



Illinois Department of Corrections

Administrative Directive

Number: 01.02.107	Title: Background Investigations	Effective: 9/1/2021
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Authorized by:	<i>[Original Authorized Copy on File]</i>	Rob Jeffreys Director
Supersedes:	01.02.107 effective 06/01/2020	

Authority: 730 ILCS 5/3-2-2	Related ACA Standards: 5-ACI-1C-14
Referenced Policies: 03.02.100 03.02.105 03.02.106 03.02.305 04.01.122	Referenced Forms: CMS 100- Examining/Employment Application DOC 0005- Volunteer/Unpaid Intern Services Application DOC 0031- Applicant Information Sheet DOC 0032- Request for Background Investigation DOC 0033- Contractual/Paid Intern Services Application DOC 0035- Background Investigation Release and Consent DOC 0036- Waiver and Consent to Search DOC 0037- Employment Reference Check DOC 0038- Summary of Background investigation DOC 0039- Administrative Review DOC 0267- Volunteer Information Sheet DOC 0450- Prison Rape Elimination Act Pre-Employment Self Report DOC 0589 - PREA Questionnaire for Institutional Employers ISP 6-409 – Fingerprint Card

I. POLICY

The Department shall conduct background investigations in accordance with this directive.

II. PROCEDURE

A. Purpose

The purpose of this directive is to establish written instructions to staff in regard to background investigations.

B. Applicability

This directive is applicable to all correctional facilities, offices, programs and parole services within the Department.

C. Facility Reviews

A facility review of this directive shall be conducted at least annually.

D. Designees

Individuals specified in this directive may delegate stated responsibilities to another person or persons unless otherwise directed.

E. Definitions

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Applicant - any person who has been recommended by supervisory staff for an initial position with the Department, including persons who will work for the Department under contract; any person who is an employee of a contractor who will be performing work or providing services at Department facilities on a routine basis such as a nurse or educator or any person who will be providing services for individuals in custody outside of Department facilities, such as counseling offenders in their homes; student workers and interns.

Chief Administrative Officer (CAO) - the highest ranking official of a correctional facility, such as Warden or Supervisor.

Chief Administrator - the respective Executive Staff, Chief, Deputy Director or Chief Administrative Officer.

Computer criminal history check - a check of an individual's criminal history through the Law Enforcement Agencies Data System (LEADS).

Consultant - any person who is self-employed or employed by a contractor to perform consultant services.

Contractual employee - any person with whom the Department has contracted with to provide on-site services on a regular, on-going basis or any person who is employed by an entity that is under contract with the Department to provide on-site services on a regular, on-going basis; for example, nurses, physicians, educators, employees of contractual transition centers, etc. This does not include outside workers who are contractors or employees of contractors.

Correctional facility - any departmental facility or facility contracted by the Department in which offenders or released offenders are housed, including any correctional center or transition center. It does not include community halfway houses or alternative housing for offenders who are on parole or mandatory supervised release.

Employee - any person who is employed by the Department and who is on the State payroll.

Intern - any person who provides services to the Department in connection with an educational program, whether paid or unpaid.

Outside worker - any person who is self-employed or employed by a contractor or another entity who provides services on a limited or temporary basis, such as a financial or compliance auditor, construction worker, repair person, delivery person, garbage collector, exterminator, etc.

Safety sensitive position - an employment position identified by the Director, including those where the employee is issued a personally assigned state vehicle, a weapons authorization card, or an assigned weapon.

Student worker - any full-time student, including an intern, who works for the Department during the summer or school breaks or while attending school.

Volunteer - any person who individually or through an organization provides services to the Department on a volunteer basis. This shall not include unpaid interns.

F. General Provisions

1. Background investigations shall be completed on persons prior to employment or prior to

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placement in a safety sensitive position and on persons who provide services for the Department.

2. Background investigations may be conducted periodically to review the background of individuals identified in Paragraph II.F.1.
3. There shall be two levels of background investigations:
 - a. Computer criminal history check shall include a check of an individual's criminal history through the Law Enforcement Agencies Data System (LEADS) and shall be required for:
 - (1) Outside workers or consultants who will regularly work with offenders or offender records and who will be escorted or directly supervised by staff at all times while on grounds of a correctional facility. The computer criminal history is not required prior to the initial entrance when outside workers or consultants are called in on an emergency basis. However, the criminal history shall still be initiated in accordance with Paragraph II.G.
 - (2) Volunteers who will provide services on an occasional or a one-time basis, but who are not providing regular, on-going services in accordance with Administrative Directive 04.01.122.
 - (3) Individuals prior to approval to tour facilities, except as otherwise approved by the Director.
 - (4) Any individual not required to work at a correctional facility that provides telecommunication services via telephonic, video, TTY or other electronic means for the purpose of providing information for a correctional facility's needs from a remote location.
 - b. Complete background investigations:
 - (1) Shall include, but not be limited to, a check of:
 - (a) LEADS;
 - (b) Secretary of State Driver's License;
 - (c) Firearms Owner's Identification (FOID);
 - (d) Employment reference checks;
 - (e) Offender 360 (O360);
 - (f) Youth 360 (Y360);
 - (g) Volunteer Tracking System;
 - (h) Visitor Tracking System (VTS);
 - (i) Military check, if applicable, and;

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(j) The use of any other name or social security number.

(2) Shall be required for **ALL**:

- (a) Applicants prior to employment, employees, contractual employees and interns;
- (b) Volunteers, who will provide regular, on-going services; and
- (c) Consultants who will or may regularly work with offenders or offender records and who will not be escorted or directly supervised by staff while on grounds of a correctional facility. However, in an emergency when time does not permit the computer criminal history check prior to initial entrance, the consultant may be admitted as approved by the CAO and escorted or supervised by staff at all times while on grounds of a correctional facility until such time as the computer criminal history has been received.

NOTE: The above persons may be temporarily cleared for entrance after receipt of the computer criminal history by the CAO.

- 4. Background investigation, including a computer criminal history, shall not be required for outside workers such as delivery persons and garbage collectors who will not regularly work with offenders or offender records; however, they shall be escorted or supervised by staff at all times while on grounds of a correctional facility.
- 5. Individuals for whom a complete background investigation is being requested shall be fingerprinted by the Department in accordance with Illinois State Police (ISP) Bureau of Identification protocol using the Fingerprint Card, ISP 6-409, or electronic equivalent:
 - a. For Correctional Officer Trainee and Correctional Treatment Officer Trainee applicants, when the applicant reports to the hiring facility for the physical examination and drug test.
 - b. For all others, when a conditional offer of employment or service is made.

NOTE: To ensure the responses are returned to the Background Investigation Unit, fingerprint cards required by this directive shall have the Department's Originating Agency Identifier (ORI) number of "IL084395C" recorded in the submitting agency's ORI field.
- 6. Annual background investigations, complete or computer criminal history only, may be conducted at the discretion of the Director on any employee, intern, volunteer, consultant or outside worker including, but not limited to, individuals in safety sensitive positions.
- 7. Annual background investigations shall be conducted on all individuals who:
 - a. Are authorized to carry weapons and who have been issued a weapons authorization card; or
 - b. Have a personally assigned state vehicle.

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8. All background investigations, both complete and computer criminal history check only, shall be conducted by the Background Investigations Unit.
9. Background information for persons who may perform services at more than one facility, such as educators, librarians, industry workers, medical staff, volunteers, etc., shall be shared with the Chief Administrator of each facility where the services will be provided.
10. Nothing in this directive shall preclude further investigation when deemed appropriate by the Director, Assistant Director or respective Deputy Director or Chief.

G. Requirements

Background investigations shall be requested by the Central Screening Unit, the hiring supervisor or any other individual designated by the Chief Administrator to process such requests, as appropriate.

1. The requestor shall complete the requestor's section of the Request for Background Investigation, DOC 0032, in its entirety.
2. For any request for computer criminal history only, the requestor shall retain a copy and submit the DOC 0032 to the Background Investigations Unit via electronic mail, mail or fax.
3. For any request for a complete background investigation, the requestor shall retain a copy and submit the DOC 0032 with the following applicable documents in the order listed to the Background Investigations Unit via electronic mail, mail, or fax:
 - a. The appropriate application form:
 - (1) Examining/Employment Application, CMS 100;
 - (2) Contractual/Paid Intern Services Application, DOC 0033; or
 - (3) Volunteer/Unpaid Intern Services Application, DOC 0005.
 - b. The appropriate information sheet:
 - (1) Applicant Information Sheet, DOC 0031; or
 - (2) Volunteer Information Sheet, DOC 0267.
 - c. The Background Investigation Release and Consent, DOC 0035, completed by the applicant and witnessed by departmental staff.
 - d. The Prison Rape Elimination Act Pre-Employment Self-Report, DOC 0450.
 - e. For an employee applicant or a contractual service applicant who will be employed directly by the hiring facility or by an entity (vendor) who is under contract to the Department, an original Employment Reference Check, DOC 0037, completed by each of the applicant's:

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- (1) Last three former employers or employers within the last five years of employment, whichever is greater; and
- (2) Former employers where a job discharge occurred.

NOTE: The former employers should be directed to respond to Central Screening, the hiring facility or the vendor, whichever is applicable. Responses submitted by the former employers shall be submitted to the individual within the Department who requested the background investigation.

- f. An indication that the fingerprint cards were electronically submitted using ORI number IL 084395C.

NOTE: Correctional Officer Trainee and Correctional Treatment Officer Trainee applicants' fingerprint cards shall be completed and submitted when the applicant reports to the hiring facility or nearest collection site for the physical examination and drug test.

4. The Background Investigations Unit shall verify whether required documentation is submitted with the request for a complete background investigation. Any incomplete request packet shall be returned to the requestor for completion prior to processing. If the request for background investigation packet is complete, the Background Investigations Unit shall:
 - a. Conduct the inquiries in accordance with Illinois State Police protocol;
 - b. For any applicant that will routinely have contact with individuals in custody, and is currently or previously employed by a prison, jail, detention center, or other institutional employer; request information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse by forwarding the PREA Questionnaire for Institutional Employers, DOC 0589, to each of the current or previous institutional employers.
 - c. Complete the Summary of Background Investigation, DOC 0038;
 - d. Where appropriate, prepare an Administrative Review, DOC 0039, and conduct any necessary review in accordance with Administrative Directive 03.02.100.
 - e. Based on the results of the background investigation and any administrative review, indicate eligibility for hire or service on the DOC 0032 and return a copy of the request indicating eligibility for hire or service to the requesting facility or Central Screening Unit.
 - f. Maintain a confidential file copy of the DOC 0038, the original DOC 0032 with all supporting documentation attached, investigative reports and a copy of any DOC 0039.
5. Upon receipt of the DOC 0032 indicating eligibility for hire or service from the Background Investigations Unit, hiring may commence in accordance with Administrative Directives 03.02.105, 03.02.106 and 03.02.305, including drug testing where applicable, or final processing may occur in accordance with Administrative Directive 04.01.122 or any other applicable directive. Contractual employees shall be required to sign a Waiver and Consent to Search, DOC 0036, upon approval or commencement of service.

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6. The results of any annual or special background investigation shall be provided as directed to the Director for any appropriate action.
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