



POLICY AND PROCEDURE

No. 06-04AM

MONTGOMERY COUNTY FIRE AND RESCUE COMMISSION

EFFECTIVE DATE:

9/15/2000

TITLE

CRIMINAL BACKGROUND CHECKS OF VOLUNTEER
APPLICANTS AND LFRD EMPLOYEES

PAGE 1 OF 5

Montgomery County Fire and Rescue Service Policy on:

CRIMINAL BACKGROUND CHECKS OF VOLUNTEER APPLICANTS AND LFRD EMPLOYEES

Issued by: Montgomery County Fire and Rescue Commission

Authority: Montgomery County Code Section 21-2.(d)(2)

No. 06-04AM

Effective Date: September 15, 2000

SUMMARY: This policy establishes a procedure for processing criminal records background checks of applicants for the position of volunteer firefighter, rescue squad member, emergency medical service provider members and employees with Montgomery County Local Fire and Rescue Departments.

DEADLINES: Montgomery County Fire Board Review: June 1, 2000
Div. of Fire and Rescue Service Review: June 1, 2000
Local Fire and Rescue Departments Review: June 1, 2000

ADDRESS: Please address all comments regarding the proposed policy to Beth Feldman, Montgomery County Fire and Rescue Service, 12th Floor, 101 Monroe Street, Rockville, MD 20850. Comments may also be submitted by e-mail/internet to beth.feldman@co.mo.md.us.

STAFF: For additional information, please contact Beth Feldman, Montgomery County Fire and Rescue Service, (240) 777-2423.

Sec.1. Purpose: To establish a procedure requiring all individuals who apply for membership or employment with a Local Fire and Rescue Department as a firefighter, rescuer, or emergency medical service provider to successfully complete a criminal background records check.



POLICY AND PROCEDURE

No. 06-04AM

MONTGOMERY COUNTY FIRE AND RESCUE COMMISSION

EFFECTIVE DATE:

9/15/2000

TITLE

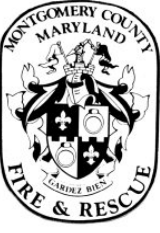
CRIMINAL BACKGROUND CHECKS OF VOLUNTEER
APPLICANTS AND LFRD EMPLOYEES

PAGE 2 OF 5

Sec. 2. **Applicability:** All individuals who apply to serve as volunteer members or employees performing firefighting, rescue, and/or emergency medical services with a Local Fire and Rescue Department in Montgomery County are required to comply with this policy.

Sec. 3. **Definitions.**

- a. **Applicant.** An individual applying for membership or employment as a volunteer firefighter, rescue squad member, or emergency medical services provider for the Montgomery County Fire and Rescue Service.
- b. **Criminal Background Records Check.** The screening procedure required of all individuals who apply to provide firefighting, rescue, and emergency medical service to the MCFRS. This procedure complies with Maryland Annotated Code, Article 38A, Section 7A "*Criminal background check of applicant for firefighter, rescue squad member or paramedic.*"
- c. **Division of Fire and Rescue Services.** The Division of the Montgomery County Fire and Rescue Service comprising career employees and DFRS volunteers, that shares with the Local Fire and Rescue Departments the responsibility for providing direct fire suppression, rescue, and emergency medical services.
- d. **Division of Volunteer Fire and Rescue Services (DVFRS).** The Division of the Montgomery County Fire and Rescue Service that comprises the Local Fire and Rescue Departments.
- e. **Fire Administrator.** The non-uniformed department head of the Montgomery County Fire and Rescue Service appointed by the County Executive. The Fire Administrator serves as ex-officio chair of the Fire and Rescue Commission and is responsible for implementing and enforcing Commission policies; administering all fire and rescue services provided in the County; and supervising the Chiefs of both the Division of Fire and Rescue Services and the Division of Volunteer Fire and Rescue Services.

	<h1 style="text-align: center;">POLICY AND PROCEDURE</h1> <h2 style="text-align: center;">MONTGOMERY COUNTY FIRE AND RESCUE COMMISSION</h2>	No. 06-04AM
		EFFECTIVE DATE: 9/15/2000
	TITLE CRIMINAL BACKGROUND CHECKS OF VOLUNTEER APPLICANTS AND LFRD EMPLOYEES	PAGE 3 OF 5

f. **Internal Affairs Officer.** An individual appointed by the Fire Administrator, on the recommendation of the Fire and Rescue Commission, to assist the Commission and the Fire Administrator in monitoring compliance with law, County and Commission policies, regulations, and procedures. The Internal Affairs Officer investigates matters assigned by the Fire Administrator or the Commission, as defined in Chapter 21 of the County Code. The Internal Affairs Officer is the designee of the Maryland State Fire Marshal for the purpose of Maryland Annotated Code, Article 38A, Section 7A, "*Criminal background check of applicant for firefighter, rescue squad member or paramedic*".

g. **Local Fire and Rescue Departments (LFRD).** The component of the Montgomery County Fire and Rescue Service that provides direct fire suppression, rescue and emergency medical services in conjunction with DFRS.

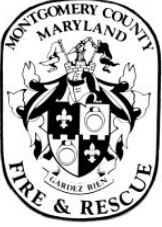
h. **Maryland State Criminal Records Central Repository (MSCRCR).** Location of the Criminal Justice Information System (CJIS) to which Montgomery County Fire and Rescue Service fingerprint cards and requests for criminal background records checks are sent for processing.

i. **Montgomery County Fire and Rescue Service (MCFRS).** The Montgomery County Fire and Rescue Service consists of the Division of Fire and Rescue Services and the Division of Volunteer Fire and Rescue Services, which includes the Local Fire and Rescue Departments.

Sec.4. **Policy.** It is the policy of the Fire and Rescue Commission to require all individuals who apply with a **LFRD** to provide firefighting, rescue, and emergency medical service to successfully complete a **criminal background records check** before being accepted for membership or employment.

Sec.5. **Procedure.**

a. **Applicants** for membership or employment with an **LFRD** must appear before, and submit the appropriate number of classifiable fingerprint sets to, the **Internal Affairs Officer** for processing through both the **MSCRCR** and the Federal Bureau of Investigation.

	<h1 style="text-align: center;">POLICY AND PROCEDURE</h1> <h2 style="text-align: center;">MONTGOMERY COUNTY FIRE AND RESCUE COMMISSION</h2>	No. 06-04AM
		EFFECTIVE DATE: 9/15/2000
	TITLE CRIMINAL BACKGROUND CHECKS OF VOLUNTEER APPLICANTS AND LFRD EMPLOYEES	PAGE 4 OF 5

b. The **Internal Affairs Officer** must provide the results of the **applicant's criminal background records check** to the **LFRD** head. Criminal records history information is confidential and may be disclosed only to a designated **LFRD** representative.

c. The **LFRD** head may consider the existence of a criminal conviction in determining whether an **LFRD applicant** will be appointed as a member.

d. An **LFRD** fire, rescue, and/or emergency medical services provider who is separated from the **MCFRS** for six months or longer and subsequently returns must repeat and successfully complete the **criminal background records check**.

e. The **LFRD** head or **DVFRS** Chief may also request the **Fire Administrator** or designee to process a **criminal background records check** for any **applicant** who is currently in the administrative, auxiliary, associate, or casual labor membership category

Sec. 6. **Responsibility.**

a. The **Fire Administrator** or designee is responsible for:

1. accomplishing **criminal background records checks** in accordance with Maryland Annotated Code, Article 38A, Section 7A., and
2. notifying the **LFRD** head of the results of an **applicant's criminal background records check**.

b. The head of each **LFRD** is responsible for ensuring that its **applicants** comply with these procedures for **criminal background records checks** when they apply for appointment or employment.

c. The **Internal Affairs Officer** is responsible for:

1. processing classifiable fingerprint sets for **criminal background records checks**, in accordance with Maryland Annotated Code Article 38A, Section 7A., and



POLICY AND PROCEDURE

No. 06-04AM

MONTGOMERY COUNTY FIRE AND RESCUE COMMISSION

EFFECTIVE DATE:

9/15/2000

TITLE

CRIMINAL BACKGROUND CHECKS OF VOLUNTEER
APPLICANTS AND LFRD EMPLOYEES

PAGE 5 OF 5

2. establishing a procedure for tracking **criminal background records checks**.

Sec. 7. **Enforcement.** The **Fire Administrator** is the enforcement authority for all policies and regulations of the Montgomery County Fire and Rescue Service.

Sec. 8. **Effective Date.** The effective date of this policy is September 15, 2000.

Attest:

Gordon A. Aoyagi, Chair
Fire and Rescue Commission

September 15, 2000

Date

Amend crim background check vols final bf wp 9/1/00