

## **SPECIFICATION S-2**

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#### **TITLE: FINGERPRINT RECORD CHECK**

This requirement supplements Section 1002 (3)(c), (d) and (e) of the Regulations. The fingerprint record check is conducted to implement the minimum employment or appointment standard that prohibits the employment of applicants who have pled guilty or been convicted of crimes, the punishment for which could have been imprisonment in a federal penitentiary or state prison.

#### **REQUIREMENTS**

1. A search of state and national files to disclose any criminal record.
2. Any applicant who has entered a plea of guilty or has been convicted by any state or by the Federal Government of a crime, the punishment for which could have been imprisonment in a federal penitentiary or a state prison will not be eligible for certification.
3. Retention on a permanent basis by the employing unit will depend upon the satisfactory results of the fingerprint record check on all law enforcement officers employed under the Act.

#### **PROCEDURES**

1. A criminal records search will be conducted through the Arkansas Crime Information Center (ACIC) and National Crime Information Center (NCIC) on each candidate for employment.
2. Each candidate for employment is fingerprinted on the standard applicant fingerprint form (FBI Card FD-258), which is to be forwarded to the Arkansas State Police, Little Rock, Arkansas. State files will be checked and the card forwarded to the FBI in Washington, D.C.
3. Applicants with criminal records as defined in Requirement 2 of this Specification will be rejected. Applicants with criminal records other than felony offenses will be evaluated and a final decision reached by the department concerned.

4. The results of all ACIC, NCIC, and fingerprint records checks will be retained by the employing agency and must be available for examination at any reasonable time by representatives of the Commission. Records checks will be maintained regardless of the results of the inquiry.
5. Examination by the Commission shall be expressly for the purpose of verifying agency compliance to the Regulations.

6. **FALSIFICATION OF FINGERPRINT AND CRIMINAL HISTORY RECORDS**

Any department head who certifies to the Commission that an applicant's fingerprints have been taken and submitted as required, when they have not, shall be in violation of Ark. Code Ann. 5-53-103. False swearing is a Class A misdemeanor.