire recommendations, but leaves that decision to the department head, which controls the total selection process.

Narrative Report and Summary

The written report should be complete, concise, and in narrative form. All documents and material necessary to verify compliance with departmental and TCLEOSE requirements should be submitted with the report to the Police Chief or the administrative officer designated to receive, review and evaluate it. Included with the report should be verifying documents, unused signed authorizations, returned forms and letters, the investigator's notes of interviews, and any other pertinent material. The report should be factual. For completeness, all information should be included. This will also facilitate a sound judgment of the applicant's qualifications. Persons interviewed should be either quoted verbatim or paraphrased.

A narrative report and summary will help the investigator to organize and write the final evaluation. Summaries should be included along with the narrative report, to form the basis for the investigator's evaluation. The following areas of inquiry are suggested for the narrative report. They follow the major sections on the Personal History Statement:

- A. Application Identification
- B. Residences
- C. Experience & Employment
- D. Military History
- E. Education
- F. Special Qualifications & Skills
- G. Legal
- H. Motor Vehicle Operation
- I. Relatives
- J. References & Acquaintances
- K. Financial

SAMPLE NARRATIVE REPORT FOR A BACKGROUND INVESTIGATION

To: Chief/Sheriff

From: Background Investigator

Subject: Background Investigation: Charles T. Candidate

Personal

The applicant Charles T. Candidate resides at 201 State Street, Dallas, Texas 75201. He can be contacted through his home phone, 225-1234, or work telephone, 228-4321. Mr. Candidate was born on July 10, 1952. His social security number is 002-26-8154. Mr. Candidate is 5'11" tall, weighs 160 pounds, has brown hair and blue eyes. He has no scars, tattoos or other distinguishing marks. All of the above facts have been confirmed, and verifying documents are attached.

Relatives, References and Acquaintances

Relatives

All of the listed relatives with the exception of Mr. Candidate's older brother were contacted with no negative information. All stated that they felt Mr. Candidate would make a good peace officer in that he is willing to confront problems, is dependable, and has demonstrated that he is interested in people and has a high degree of interpersonal sensitivity. They also related that there was no question of Mr. Candidate's integrity.

Since Mr. Candidate's older brother, James Candidate, lives on the West Coast, he was not contacted.

Prior Spouse

Contact was made with Mr. Candidate's prior spouse, Lois Little. Mrs. Little related that the reason for the marriage dissolution was because of irreconcilable differences. She went on to state that, in her opinion, Mr. Candidate was immature, and that this has been demonstrated by the way he has "always squandered money." As an example, Mrs. Little stated that Mr. Candidate had difficulty with paying bills on time and would waste what little money they had on fixing his motorcycle. This was the only derogatory information that Mrs. Little provided.

It should be noted that subsequent investigation revealed that Mr. Candidate was married for only six months and the marriage occurred when he was eighteen years of age.

Mr. Candidate's marriage dissolution prior to his current marriage has been verified and copies of the necessary documents are attached.

Offspring

Mr. Candidate has no children.

Persons with Whom the Applicant has Resided

Contact was made with Bill Smith, Mr. Candidate's roommate during college. Mr. Smith related that he was good friends with Mr. Candidate and that they still see each other occasionally. Mr. Smith stated that he is aware of Mr. Candidate's difficulties with finances, but stated that he never experienced any personal inconveniences because of Mr. Candidate. He stated that, to his knowledge, Mr. Candidate did pay his necessary bills and was always prompt to pay his half of the rent. Mr. Smith stated that, in his opinion, Mr. Candidate would make a good officer and that he is very interested in people and is willing to confront problems. An example of his willingness to confront problems is the fact that Mr. Candidate realized after a short period of time that his marriage was not beneficial to either himself or his prior spouse, and they amicably sought adissolution.

References and Acquaintances

All the listed individuals were contacted. None had any negative information to convey. Mr. Candidate's listed acquaintance, Tom Kaine, provided an additional name of Sara Smothers, 21 Avery Street Fort Worth, Texas 76201. Contact telephone 524-5614.

Ms. Smothers dated Mr. Candidate for a short period of time after Mr. Candidate's divorce. Ms. Smothers related that her relationship with Mr. Candidate was casual, but that he never exhibited any lack of dependability, had good interpersonal sensitivity, and she had no reason to believe that he could not handle his finances.

Education

High School

Mr. Candidate graduated from Concord High School in June, 1970, and this was confirmed by a copy of his high school diploma, which is attached.

Contact was made with Mr. Candidate's counselor, Mr. Fish, who stated that Mr. Candidate had always exhibited good learning ability. Although he never made the honor roll, Mr. Fish believed that he could have, if he had asserted himself. Mr. Candidate has never been suspended or expelled from school.

Post-Secondary School

Mr. Candidate attended the University of Texas at Austin for three years from 1971 through 1974. Mr. Candidate's listed advisor was contacted and he stated that he only knew Mr. Candidate briefly, and only discussed Mr.

Candidate's educational future with him when he first came to the college in 1971. Mr. Larson, Mr. Candidate's advisor, stated that he knew of no reason why Mr. Candidate would not make a good law enforcement officer.

Residences

Neighbors and Landlords

Mr. Candidate lived with his parents until he was first married. Mr. Candidate and his first wife lived in a large apartment complex at 322 Ocean Street, Arlington, Texas. A neighborhood check proved negative in locating anyone who remembered Mr. Candidate. Records were not maintained and thus no information was available on his reliability in paying the rent.

After his divorce, Mr. Candidate lived with a roommate, Mr. Smith, in an apartment complex at 2100 Howe Avenue, Addison, Texas. A neighborhood check proved negative in locating anyone who recalled Mr. Candidate or his roommate, Mr. Smith. A check with the manager revealed that they did maintain records back to 1971 and that the record revealed that Mr. Candidate and Mr. Smith paid their rent on time every month.

Neighbors where Mr. Candidate and his present wife now reside were contacted. Mr. and Mrs. Jones, who live on the west side of Mr. Candidate, stated that they thought Mr. Candidate and his wife "were a very nice couple." Mr. Jones stated that he thought Mr. Candidate would make a good peace officer and he had nothing derogatory to say about Mr. Candidate. All other neighbors confirmed this assessment.

Experience and Employment

Present and Past Employers and Supervisors

During a check of Mr. Candidate's employment record, Mr. Knudsen, owner of Knudsen's Chevron Station, was contacted. Mr. Candidate was employed as a service station attendant at Knudsen's Service Station from 1968 through 1971, when he resigned to accept employment with Best Auto Parts while attending college. Mr. Knudsen stated that Mr. Candidate was one of the best employees he had ever had. Mr. Knudsen also stated that Mr. Candidate was dependable, punctual, got along well with fellow employees and was never any trouble. Mr. Knudsen did relate that on one occasion he had to return to the station late in the evening and found Mr. Candidate asleep; however, this was a single incident and was due to the fact that Mr. Candidate had stayed up all night the previous evening studying.

Mr. Candidate's present employer, Mr. Edward Best, related that Mr. Candidate is an excellent employee and he had no negative information to provide.

Present and Past Co-workers:

Mr. Candidate's past co-workers were available for interview. Mr. Dean Whittier related that Mr. Candidate was a good person to work with and that he had known Mr. Candidate for approximately two and a half years. Mr. Whittier had no negative information and said that he found Mr. Candidate to be very dependable, interested in people, and honest.

Mr. Candidate has never filed any claims for unemployment or workers' compensation. All time was accounted for in his background and he has no extended work absences.

Mr. Candidate has never been fired or asked to resign from employment. He has never been rejected for any other peace officer position.

Military

Mr. Candidate has never served in the military.

Financial

In reviewing Mr. Candidate's financial statement, it was found that Mr. Candidate handles his finances well and apparently has not overextended himself. A check with the Concord Credit Bureau showed that Mr. Candidate had satisfactory credit and no delinquent payments.

Apparently, whatever difficulties Mr. Candidate had in the past due to financial reasons have been corrected.

Mr. Candidate has never filed bankruptcy, had any bills sent to a collection agency, had any purchased goods repossessed, had his wages attached, or been delinquent in paying taxes or rent payments.

Legal

A check with the Dallas, Austin, Fort Worth, and Arlington Police Department, Addison Police Department, and DPS, revealed that Mr. Candidate has never been arrested or convicted of any crime. The only entry in the Dallas Police Department's alpha file is when Mr. Candidate was six years old and fell down in front of his residence and was thought to be the victim of an auto accident. Copies of the returns are attached.

Motor Vehicle Operation

Driving Record

Mr. Candidate's driving record revealed that he received two speeding citations in 1981 and has not received a citation since. Mr. Candidate was

involved in one non-injury collision in 1984 and has had no subsequent collisions.

A copy of Mr. Candidate's valid driver's license is attached.

General Topics

Insurance

Mr. Candidate has never had insurance refused or cancelled.

Other

Checks revealed that Mr. Candidate has never belonged to any illegal organization and has no record of any substance abuse.

Investigator's Evaluation

After completing the background investigation on Mr. Candidate, it is found that, with the exception of a problem with his dependability and financial obligation for a short period of time when he was first married in 1970, no derogatory information was discovered. It is apparent from Mr. Candidate's background that he is dependable and interested in people. There is nothing in his background that would reflect unfavorably on his credibility as a witness in a court of law, and there is no reason to question his integrity.

Signed,

Background Investigator