

Criminal Background Information

CRIMINAL HISTORY – Certain convictions DISQUALIFY you from being certified and you will not be allowed to work as a private security provider, under Oregon law. The attached criminal disqualifier list is provided for you to determine whether or not you want to apply. If you apply for certification or licensure and your criminal background check shows that you have been convicted of any of the below listed crimes or equivalent crimes in other jurisdictions your application will be disqualified. Please call DPSST at 503 378-8531 if you have any questions. NOTE: If you have history that you believe should have been “expunged” or removed from your record, but you do not **know** (proof in hand) that it was expunged or removed; you should verify your belief prior to applying. A crime is not removed from your record until you go through the formal process to have it removed. Believing a conviction was removed, or forgetting a conviction existed, is not a valid defense and your application for certification or licensure may be denied

DPSST PRIVATE SECURITY CRIMINAL DISQUALIFIERS LIST

Person Felonies are in numerical statutory order and are lifetime disqualifiers.

ORS 162.165 Escape I
ORS 162.185 Supplying Contraband as defined in Crime Categories 6 and 7 (OAR 213-018-0070(1) and (2))
ORS 163.095 Aggravated Murder
ORS 163.115 Murder
ORS 163.115 Felony Murder
ORS 163.118 Manslaughter I
ORS 163.125 Manslaughter II
ORS 163.145 Negligent Homicide
ORS 163.160(3) Felony Domestic Assault
ORS 163.165 Assault III
ORS 163.175 Assault II
ORS 163.185 Assault I
ORS 163.187(4) Felony Strangulation
ORS 163.205 Criminal Mistreatment I
ORS 163.207 Female Genital Mutilation
ORS 163.208 Assaulting a Public Safety Officer
ORS 163.213 Use of Stun Gun, Tear Gas, Mace I
ORS 163.225 Kidnapping II
ORS 163.235 Kidnapping I
ORS 163.266 Trafficking in Persons
ORS 163.275 Coercion as defined in Crime Category 7 (OAR 213-018-0035(1))
ORS 163.355 Rape III
ORS 163.365 Rape II
ORS 163.375 Rape I
ORS 163.385 Sodomy III
ORS 163.395 Sodomy II
ORS 163.405 Sodomy I
ORS 163.408 Sexual Penetration I
ORS 163.411 Sexual Penetration I
ORS 163.425 Sexual Abuse II
ORS 163.427 Sexual Abuse I
ORS 163.465 Felony Public Indecency
ORS 163.479 Unlawful Contact with a Child

ORS 163.452 Custodial Sexual Misconduct in the First Degree
ORS 163.525 Incest
ORS 163.535 Abandon Child
ORS 163.537 Buying/Selling Custody of a Minor
ORS 163.547 Child Neglect I
ORS 163.670 Using Child In Display of Sexual Conduct
ORS 163.684 Encouraging Child Sex Abuse I
ORS 163.686 Encouraging Child Sex Abuse II
ORS 163.688, Possession of Material Depicting Sexually Explicit Conduct of Child I
ORS 163.689, Possession of Material Depicting Sexually Explicit Conduct of Child II
ORS 163.732 Stalking
ORS 163.750 Violation of Court's Stalking Order
ORS 164.075 Theft by Extortion as defined in Crime Category 7 (OAR 213-018-0075(1))
ORS 164.225 Burglary I as defined in Crime Categories 8 and 9 (OAR 213-018-0025(1) and (2))
ORS 164.325 Arson I
ORS 164.395 Robbery III
ORS 164.405 Robbery II
ORS 164.415 Robbery I
ORS 164.877(3) Tree Spiking (Injury)
ORS 166.070 Aggravated Harassment
ORS 166.087 Abuse of Corpse I
ORS 166.165 Intimidation I
ORS 166.220 Unlawful Use of a Weapon
ORS 166.275 Inmate In Possession of Weapon
ORS 166.385(3), Felony Possession of a Hoax Destructive Device
ORS 166.643 Unlawful Possession of Soft Body Armor as defined in Crime Category 6 (OAR 213-018-0090(1))
ORS 167.012 Promoting Prostitution
ORS 167.017 Compelling Prostitution
ORS 167.320(4) Felony Animal Abuse I
ORS 167.322 Aggravated Animal Abuse I
ORS 468.951 Environmental Endangerment
ORS 475.908 Causing Another to Ingest a Controlled Substance as defined in Crime Categories 8 and 9 (OAR 213-019-0007 and 0008)
ORS 475.910 Unlawful Administration of a Controlled Substance as defined in Crime Categories 5, 8, and 9 (OAR 213-019-0007, 0008, and 0011)
ORS 609.990(3)(b) Maintaining Dangerous Dog
ORS 811.705 Hit and Run Vehicle (Injury)
ORS 813.010(5), Felony Driving Under the Influence of Intoxicants (as provided in OAR 213-004-0009); 2011 Or Laws ch 598, Felony Driving Under the Influence of Intoxicants (as provided in OAR 213-004-0009)
ORS 830.475(2) Hit and Run Boat
ORS 97.981 Purchase or Sale of a Body Part for Transplantation or Therapy
ORS 97.982 Alteration of a Document of Gift
Subjecting Another Person to Involuntary Servitude I ORS 163.264, and II ORS 163.422
ORS 166.149 Aggravated Vehicular Homicide
ORS 167.057 Luring a Minor
Online Sexual Corruption of a Child I ORS 163.433, and II 163.422
ORS 163.196 Aggravated Driving While Suspended or Revoked
ORS 475.840(6)(a) Manufacturing or Delivering a Schedule IV Controlled Substance Thereby Causing Death to a Person
SB 673 (2013) Purchasing Sex With a Minor; and attempts or solicitations to commit any Class A or Class B person felonies as defined herein.

NON-PERSON FELONIES

10-year disqualifiers

All other felonies in addition to the person felonies listed above.

PERSON CLASS A MISDEAMEANORS are in numerical statutory order and are **10-year disqualifiers from the date of conviction.**

ORS 162.315 Resisting Arrest
ORS 163.160 Assault IV
ORS 163.187 Strangulation
ORS 163.190 Menacing
ORS 163.195 Recklessly Endanger Another
ORS 163.200 Criminal Mistreatment II
ORS 163.212 Use of Stun Gun, Tear Gas, Mace II
ORS 163.415 Sexual Abuse III
ORS 163.454 Custodial Sexual Misconduct in the Second Degree
ORS 163.465 Public Indecency
ORS 163.467 Private Indecency
ORS 163.476 Unlawfully Being in a Location Where Children Regularly Congregate
ORS 163.545 Child Neglect II
ORS 163.575 Endanger Welfare of Minor
ORS 163.687 Encouraging Child Sex Abuse III
ORS 163.700 Invasion of Personal Privacy
ORS 163.709 Unlawfully Directing a Laser Pointer
ORS 163.732(1) Stalking
ORS 163.750(1) Violating Court's Stalking Order
ORS 165.572 Interfering with Making a Police Report
ORS 166.065(4) Harassment/Offensive Sexual Contact
ORS 166.155 Intimidation II
ORS 166.385(2) Misdemeanor Possession of a Hoax Destructive Device
ORS 475.986(1)(d) Unlawful Administration of a Controlled Substance
ORS 609.990(3)(a) Maintaining Dangerous Dog
ORS 813.010, Driving Under the Influence of Intoxicants (as provided in OAR 213-004-0009)
ORS 167.054 Furnishing Sexually Explicit Material to a Child; and attempts or solicitations to commit any Class C person felonies as defined in section (14) of this rule.

**ADDITIONAL MISDEMEANORS 10-year disqualifiers,
from the date of conviction**

161.405(2)(d) (Attempt to Commit a Class C Felony or Unclassified Felony)
161.435(2)(d) (Solicitation of a Class C Felony)
161.450(2)(d) (Conspiracy to Commit a Class A misdemeanor)
162.075 (False Swearing)
162.085 (Unsworn Falsification)
162.145 (Escape III)
162.235 (Obstructing Governmental or Judicial Administration)
162.247 (Interfering with a Peace Officer)
162.295 (Tampering with Physical Evidence)
162.335 (Compounding a Felony)
162.365 (Criminal Impersonation)
162.369 (Possession of a False Law Enforcement Identification Card)
162.375 (Initiating a False Report)
162.385 (Giving False Information to Police Officer for a Citation or Arrest on a Warrant)
162.415 (Official Misconduct I)
163.435 (Contributing to the Sexual Delinquency of a Minor)
164.043 (Theft III)
164.045 (Theft II)
164.125 (Theft of Services)
164.140 (Criminal Possession of Rented or Leased Personal Property)
164.235 (Possession of Burglar's Tools)
164.255 (Criminal Trespass I)
164.265 (Criminal Trespass while in Possession of a Firearm)
164.335 (Reckless Burning)

164.354 (Criminal Mischief II)
 164.369 (Interfering with Police Animal)
 164.377(4) (Computer Crime)
 165.007 (Forgery II)
 165.055(4)(a) (Fraudulent Use of a Credit Card)
 165.065 (Negotiating a Bad Check)
 165.570 (Improper Use of Emergency Reporting System)
 166.116 (Interfering with Public Transportation)
 166.240 (Carrying of Concealed Weapons)
 166.250 (Unlawful Possession of Firearms)
 166.350 (Unlawful Possession of Armor Piercing Ammunition)
 166.425 (Unlawful Purchase of Firearm)
 167.007 (Prostitution)
 167.062 (Sadomasochistic Abuse or Sexual Conduct in a Live Show)
 167.075 (Exhibiting an Obscene Performance to a Minor)
 167.080 (Displaying Obscene Material to Minors)
 167.262 (Adult Using Minor in Commission of Controlled Substance Offense)
 167.320 (Animal Abuse I)
 167.330 (Animal Neglect I)
 471.410 (Providing Liquor to a Person Under 21 or Intoxicated Person)
 807.620 (Giving False Information to a Police Officer/Traffic)
 811.540(3)(b) (Fleeing or Attempting to Elude Police Officer) Any crime with similar elements in any other jurisdiction.

CRIMES OF DOMESTIC VIOLENCE 10-year disqualifiers

Any misdemeanor crime of domestic violence as defined in statute.

DRUG-RELATED MISDEMEANORS/FELONIES 10-year disqualifiers

All drug-related offenses above violation level.

ANY MISDEMEANOR ARISING FROM CONDUCT WHILE ON DUTY AS A PRIVATE SECURITY PROVIDER 10-year disqualifier

THIS LIST IDENTIFIES THE NAME OF THE CRIME AND THE STATUTE NUMBER UNDER OREGON LAW. EQUIVALENT CRIMES COMMITTED IN ANY OTHER JURISDICTION (INCLUDING THE MILITARY) OR AS A JUVENILE CARRY THE SAME PERIOD OF DISQUALIFICATION.

Discretionary Grounds for Denying, Suspending or Revoking Private Security Certification or Licensure

The Department may deny or revoke the certification or licensure of any applicant or private security provider after written notice and hearing, if requested, upon finding that an applicant or private security provider:

Fails to meet the minimum standards for certification or licensure as a private security provider as defined in OAR 259-060-0020;

Has falsified any information submitted on the application for certification or licensure or any documents submitted to the Department pertaining to private security certification or licensure;

Has violated any of the temporary assignment provisions of OAR 259-060-0120(1);

Has failed to submit properly completed forms or documentation in a time frame as designated by the Department;

Has failed to pay a civil penalty or fee imposed by the Department when due;

Has failed to comply with any provisions found in the Act or these rules; or

Lacks moral fitness. For the purposes of this standard, the Department, through the Policy Committee and Board, has defined lack of moral fitness as:

Dishonesty. Lack of honesty includes, but is not limited to, untruthfulness, dishonesty by admission or omission, deception, misrepresentation or falsification;

Lack of Good Character. Lack of good character includes, but is not limited to, failure to be faithful and loyal to the employer's charge and failure to use discretion and compassion;

Mistreatment of Others. Mistreatment of others includes, but is not limited to, violating another person's rights and failure to respect others;

Lack of Public Trust. Failure to maintain public trust and confidence includes, but is not limited to, acting in an unlawful manner or not adhering to recognized industry standards; or

Lack of Respect for the Laws of this State or Nation. Lack of respect for the laws of this state and nation includes a pattern of behavior which leads to three or more arrests or convictions within a ten-year period prior to application or during certification or licensure.