

**ORDINANCE NUMBER 09-652-O****AN ORDINANCE OF THE CITY OF COLUMBIA CITY, OREGON  
ESTABLISHING CRIMINAL HISTORY RECORD CHECK POLICIES  
CONCERNING APPLICANTS FOR EMPLOYMENT AND APPOINTED  
VOLUNTEERS**

The City of Columbia City ordains as follows:

**Section 1. PURPOSE.** The purpose of this Ordinance is to authorize the City of Columbia City Police Department to access Oregon State Police (OSP) criminal offender information through the Law Enforcement Data System (LEDS) for applicants seeking employment and/or volunteer work with the City of Columbia City, in accordance with OAR 257-10-025(1)(a).

**Section 2. PROCEDURE.** All proceedings pursuant to this Ordinance shall be conducted in accordance with ORS 181.555 and OAR 257-10-025, which establishes procedures for access to criminal record information possessed by the Oregon State Police (OSP) through the Law Enforcement Data System (LEDS), and as supplemented below.

A. All applicants for employment and appointed volunteers with the City of Columbia City will be required to authorize the City to conduct a criminal offender information check through the OSP LEDS system.

B. The City Administrator/Recorder will maintain the criminal history authorization forms and request that a criminal history check be made if it is determined this will be in the best interest of the City in filling the position.

C. The Columbia City Police Department will conduct the check on the prospective employee or volunteer and report to the City Administrator/Recorder that the applicant's record indicates "no criminal record" or "criminal record".

D. If the applicant's record is reported as "criminal record", the City Administrator/Recorder will, in accordance with OAR 257-10-025(1)(c), request a written criminal history report from the OSP Identification Services Section and pay the

applicable fee for this service. The City Administrator/Recorder will make the written criminal history record available to the selecting official for his/her consideration in making the hiring decision.

E. The written criminal history record on persons that are not hired or appointed as a volunteer will be retained in accordance with the requirements of OAR 166-40-080 for a period of three (3) years and thereafter will be destroyed by shredding.

F. The criminal history record of applicants and volunteers with a criminal history that are hired or appointed will become a part of the confidential personnel file of that employee or volunteer. Access to confidential personnel files is limited to authorized persons who have an official need to access such files as sanctioned by law or regulation.

G. Applicants for employment or appointment as a volunteer that have a felony criminal history or a history of conviction of a misdemeanor involving moral turpitude or theft will be closely examined by the selecting official(s) to determine if the applicant possesses the required degree of public trust and confidence. Each selection will, however, be made on an individual, case by case basis, taking into account the applicant's qualifications, the requirements of the particular job or volunteer post applied for, and the results of the criminal history check. Factors such as the age of the offender at the time of the offense, the type of offense and subsequent rehabilitation, and the public sensitivity of the position under consideration shall be taken into account in evaluating a criminal history report.

H. Hiring an applicant or appointing a volunteer with a criminal history record will require a positive recommendation by the Chief of Police and the approval of the City Administrator/Recorder or governing body after full disclosure and consideration of the criminal history of the applicant.

**Section 3. [SEVERABILITY.]**