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Firefighter Criminal Records Checks

On July 1, 2009, SLED implemented a new policy regarding procedures for name based criminal record checks. This unfortunate change was necessary by SLED because of recent budget cuts. The policy change has caused a detrimental impact to many fire departments within South Carolina's diverse fire service.

Since July 1, 2009, SC LLR and the Office of State Fire Marshal have worked diligently with SLED and other state agencies seeking a solution to the problem. We have been unable to come up with a technological fix for payments options as desired. So, to resolve the problem, **effective today, August 3 2009**, the Office of the State Fire Marshal will now conduct firefighter name based criminal record checks. New forms and procedures will be posted on the web page this week for your convenience. It is our desire that the process be web based or electronically conducted via e-mail to be cost effective and efficient. The process will be modified accordingly when the paperless system is available.

The change will provide better accountability for requested firefighter criminal record checks. The firefighter's registration law, state statute 40-80-20: prior to employment the fire chief or employer must ensure that a prospective firefighter undergoes a criminal background check. No later than 60 days after the start of employment a firefighter must be registered with the OSFM by his chief or employer.

Criminal records checks should not be used for a screening process, but only as part of the hiring process. Record check requests will now be correlated with firefighter registration within the 60 day limit. Departments abusing the system will be held accountable.

For those of you who have processed and paid for background checks through SLED since July 1, 2009, please contact Libby Hardwick at 803-896-9811 for information regarding the process of refunding you for these expenditures.

I trust this change will benefit the fire service throughout the state as we serve together making South Carolina a safer place to live work and play.

Respectfully,

John Reich,
SC State Fire Marshal