

FINGERPRINT CLEARANCE: CONSEQUENCES OF DUI PROSECUTION & CONVICTION

Persons Who Must Be Fingerprinted: 35 Statutorily Defined Categories of Persons -- Includes:

LEVEL ONE CLEARANCE ¹		STANDARD CLEARANCE (Cont'd)
<ul style="list-style-type: none"> • Adoptive Parent, (DES) • Board of Fingerprinting members & employees • Child care group home employees, (DHS) • Child care group home licensees, DHS • Child care home providers, DES • Child care employees, DHS • Child care facility licensees, DHS • Child Protective Services (CPS) employee, DES • Day care home providers, DES • DES contractors 	<ul style="list-style-type: none"> • Developmental-home licensure, DES • Div. Developmental Disabilities employees, DES • Foster-home licensure • DES information technology employees • Non-CPS employees, DES 	<ul style="list-style-type: none"> • Juvenile Probation Services • Juvenile Corrections Worker/Some Contractors • Nursing Care Administrator; • Nursing Home Employees, Owners and Some Contractors • Driving School Owner/Partner (some) • Real Estate Salesperson or Broker • State Dep't of Emergency/Military Affairs Worker • Students – Post-Secondary Health Education (some) • Students – Vocational Education (some) • Teacher/other personnel – Charter School • Teacher/other personnel - Public School • Teacher – School for Blind/Deaf
	STANDARD CLEARANCE ¹	

- Level one (1) clearances are designed to be more difficult to obtain and are subject to more criminal bars

¹ Volunteers must often also obtain fingerprint clearance for one or more of the above categories.

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REAPPLICATION & DISCIPLINE

- Applications and reapplications for clearances may be denied for arrest or conviction of certain enumerated offenses.² Clearances may be **suspended or revoked** if arrested/convicted of certain enumerated offenses.
- If DUI arrest/conviction, receive 5 year restriction that cannot be removed by a good cause showing

CRIME	Suspension on Arrest ³	Revoke on Conviction	Good Cause
§28-1381 – “Simple” DUI	No. But, restricted from “driving any vehicle to transport employees or clients of the employing agency” for 5 years	No	No
§28-1382 – “Extreme” DUI	No. But, restricted clearance for 5 years	No	No
§28-1383 – “Agg. “ DUI	Yes, for Level 1 Clearances. ⁴ Will receive a restricted, standard clearance.	Yes, for Level 1 Clearances	No
§13-1201 Endangerment	Yes	Yes – felony conviction for Level 1 Clearance	Level 1 – misdemeanor only Standard – yes
§ 28-693 – Reckless Driving	No.	No	NA

² A.R.S. § § 41-1758.03 (denial of standard clearance); 41-1758.07 (denial of level 1 clearance); 41-1758.04 (suspension/revocation)

³ A.R.S. § 41-1758.07(S)

⁴ A.R.S. § 41-1758(4)