

**STATE OF RHODE ISLAND  
DEPARTMENT OF CORRECTIONS  
PUBLIC NOTICE OF PROPOSED RULE-MAKING**

In accordance with Rhode Island General Laws (RIGL) § 42-35-3, notice is hereby given that the RI Department of Corrections (RIDOC) proposes to amend the following RIDOC rule:

**3.32 DOC; Pre-Employment Background Investigations**

This amended rule includes revisions which reflect:

- title change
- procedures for referrals for investigations
- procedures for disposition of information

In the development of these rules, consideration was given to the following: (1) alternative approaches; and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

This proposed rule is accessible on the RI Secretary of State website (<http://www.sec.state.ri.us/ProposedRules/>) and the RIDOC website (<http://www.doc.ri.gov/index.php>) or available in hard copy upon request (401) 462-3533. Interested persons should submit written comments by January 16, 2015, to Jayne Del Sesto, Chief, Program Development, RI Department of Corrections, 1375 Pontiac Avenue, Cranston, RI 02920 ([jayne.delsesto@doc.ri.gov](mailto:jayne.delsesto@doc.ri.gov)).

In accordance with RIGL 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

RIDOC does not discriminate against individuals based on race, color, national origin, sex, gender identity or expression, sexual orientation, religious belief, political belief or handicap in acceptance for or provision of services or employment in its programs or activities.

# RHODE ISLAND DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE

	<b>POLICY NUMBER:</b> 3.32 DOC	<b>EFFECTIVE DATE:</b>	<b>PAGE 1 OF 3</b>	
	<b>SUPERSEDES:</b> 28.10-4 DOC	<b>DIRECTOR:</b>		
<b>SECTION:</b> PERSONNEL		<b>SUBJECT:</b> <del>PROBATION AND PAROLE MANAGEMENT AND ADMINISTRATION;</del> PRE-EMPLOYMENT BACKGROUND INVESTIGATIONS		
<b>AUTHORITY:</b> Rhode Island General Laws (RIGL) § 42-56-10(v), Powers of the director				
<b>REFERENCES:</b> ACA #, Criminal Record Checks on Prospective Employees; Policy # <a href="#">1.02 DOC</a> , Mission Statement of the Rhode Island Department of Corrections; <a href="#">Final PREA Standard § 115.17 Hiring and promotion decisions</a>				
<b>INMATE ACCESS THROUGH LAW LIBRARY?</b>		<b>X YES</b>		

I. **PURPOSE:**

To define the ~~circumstances and~~ procedures to be followed by employees of the Rhode Island Department of Corrections' (RIDOC's) Adult Probation and Parole Unit when conducting pre-employment background investigations on prospective RIDOC employees.

II. **POLICY:**

RIDOC seeks to employ qualified and capable individuals of good character in order to effectively promote the Mission of the Department. As part of the screening and selection process for prospective employees, Human Resources requests RIDOC's Adult Probation and Parole Unit ~~or Special Investigations Unit (SIU)~~ to perform background investigations on all job applicants ~~, except those applying for positions in the Adult Probation and Parole Unit,~~ in order to verify information, authenticate qualifications, and confirm character.

PUBLIC NOTICE:

PUBLIC HEARING:

III. PROCEDURES:

A. Referral from Human Resources

1. RIDOC's Office of Human Resources forwards requests for background investigations ~~for~~ of prospective RIDOC employees ~~requests~~ to the ~~Administrator of Adult Probation and Parole Administrator~~ Associate Director of Community Corrections. ~~from the RIDOC Office of Human Resources.~~

Requests for background investigations for prospective RIDOC Probation and Parole employees are forwarded to the Chief of (SIU).

Requests include background information as supplied by the prospective employee - position applied for, references, neighbors (Background Information, Attachment 1), and a signed authorization for release of confidential information Personal Inquiry Waiver Form (Attachment 2).

- ~~32.~~ The request for character investigations is forwarded to a Probation and Parole Supervisor/designee for assignment within one (1) working day, or as soon as feasible.
- ~~43.~~ The waiver is valid for six (6) months from date of signature.

~~CB.~~ Disposition of Information

- ~~21.~~ The Probation Supervisor reviews the report for completeness, ~~and~~ signs it ~~The investigation package (memo, copies of any pertinent documents, subject's application, and forwards all information forwarded received from Human Resources) is sent~~ to the ~~Administrator~~ Associate Director of Community Corrections who forwards it to Human Resources. If the investigation is completed by SIU, the report is forwarded to the Chief of SIU.
- ~~32.~~ After review, the ~~Administrator~~ Associate Director of Community Corrections or the Chief of SIU initials and forwards the package to the requesting official at RIDOC's Human Resources.
- ~~43.~~ The assignment, investigation, and return of the package to Human Resources are ordinarily expected to be completed as within ~~ten (10)~~ fifteen (15) working days.

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Exceptions, with explanation, are brought to the attention of the ~~Administrator~~Associate Director of Community Corrections/Chief of SIU.