

DISQUALIFIERS

Applicant Name: _____ **Date:** _____

Federal Law

- _____ Applicant has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year. (18USC922(g)(1))
- _____ Applicant is a fugitive from justice. (18USC922(g)(2))
- _____ Applicant is an unlawful user to any controlled substance.ⁱ (18USC922(g)(3))
- _____ Applicant has been adjudicated as a mental defective or who has been committed to a mental institution. (18USC922(g)(4))
- _____ Applicant, being an alien, is illegally or unlawfully in the United States; or has been admitted to the United States under a nonimmigrant visa.ⁱⁱ (18USC922(g)(5))
- _____ Applicant has been discharged from the Armed Forces under dishonorable conditions. (18USC922(g)(6))
- _____ Applicant, having once been a citizen of the United States, has renounced his citizenship. (18USC922(g)(7))
- _____ Applicant is subject to a court order that restrains the applicant from harassing, stalking, or threatening an intimate partner or child of an intimate partner. (18USC922(g)(8))
- _____ Applicant has been convicted in any court of a misdemeanor crime of domestic violence. (18USC922(g)(9))

State Law

- _____ Applicant has a FBI or OSBI record of a conviction of a felony, a crime of moral turpitude,ⁱⁱⁱ or domestic violence. (70OS3311(D)(1),(D)(2)(a),(J)(1)(a-b),(E)and(J)(5))
- _____ Applicant has received a verdict of guilt or entered a plea of *nolo contendere*, or is participating in a deferred sentence, for a felony, a crime involving moral turpitude or a domestic violence offense. (70OS3311(D)(1),(D)(2)(d),(J)(1)(c),and(J)(6))
- _____ Applicant is subject to an order of the Council (CLEET) revoking, suspending, or accepting a voluntary surrender of their peace officer certification. (70OS3311(D)(1),and(E))
- _____ Applicant has voluntarily surrendered and relinquished their peace officer certification to CLEET within five (5) years of the date of this application. (70OS3311(J)(9)(a))
- _____ Applicant has had their police or peace officer certification from another state revoked or voluntarily surrendered within five (5) years of the date of this application. (70OS3311(J)(1)(e),and(J)(9)(b))
- _____ A psychologist licensed by the State of Oklahoma within one (1) year of application has found applicant unsuitable for employment or certification. (70OS3311(D)(2)(b))
- _____ Applicant does not possess a high school diploma or a GED equivalency certificate. (70OS3311(D)(1),(D)(2)(c))
- _____ Applicant is not 21, and not more than 45, years of age prior to certification as an officer. (50OS112(A),and70OS3311(D)(2)(e))
- _____ Applicant cannot provide proof of United States citizenship or resident alien status. (70OS3311(D)(2)(f))
- _____ Applicant has willfully misrepresented information in an employment application, application to the Council (CLEET), records of evidence, or in testimony under oath. (70OS3311(J)(1)(d))
- _____ Applicant is currently undergoing treatment, and has been committed to a mental institution or mental health facility, for a mental illness, condition, or disorder. (70OS3311(D)(1),(J)(1)(f),and(J)(7))
- _____ Applicant has an interest, financial or otherwise, in a wrecker or towing service, or with a person or in a business that derives business or income from a wrecker or towing service. (70OS956(B))

** All dates will be based on the date of hire for each process

Under Chief's Directive

- _____ Felony conviction or any conviction/court order that prohibits carrying a firearm
 - a. This includes being under investigation, indictment or charges pending for such a crime
- _____ Any arrest (with charges filed) for a crime within the past three years.
- _____ Three (3) or more hazardous moving violations within the past two years
- _____ Dishonorable discharge from the military
- _____ Felony drug usage/possession/distribution within the past 5 years
- _____ Misdemeanor drug usage within the past two years

Comments:

Name of Evaluator

**** All dates will be based on the date of hire for each process**

ⁱ *Controlled substance* as defined by 21 U.S.C. 802.

ⁱⁱ *Nonimmigrant* as defined by 8 U.S.C. 1101(a)(26). Except that, “subsection ... (g)(5)(B) [does] not apply to any alien who has been lawfully admitted to the United States under a nonimmigrant visa, if that alien is...an official of a foreign government or a distinguished foreign visitor who has been so designated by the Department of State; or a foreign law enforcement officer of a friendly foreign government entering the United States on official law enforcement business.” (18 U.S.C. 922(y)(2)(C-D)) However, “any individual who has been admitted to the United States under a nonimmigrant visa may receive a waiver for the requirements of subsection (g)(5), if the individual submits to the Attorney General a petition...and the Attorney General approves the petition.” (18 U.S.C. 922(y)(3)(A))

ⁱⁱⁱ *Moral turpitude*. “...In general it means neither more nor less than ‘turpitude,’ *i.e.*, anything done contrary to justice, honesty, modesty, or good morals. It is also commonly defined as an act of baseness, vileness, or depravity in the private and social duties which a man owes to his fellow man or to society in general, contrary to the accepted and customary rule of right and duty between man and man. Although a vague term, it implies something immoral in itself, regardless of its being punishable by law. Thus excluding unintentional wrong, or an improper act done without unlawful or improper intent. It is also said to be restricted to the gravest offenses, consisting of felonies, infamous crimes, and those that are *malum in se* and disclose a depraved mind. (Black, Henry C. *Black's Law Dictionary*, 6th Ed. Edited by Joseph R. Nolan and Jacqueline M. Nolan-Haley. St. Paul, MN: West Publishing Co., 1990. p. 1517.)