I. Description of Course:
1. Department/Course: AJ - 236
2. Title: Background Investigator
3. Cross Reference:
4. Units: 1
   Lec Hrs: 0.5
   Lab Hrs: 1.5
   Tot Hrs: 36.00
5. Repeatability: Yes Times: Unlimited per 55040.(b).(8)
6. Grade Options: Pass/No Pass (CR)

7. Degree/Applicability:
Credit, Degree Applicable, Not Transferable (D)

8. General Education:

9. Field Trips: Not Required

10. Requisites:
Prerequisite
   or POST Basic Police Academy Certificate AJ 220 or Equivalent
Advisory
   POST-approved Pre-Entry English Skills Assessment Exam provided by Academy

12. Catalog Description:
This course is a POST certified course designed to provide law enforcement officers with the skills to be an accomplished Background Investigator. This course includes the fundamentals of background investigation, interviewing, the use of psychological screening, polygraphs, legal aspects of background investigation, and verbal/non-verbal communication.

13. Class Schedule Description:
A course to train law enforcement officers with the skills to be effective Background Investigators.

14. Counselor Information:
This is a Peace Officer Standards of Training (POST) certified course to train law enforcement officers with the skills necessary to be effective Background Investigators.

II. Student Learning Outcomes
The student will:
1. Recognize and have the ability to follow state requirements and legal aspects of Background Investigation.
2. Demonstrate the ability to appraise, evaluate and compare investigative options.

III. Course Content:
I. Registration/introduction/examination/evaluation - Lec
   A. College registration
   B. Course overview and expectations
   C. Course site information
   D. Peace office Standards and Training, course evaluation instrument
   E. POST job dimensions
II. Purpose of the background investigation - Lec
A. Required by law (for peace officers)
   1. Government Code 1029
   2. G.C. 1030
   3. G.C. 1031
   4. G.C. 1031.5
B. Required by POST
   1. POST Regulation 1002 (a) (1-7) - Entry level
   2. POST Regulation 1005 (a) (104) - Lateral entrance
   3. POST Regulation 1018 - Public safety dispatcher
C. POST compliance inspections
   1. Purpose
      a. Determine compliance with laws
      b. Determine compliance with POST regulations
   2. Non-compliance
      a. Possible loss of POST affiliation
      b. Legal ramifications
   3. Liability issues
   4. Loss of funds
D. Agency benefits from a good background investigation
   1. Best suited applicants are identified
      a. Applicable job dimensions
      b. Meets agency standards
   2. Protection from liability
   3. Reduction in attrition
III. Role of the background investigator - Lec/lab
A. Conduct of the investigation
   1. Be objective
      a. Positive and negative facts
      b. Verification of information
   2. Thoroughness
   3. Legal sustainability
B. Projects a professional image
   1. Standard of agency
   2. Professional integrity
IV. Legal aspects of background investigator - Lec/lab
A. Federal requirements
   1. Legislation
      a. Title VII, Civil Rights Act of 1964
      b. Equal Opportunity Act of 1972
      c. General Revenue Sharing Act of 1972
      d. Rehabilitation Act of 1973
      e. Age Discrimination in Employment Act of 1967
   2. Regulations/guidelines regarding discrimination based on:
      a. National origin
      b. Religious creed
      c. Sex
      d. Handicaps
      e. Age
f. Uniform guidelines for employment section

B. State requirements
1. Legislation
   a. California Fair Employment and Housing Act (GC 12900 ET SEQ)
   b. Non-Discrimination in State-Supported Programs (GC 111235)
   c. Confidentiality of Medical Information Act (GC 56 ET SEQ)
2. Regulations and guidelines
   a. State Fair Employment and Housing Regulations (AC 7285-7294)
   b. Fair employment and housing commission guidelines regarding pre-employment guidelines
3. Consequences of non-compliance
4. Laws relating to confidentiality of BGI information
5. Legal aspects of rejections and appeals
6. Review of recent case law

V. Interviews - Lab
A. Fundamentals
1. Purpose
   a. Obtain and verify information
   b. Develop a report
2. Guidelines
   a. Allow adequate time for interview
   b. Ensure privacy
   c. Put person at east
   d. Control the interview
      i. Let the person do most of the talking
   e. Be thorough (give a system)
B. Applicant interview process
1. Contact the applicant
   a. Provide applicant with the PHS and instructions
   b. Schedule an interview
2. Review the application and PHS
   a. Compare for accuracy
   b. Note discrepancies, omissions or incomplete areas
   c. Note neatness, spelling and overall appearance
3. Interview the applicant
   a. Obtain all needed information (BGI)
   b. Allow the applicant to modify the PHS (note changes)
   c. Observe applicant's:
      i. Attitude and demeanor
      ii. Motivation
      iii. Stability
      iv. Maturity
   d. Explain to the applicant
      i. The BGI process
      ii. Job and training requirements
   e. Obtain waivers
   f. Cautions
      i. Avoid conclusions not supported by facts
ii. Do not make any employment commitments

C. Interviewing contact persons/sources
   1. Having all necessary waivers
   2. Make appointments and be on time
   3. Describe the job the applicant is seeking
   4. Determine the interviewee's:
      a. Personal knowledge about applicant
      b. Length of time known and recency of contact with applicant
      c. Bias
   5. Review information from the sources and compare to:
      a. PHS
      b. Information from other sources
   6. Clarify, resolve, or verify inconsistent information
   7. Identify secondary sources

D. Interview applicant's spouse, former spouse, parents, and significant others
   1. Interview separately from applicant
      a. Obtain more information
      b. Get better insight to the applicant's personality
   2. Determine their attitudes about the:
      a. Agency
      b. Job
      c. Impact of the job on the family and social relations
   3. Evaluate influences on applicant (positive or negative)
      a. Family (present and former) - consider privacy limitations
      b. Finances
      c. Health
      d. Other job-related information

E. Discrepancy interviews
   1. Location should be chosen by the investigator
   2. Preparation
      a. Determine nature of the discrepancy
      b. Document the discrepancy
      c. Avoid conclusions prior to interview
   3. Documentation
      a. Written (interview form)
      b. Recorded (applicant must be told)
      c. Witnesses presence
      d. Retain records
   4. Conduct of the interview
      a. Encourage applicant to provide additional information
      b. Do not advise applicant of qualification status
      c. Use proper interview techniques

F. Basic interview documentation
   1. Date, time and location
   2. Full name and address of persons interviewed
   3. Relationship to applicant
   4. Areas discussed including confidentiality and waivers, if applicable
   5. Information obtained
6. Documents obtained
7. Discussion of use of electronic division

VI. Information sources - Lec/Lab
A. Personal history statement
   1. Compare it to other data
   2. Use at outline of investigation
B. Employment history
   1. Review previous application
   2. Note former addresses
   3. General employment information
      a. Job title and duties
      b. Salary
      c. Evaluation
   4. Injuries or use of sick time
   5. Claims - UIB, insurance, Worker's Compensation
   6. Training received
   7. Interview supervisors and co-workers
   8. Complaints and misconduct if applicable
C. Medical history
   1. Personal physician
   2. Follow-up information from:
      a. Employers
      b. Any source developed
   3. Review information with agency medical examiner
D. Credit history
E. Personal and secondary references
F. Neighborhood checks
G. Educational records
   1. High school and colleges
   2. Any additional training - academy for laterals
   3. Recency of training
   4. Verify all degrees, certificates, high school graduation
H. Military history
   1. Obtain DD 214
   2. Military recruiters can help translate
   3. Note addresses, medical information, training
   4. Try to obtain separate medical examination
   5. Selective service registration if applicable
I. Motor vehicle records - California and other states as required
   1. Driver's license
   2. Registration
   3. Insurance/financial responsibility
J. Marital history
   1. Must be verified by fingerprints
      a. DOJ - state
      b. FBI - federal
   2. Check with local agencies for other data
   3. Restrictions and limitations
L. Civil history
   1. Plaintiff-defendant register (county courthouse)
   2. County clerk's office
   3. County recorder (liens on property)

M. Psychological evaluation
   1. Required by POST and GC 1031f
   2. Purpose and methods
   3. Limitations
   4. Qualifications of the evaluator
   5. Relationship of evaluator and investigator
   6. Review information with evaluator

N. Lie detection examinations
   1. Purpose and methods
      a. PSE
      b. Polygraphs
   2. Limitations
   3. Qualifications of examiner
   4. Relationship of examiner and investigator
   5. Demonstration and discussion
   6. Legal history and restrictions
   7. Review information with examiner

VII. The background investigation report - Lec/Lab
   A. Purpose
      1. Documents applicants qualifications based on job dimensions
      2. Provides documentation in the event of legal challenges
      3. Required by POST for participating agencies
   B. Basic requirements - content
      1. Complete applicant data
      2. Complete list of references and sources
      3. Verification of citizenship (required by law)
      4. Educational history
      5. Employment history
      6. Military history
      7. Legal history - criminal and civil
      8. Credit history
      9. Medical and psych
      10. DMV
      11. Analysis (not required to release) and conclusion
   C. Format
      1. Narrative report
      2. May vary from agency to agency
      3. Separate confidential from non-confidential
         a. Johnson vs. Winters
      4. Chief may or may not want recommendations
      5. Discussion of examples

VIII. Panel - lab
   A. Purpose
      1. Provide insight into the role of the background investigator in different agencies
B. Discussion

Because of the integrated nature of the lab/lecture method of instruction, the content for both lecture and lab are infused in some subjects.

IV. Course Assignments:
   A. Reading Assignments
      1. Students will review state and federal laws regulating personal, financial, medical, and work-related information for use in class exercises.
   B. Projects, Activities, and other Assignments
      1. Participation in scenario training to apply theory learned.
   C. Writing Assignments
      1. Students will compose reports (such as a mock background investigation reports) documenting information provided in class interview scenarios.

V. Methods of Evaluation:
   A. Class Performance during mock background investigation will be graded as exam. (SLO: 1, 2)
   B. Written exam on state requirements and legal aspects of a background investigator. (SLO: 1)
   C. A written report will be evaluated for clarity, thoroughness, and accurate terminology and sentence structure. (SLO: 1, 2)

VI. Methods of Instruction:
   A. Lecture
   B. Laboratory
   C. Other
      1. Scenario Training

VII. Textbooks:
   Recommended

   Supplemental

VIII. Supplies:

   Approval Date: 12/08/2015
   CCC Number: CCC000287259
   TOP Codes:
   2105.00
   C-ID Number: