

FINGERPRINT CLEARANCE: CONSEQUENCES OF DRUG PROSECUTION & CONVICTION

Persons Who Must Be Fingerprinted: 35 Statutorily Defined Categories of Person -- 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
	<p style="text-align: center;">STANDARD CLEARANCE¹</p> <ul style="list-style-type: none"> • Children's Behavioral Health Program Worker • Childcare worker for entity receiving federal child care food program funds • Clinical Assistant (some) • DV Victim's Shelter Worker¹ 	<ul style="list-style-type: none"> • 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

- 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	LEVEL 1 CLEARANCE (§ 41-1758.07)	STANDARD CLEARANCE § 41-1758.03)
§28-1381 – “Simple” DUI	<ul style="list-style-type: none"> • Not revoked/suspended • restricted from driving employees or clients of the employing agency for 5 years • No good cause 	<ul style="list-style-type: none"> • Not revoked/suspended • restricted from driving employees or clients of the employing agency for 5 years • No good cause
§28-1382 – “Extreme” DUI	<ul style="list-style-type: none"> • Not revoked/suspended • restricted from driving employees or clients of the employing agency” for 5 years • No good cause 	<ul style="list-style-type: none"> • Not revoked/suspended • restricted from driving employees or clients of the employing agency for 5 years • No good cause
§28-1383 – “Agg. “ DUI	<ul style="list-style-type: none"> • Suspended on arrest/revoked on conviction. • No good cause 	<ul style="list-style-type: none"> • Not revoked/suspended • restricted from driving employees or clients of the employing agency for 5 years • No good cause

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

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REAPPLICATION & DISCIPLINE (cont'd)

CRIME	LEVEL 1 CLEARANCE (§ 41-1758.07)		STANDARD CLEARANCE § 41-1758.03)	
Misdemeanor marijuana possession § 13-3405	<ul style="list-style-type: none"> Suspended on arrest/Revoked on conviction Good cause available 		<ul style="list-style-type: none"> Suspended on arrest/Revoked on conviction Good cause available 	
Drug paraphernalia § 13-3415	<i>Misdemeanor</i> <ul style="list-style-type: none"> Probably no suspension or revocation 	<i>Felony</i> <ul style="list-style-type: none"> Revoked and suspended No good cause 	<i>Misdemeanor</i> <ul style="list-style-type: none"> No suspension or revocation 	<i>Felony</i> <ul style="list-style-type: none"> Possibly suspension and revocation Good cause available
Solicitation A.R.S. § 13-1002	<ul style="list-style-type: none"> Treated as if convicted of the underlying crime 		<ul style="list-style-type: none"> Treated as if convicted of the underlying crime 	
Any Felony drug offense	<ul style="list-style-type: none"> Revoked and suspended No good cause 		<ul style="list-style-type: none"> Suspended on arrest/Revoked on conviction Good cause available 	
Other Misdemeanor drug possess	<ul style="list-style-type: none"> Suspended on arrest/Revoked on conviction Good cause available 		<ul style="list-style-type: none"> Suspended on arrest/Revoked on conviction Good cause available 	
Federal Crimes	<ul style="list-style-type: none"> Treated as “same or similar offenses” under Arizona law. 		<ul style="list-style-type: none"> Treated as “same or similar offenses” under Arizona law. 	

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