

# Pennington County Sheriff's Office Background Questionnaire

---

Name: \_\_\_\_\_

Position applying for: \_\_\_\_\_

## SECTION 4 – ARREST/LEGAL/CRIMINAL HISTORY

Only answer the questions in Section A below if you were ever employed by a criminal justice or law enforcement agency. All questions in Sections B-H should be answered by everyone honestly and accurately. Please include an explanation for any “yes” answers.

An affirmative response to any of the questions in sections A-H will not automatically disqualify you. The employer will consider the type and seriousness of the incident, the frequency of incidents, your age at the time of the incident, the time lapse since the incident, completion of any sentence and other job-related criteria.

If you are a Deputy Sheriff applicant, your sealed records should be disclosed in your legal history in accordance with SDCL 23A-3-42.

### **\*\* For Those Previously Employed with a Criminal Justice or Law Enforcement Agency \*\***

<b>Section A. Prior Criminal Justice History</b>	<b>No</b>	<b>Yes</b>	<b>Explanation</b>
1. Have you ever accepted a payoff?			
2. Have you ever stolen anything from anyone you arrested?			
3. Have you ever stolen anything at the scene of a burglary?			
4. Have you ever kept the property of someone you arrested?			
5. Have you ever carried a “throw-down” weapon?			
6. Have you ever unlawfully entered a business?			
7. Have you ever stolen anything from a car that was, at your direction, towed in?			
8. Have you ever falsified an expense voucher, case file or report?			
9. Have you ever received any type of gratuity for dropping a case or disposing of an arrest ticket?			
10. Have you ever tampered with evidence?			
11. Have you ever kept, for personal use or resale, any illegal drugs taken from someone who had been arrested, detained or questioned?			
12. Have you ever illegally destroyed a case file, computer entry or official report?			

## Pennington County Sheriff's Office Background Questionnaire

---

13. Have you ever falsified a case file or report?			
14. Have you ever illegally retained seized weapons or property?			
15. Have you ever planted evidence?			
16. Have you ever resigned from employment after becoming aware of, being notified of, or during the course of an investigation about your behavior/actions while employed as a law enforcement officer or correctional officer? What was the investigation about and what is the status of that investigation?			
17. Has your employment status ever been modified? (Reassignment, gun relinquished, ID status changed, etc.)			
18. Have you ever failed a field training program or had your field training program extended in order to complete it?			If so, why?
19. Have you ever introduced contraband into a correctional facility?			
20. Have you ever had an improper relationship with an inmate, sexual or otherwise?			
21. Have you ever interfered with the welfare of a prisoner?			
22. Have you ever been involved in witness tampering?			
23. Have you ever accepted unauthorized compensation from a prisoner?			
24. Are you under any contract or other obligation to a current or former employer for any repayment of employment, training or other costs?			
25. Have you ever "tipped off" a friend, acquaintance or relative about an active investigation involving them?			
26. Have you ever "covered up" a criminal offense for a friend or relative?			
27. While employed in a criminal justice position, have you used or sold marijuana, cocaine or other illegal drugs?			
28. Have you ever stolen anything from a crime scene?			
29. While in a criminal justice position, have you ever violated your oath of office?			
30. Have you ever been a party to a lawsuit as a result of your actions in the performance of your job?			

## Pennington County Sheriff's Office Background Questionnaire

---

**\*\* For All Applicants \*\***

Section B. Theft of Merchandise, Property & Money	No	Yes	Explanation
1. Have you ever shoplifted? If yes, what age?			
2. What was taken when you shoplifted & what was the most expensive item taken?			
3. Have you ever helped someone else shoplift?			
4. Have you ever stolen any property, merchandise, or anything of value from an employer?			
5. What is the single most expensive item you have stolen from an employer?			
6. Have you ever stolen any money from an employer?			
7. Have you ever stolen any money from another source or deliberately short-changed a customer?			
8. Have you ever stolen anything else from any other source?			
9. Have you ever been accused of theft?			
10. Have you ever helped anyone else steal anything? (ie. change labels, give unauthorized discounts, etc.)			

Section C. Legal History	No	Yes	Explanation
1. Have you ever been placed on court probation?			
2. Were you ever been required to appear before a juvenile court for an act which would have been a crime if committed as an adult?			
3. Have you ever been a party in a civil lawsuit? (ie. small claims actions, dissolutions, child custody, paternity, support, etc.)?			
4. Have the police ever been called to your home for any reason?			
5. Have you or your spouse/partner ever been referred to Child Protective Services?			
6. Have you ever been the subject of an emergency protective order/restraining order/stay-away order?			
7. Have you ever been reported to a law enforcement agency as a missing person or runaway?			
8. Have you ever been placed in jail, a juvenile correctional facility or a holding cell?			
9. Have you ever been placed in a police lineup?			

## Pennington County Sheriff's Office Background Questionnaire

---

Section D. Arrest History	No	Yes	Explanation
1. Have you ever been arrested, detained, or questioned by a law enforcement agency for anything other than a traffic citation? Include summons, notices to appear, citations for ordinance violations, violations of Uniform Code of Military Justice, felonies and/or misdemeanors.			
2. Have you ever been convicted of a misdemeanor, regardless of whether the sentence was suspended, adjudication was withheld, you pled no contest, or the conviction was sealed or expunged?			
3. Do you currently have any unpaid fines or outstanding failures to appear for a court hearing?			
4. Have you ever been convicted of a felony, regardless of whether the sentence was suspended, adjudication was withheld, you pled no contest, or the conviction was sealed or expunged?			
5. Have you ever been placed on parole?			

Section E. Subversive Organizations/Gang Activity	No	Yes	Explanation
1. Do you now, or have you ever, belonged to or associated with any organization which engages in advocates, or teaches the overthrow of the constitutional form of the United States or State Government by force, violence, or other unlawful means?			
2. Do you now, or have you ever, belonged to or associated with any group or organization which promotes hatred or prejudice against any other group or person, based on race, religion, color, ancestry, sexual orientation, or national origin?			
3. Do you now, or have you ever, belonged to, joined, or associated with any group or members that identify themselves as a street or neighborhood gang or a gang member?			
4. Have you ever been accused of or questioned about any involvement, association, or participation in any gang activity or tagging of property with gang graffiti?			
5. Have you ever been involved in a Riot, Affray or an unlawful Assembly?			

## Pennington County Sheriff's Office Background Questionnaire

---

Section F. Marijuana and Other Narcotics	No	Yes	Explanation
1. Have you ever used, possessed, or purchased marijuana or any other drug?			
2. How many times have you used or possessed marijuana or any other drug?			
3. Have you ever owned or possessed any type of drug paraphernalia?			
4. When was the last time you used or possessed a drug or drugs?			
5. Have you ever played any part in a drug transaction?			
6. Have you ever sold or offered for sale any drug?			
7. Have you ever used a prescription drug that was not prescribed for you?			
8. Have you ever obtained a prescription by fraud?			
9. Have you ever given an individual a drug prescribed for you?			
10. Have you ever influenced, persuaded, or attempted to influence or persuade another person to use drugs?			
11. Have you ever used steroids for a non-medically prescribed purpose?			
12. Have you ever cultivated, grown, or manufactured your own drugs?			

Section G. Alcohol History	No	Yes	Explanation
1. Have you ever consumed alcohol at work in violation of work rules?			
2. Have you ever been arrested for any alcohol related crimes?			
3. Have you ever been engaged in, whether you were arrested or not, any illegal conduct while under the influence of alcohol? (Vandalism, fights, trespass, theft, etc.)			If yes, how many times?
4. Have you ever driven a vehicle when you believed you were under the influence (over the legal limit) of alcohol?			If yes, how many times and when was the most current?
5. Did you ever purchase alcohol as a minor using false identification?			
6. As an adult, have you ever purchased alcohol for a minor?			

## Pennington County Sheriff's Office Background Questionnaire

---

Section H. Civil History	No	Yes	Explanation
1. Have you ever been the subject of civil or small claims action?			
2. Have you ever had any property repossessed?			
3. Have you ever voluntarily relinquished property due to financial difficulty?			
4. Have you ever had any financial obligation turned over to a collection agency?			
5. Have you been delinquent paying alimony or child support payments?			

Section I. Driving History	No	Yes	Explanation
1. Have you ever possessed a driver's license issued by any state other than SD?			If yes, provide state, type of license and dates.
2. Have you ever been refused a driver's license by any state?			If yes, provide state and reason for denial.
3. Has your driver's license ever been suspended or revoked?			If yes, please explain.
4. Have you ever or do you presently have unpaid parking tickets?			
5. Do you presently have or can you obtain automobile insurance?			
6. Have you ever been refused insurance for any reason other than failure to pay a premium?			If yes, please provide company name, date and reason.
7. Have you ever received a traffic citation? (ie. Speeding, no insurance, failure to yield...)			
8. Please list total number of moving/ non-moving citations in the last 10 years, please include date of citations.			Total Number:  Dates:

## Pennington County Sheriff's Office Background Questionnaire

---

Have you been involved as the driver in a motor vehicle accident in the last 5 years? If yes, please list below:

Date	Location	Injury?	Investigation?	Police Agency	Explanation

Section J. Moral Character Offenses	No	Yes	Explanation
1. Have you ever been involved in any sexual activity with a minor (any person 17 or younger?)			
2. Have you ever been involved in the sale, transportation, distribution, or production of pornographic materials?			
3. Have you ever used the internet to solicit another individual for sex?			
4. Have you ever been involved in any prostitution?			
5. Have you ever worked in or for an adult entertainment establishment, business, or service of any kind?			
6. Have you ever been involved in any type of child pornography?			
7. Have you ever been involved in any indecent exposure?			
8. Have you ever been involved in or accused of any sexual harassment on the job?			

## Pennington County Sheriff's Office Background Questionnaire

---

The following questions are in accordance with the 2003 Prison Rape Elimination Act (PREA).

1. Have you ever engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?  Yes  No

If yes, please explain \_\_\_\_\_

2. Have you ever been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refused?  Yes  No

If yes, please explain \_\_\_\_\_

3. Have you ever been civilly or administratively adjudicated to have engaged or attempted to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refused?  Yes  No

If yes, please explain \_\_\_\_\_

4. Do you understand that once employed you have a continuing affirmative duty to disclose any such misconduct, should it occur?  Yes  No

\*Also, The Pennington County Sheriff's Office will consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of a contractor, who may have contact with residents.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant has employment history in a qualifying institution Yes No

If yes, date employer (s) contacted: \_\_\_\_\_

Date Applicant Criminal Reports Ran and Reviewed: \_\_\_\_\_



## Pennington County Sheriff's Office Background Questionnaire

---

Have you ever committed, contributed to or participated in any of the following crimes or offenses?

***The question applies even though you may not have been arrested, convicted, caught or apprehended.***

Crime	Yes	No	Crime	Yes	No	Crime	Yes	No
Murder			Manslaughter			Aggravated Assault		
Simple Assault			Kidnapping			Domestic Abuse		
Child Abuse			Rape			Statutory Rape		
Child Molestation			Incest			Burglary		
Sexual Exploitation of children			Illegal possession of firearms, explosive devices, incendiary devices, hazardous materials or chemicals			Illegal possession of sawed-off shotgun, machine gun, or silencer, armor piercing ammo		
Pimping			Theft of motor vehicle, part, components			Joyriding		
Criminal damage to property			Hit & Run			Shoplifting		
Theft			Forgery			Credit card fraud		
Receiving stolen property			Bribery			Impersonation of a public officer		
Armed robbery			False impersonation			False reporting a crime/police report		
Accessing computers for illegal purposes			Escape			Perjury		
Obstruction of a law enforcement officer			Treason			Domestic Violence		
False reporting a fire			Terrorist threats or acts			Peeping tom		

## Pennington County Sheriff's Office Background Questionnaire

---

Tampering with evidence			Illegal gambling			Illegal possession, trafficking,		
Riot			Intentional inhalation of intoxicants			Driving on a revoked driver's license		
Unlawful eavesdropping			Carrying a concealed weapon w/o a permit			Defrauding an innkeeper		
Illegal use of a legal drug			Illegal hunting/fishing			Stalking		
Animal Abuse/Neglect			Embezzlement			Hate Crime		
Public Intoxication			Elder Abuse			Blackmail or extortion		
Insurance Fraud			Advocating Overthrow of Gov't			Battery		

If you answered "yes" to any of the questions on the previous page, please fully explain, including dates, names of individuals involved, and resolution:

---



---



---



---



---