



TO: The Honorable Ann Lininger, Chair
The Honorable Pam Marsh
The Honorable David Brock Smith
The Honorable Brian Clem
The Honorable David Gomberg
The Honorable Ken Helm
The Honorable Rick Lewis
The Honorable Bill Post
The Honorable E. Wertner Reschke

FROM: Ramona Rodamaker, Assistant Director for Operations and Finance

DATE: May 3, 2017

RE: Senate Bill 12, Criminal Background Checks

Business Oregon does not currently possess statutory authority to conduct federal criminal background checks on job applicants, interns, volunteers, or contractors through the national FBI registry. Our current authority is granted through Executive Order 11-03 and is limited to Oregon's Law Enforcement Data System (LEDS); it limits the information we receive to crimes committed and/or prosecuted in Oregon.

According to the Oregon State Police Identification Unit, the FBI will not enter into agreements to perform national criminal background checks with any state agency unless that agency has specific statutory authority permitting or requiring criminal record checks.

Senate Bill 12 would give Business Oregon the same level of legal authority that other state agencies already possess and would help to reduce potential risk to the agency. This bill would allow Business Oregon to submit, through Oregon State Police, the names of individuals who have not lived in Oregon for at least five years to the FBI so they could search a national database to determine if the person had a history of felony convictions that would preclude their employment.

Background checks would be limited to applicants and service providers who would have direct or electronic access to:

- tax or financial information about individuals or businesses;
- confidential information such as social security numbers, drivers' licenses, credit card, and criminal background information;
- cash, property, or other negotiable instruments;
- the agency's human resource records; or,
- information technology systems.

This could potentially improve work place safety, reduce losses due to financial crimes, vehicle accidents, and reduce our legal and administrative costs by improving hiring decisions.

Business Oregon urges you to support Senate Bill 12 because it reduces agency liability and protects the public's interest.