**MAINE CRIMINAL JUSTICE ACADEMY BOARD OF TRUSTEES**

**BACKGROUND STANDARD FOR ADMISSION TO AND/OR CERTIFICATION FOR A MANDATORY ACADEMY SCHOOL, RECERTIFICATION, OR WAIVER**

In order to be accepted as a participant in mandatory academy law enforcement or corrections courses, or to be certified, recertified or request a waiver, an applicant must be of good moral character as determined by the hiring or sponsoring agency through a formal background check. These requirements and standards must be satisfied before consideration of such an application or certification. An agency presenting an individual for certification, admission to a mandatory Academy course, recertification, or for a waiver from training will attest that the individual meets the standard of having no disqualifying conviction\*. In addition, the applicant shall certify under oath that he or she has no disqualifying conviction and that he or she has not engaged in disqualifying conduct #. A representative of the hiring or sponsoring agency must complete this form with the applicant, including an explanation to the applicant of #1 and #2 below.

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**INTERVIEW & STATEMENT OF APPLICANT**

Applicant Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DOB: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Home Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Telephone Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Have you ever been convicted of any crime or attempted crime (including traffic crimes) or plead guilty to a deferred disposition that would constitute a disqualifying crime/deferred disposition\* as outlined on page 2? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **If yes, provide details on separate sheet, as well as a copy of the official Criminal History**

 **Record Information.**

1. **In addition, have you ever engaged in conduct that would constitute disqualifying conduct# as outlined on page 2, regardless of whether you were charged? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **If yes, provide details on separate sheet, as well as a copy of the police report if there was**

 **police involvement.**

**I understand that the making of a false statement under oath is a crime punishable by law.**

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

Personally-appeared the above-named \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and made oath to the truth of the foregoing statement.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public (or other person authorized to take oath)

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**STATEMENT OF EMPLOYING OR SPONSORING AGENCY**

The above-named applicant has been the subject of a background investigation, including the processing of fingerprint cards through SBI and FBI, and a BMV record inquiry, and in the case of an applicant for the Basic Law Enforcement Training Program, a polygraph examination and a psychological examination, and such investigation has disclosed no conviction for a disqualifying conviction\* or disqualifying conduct#, except for the conviction(s) for which a waiver is being sought.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of Chief / Sheriff or Agency Head

Personally-appeared the above-named \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and made oath to the truth of the

foregoing statement.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Notary Public (or other person authorized to take oath)

\*See page 2 for explanation of disqualifying conviction/deferred disposition\* and disqualifying conduct#.

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***DISQUALIFYING CONVICTION / DEFERRED DISPOSITION\****

Pursuant to [25 M.R.S §2806-A(5)](https://legislature.maine.gov/legis/statutes/25/title25sec2806-A.html) and Chapter 3: Entrance Standards (MCJA Board of Trustees rule), disqualifying convictions and or deferred dispositions for which a waiver from the Board of Trustees is required includes the following:

1. Murder;
2. Any Class A, Class B, or Class C crime or attempted crime;
3. Any Class D crime or attempted crime conviction (including OUI);
4. Any Class E crime or attempted crime conviction for which the crime is contained in Chapter 15 (Theft), Chapter 19 (Falsification in Official Matters), Chapter 25 (Bribery and Corrupt Practices), Chapter 29 (Forgery and Related Offenses), Chapter 31 (Offenses Against Public Administration), Chapter 35 (Prostitution and Public Indecency), Chapter 41 (Criminal Use of Explosives and Related Crimes), or Chapter 45 (Drugs) of the Maine Criminal Code, Title 17-A, Maine Revised Statutes;
5. Guilty plea pursuant to a deferred disposition of Murder, or any crime classified in state law as a Class A, Class B, Class C, or Class D crime or violation of any provision of Title 17-A, Chapter 15, 19, 25, 29, 31, 35, 41, or 45;
6. Juvenile adjudication of murder or any crime or attempted crime classified in state law as a Class A, Class B, Class C or Class D crime;
7. Conviction of or adjudication as a juvenile of a crime specified in paragraph 6 in another state or other jurisdiction, unless that crime is not punishable as a crime under the laws of that state or other jurisdiction in which it occurred;
8. Any other conviction of a crime or attempted crime in another state or other jurisdiction that prohibits the same unlawful conduct described above.

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***DISQUALIFYING CONDUCT#***

Pursuant to [25 M.R.S §2806-A(5)](https://legislature.maine.gov/legis/statutes/25/title25sec2806-A.html) and Chapter 3: Entrance Standards (MCJA Board of Trustees rule), disqualifying conduct, regardless of whether the applicant was charged or convicted, for which a waiver from the Board of Trustees is required is engaging in conduct that is prohibited or penalized by state law as:

1. Murder;
2. Any Class A, Class B, Class C, or Class D crime or Attempted Crime;
3. Any class E crime or attempted crime for which the crime is contained in Chapter 15 (Theft), Chapter 19 (Falsification in Official Matters), Chapter 25 (Bribery and Corrupt Practices), Chapter 29 (Forgery and Related Offenses), Chapter 31 (Offenses Against Public Administration), Chapter 35 (Prostitution and Public Indecency), Chapter 41 (Criminal Use of Explosives and Related Crimes), or Chapter 45 (Drugs) of the Maine Criminal Code, Title 17-A, Maine Revised Statutes.
4. Conduct specified in 1, 2, or 3 above in another state or other jurisdiction, unless the conduct is not classified as a crime in that state or jurisdiction.

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***WAIVER REQUEST PROCEDURE***

A request of the Board of Trustees for a waiver of a disqualifying conviction\* or disqualifying conduct# must be made by the employing or sponsoring agency, and must be made on the form provided by the Board for such purpose, and must include the additional information listed on the form. The form may be obtained by contacting the Maine Criminal Justice Academy, 15 Oak Grove Road, Vassalboro, ME 04989, and telephone 877-8000.