

# Important Notice Concerning CRIMINAL HISTORY CHECKS For Appointees to Fire Protection Duties

Beginning January 1, 2010, two important changes take place regarding criminal history background checks for prospective fire protection personnel:

- **WHEN criminal history checks may be performed**
- **HOW criminal history checks are performed**

Previously, a criminal history check was required only when a person was applying for their first certification with the Commission. However, amended §419.032 of the Texas Government Code will require that, upon a person's initial appointment to fire protection duties with a department, the Commission must approve a fingerprint-based state and national criminal history record for that person if the he/she has never been certified by the Commission. **This means that fingerprint-based criminal history checks must be performed for personnel who have completed all training/testing requirements and are being appointed to duties, but have not yet been certified by the Commission in any discipline.**

In coordination with the DPS, the Commission will be utilizing **L1 Enrollment Services** to initiate the required state/national fingerprint-based criminal history check. Fire departments have three options for providing the required data to the Commission:

1. Send applicants to the nearest L1 Enrollment Services location. An appointment must be made and a completed "FAST Pass" form must accompany each applicant. ("FAST Pass" form is available on the Commission's website). L1 Enrollment Services website: <http://l1enrollment.com/>
2. Contact nearest L1 location and make an appointment for L1 personnel to come to your training academy to perform checks on all applicants. A minimum number of applicants may be required in order for them to come to your location.
3. Submit to the Commission a fingerprint-based DPS and FBI criminal history check on an applicant that has been completed by your department. The check must meet the following criteria to be accepted by the Commission:

- a. It must be the equivalent of what is required by the Commission for review. That is, it must be a fingerprint-based criminal history obtained from both the TXDPS and the FBI.
- b. It must have been completed within 6 months of the date of appointment.
- c. It must have been completed as part of the employment process for the applicant.
- d. It must have been completed by the appointing entity.
- e. A letter from an appointing entity stating that a required criminal history check has been performed **IS NOT SUFFICIENT**. The criminal history information must be submitted to the commission for review and approval.

**Some important notes concerning the new criminal history check program:**

- *The current cost for criminal history checks through L1 Enrollment Services is \$44.20 per applicant, paid directly to L1.*
- *When an applicant provides fingerprint data to L1, the L1 personnel will electronically forward the data to the TXDPS and the FBI. Criminal history information based on those fingerprints is then made available to the Texas Commission on Fire Protection within 3 to 5 days after initiation by L1 Enrollment Services.*
- *Once a check through L1 is completed, criminal history information is only available to the Commission for a limited time. THEREFORE IT IS IMPORTANT TO HAVE A CHECK DONE ONLY WHEN AN APPLICANT IS READY FOR APPOINTMENT.*
- *A criminal history check is NOT required for a person being appointed to a department who is already certified by the Commission.*
- *If a criminal history check WAS done on a person at the time of their initial appointment to duties, a second criminal history check is NOT required at the time of certification, provided certification occurs within 1 year of appointment.*
- *If a criminal history check WAS NOT done on a person at the time of the initial appointment (prior to January 1, 2010), a check must be done at the time of certification.*
- *ADDITIONAL INFORMATION ABOUT L1 ENROLLMENT SERVICES, SUCH AS LOCATIONS THROUGHOUT THE STATE, CAN BE FOUND AT THEIR WEBSITE:*  
<http://l1enrollment.com/>