

## VDFR 600-10 Appendix F

### Virginia Defense Force Background Checks Version August 2022

Contents (Listed by page number)

Purpose and Administrative • page 1

Responsibilities • page 1

Policy and Service Disqualifying Criteria • page 2

Administrative Process • page 2

Enclosure (1) Form 380-67 Background Checks Version 4.18, “CRIMINAL HISTORY RECORD NAME SEARCH REQUEST” • page 5

#### 1. Purpose and Administrative.

a. Purpose. This VDF Regulation (VDFR) 600-10, Appendix (APDX) F prescribes policy for the conduct of Virginia State Police (VSP) Background Checks by the Virginia Defense Force (VDF) for all VDF applicants and current members.

b. Replacement. This regulation cancels and replaces VDFR 380-67, “Virginia Defense Force Background Checks,” dated 19 April 2018.

c. Proponents. The joint proponents for regulation are: (1) the Assistant Chief of Staff for Personnel and Administration (G1); and (2) VDF Active Detachment (ACTDET). The proponents have the authority to recommend to the Commanding General (CG) exceptions to this regulation, so long as the exceptions are consistent with controlling law and good order.

d. References. This regulation is in accordance with (IAW) Army Regulation (AR) 380–67 “Personnel Security Management,” and AR 601-210, “Regular Army and Reserve Components Enlistment Program,” chapter 4-22, and implements Virginia Department of Military Affairs (DMA) Guidance.

#### 2. Responsibilities.

a. The G-1 will (1) prescribe policy, procedures, and implementing instructions on the conduct of VSP Background Checks and IAW CG guidance, and will process for the CG requests for waivers to the below policies.

b. The VDF ACTDET Unit Administrator shall supervise and manage the actual conduct of VDF background checks.

c. The Recruiting and Retention Battalion (R&R BN) will via **VDFR 600-10, Appendix B, “Accession of Unrestricted Line VDF Members,”** conform its general accession guidelines and procedures for Officers, Warrant Officers, and Enlisted personnel entering VDF by implementing this regulation for Background Check purposes.

3. Policy and Service Disqualifying Criteria.

a. General. Because all VDF members are subject to being called to State Active Duty (SAD) by the Governor, all applicants to VDF and current VDF members shall undergo a VSP background check.

(1) New applicants shall undergo a check prior to being sworn in to VDF service.

(2) Current members shall also undergo a VSP background check periodically, with about 1/3 of VDF checked annually, or otherwise as the CG and/or DMA shall direct personally or via regulation. Members applying for VDF formal schools do not need a separate background check, with the rolling background check sufficing for all members.

(3) Regardless of any current background check/security clearance for civilian employment/prior military service, all applicants for VDF membership and current members of the VDF must undergo a VSP background check.

(4) Applicants for VDF service will not be sworn in to VDF service, nor may they participate in any VDF activity until they pass the VSP background check.

(5) Applicants or current VDF members who do not consent to the VSP background check shall not be sworn into or retained in VDF service.

(6) Members must report any significant involvement with law enforcement or civil authorities (including domestic violence, protective orders, and violations of probation) to the G1 through their Major Subordinate Command (MSC) Commander (Cdr) or Force Headquarters (FORHQ) Chief of Staff (COS). “Significant involvement” includes arrest, charge, or conviction for a misdemeanor or felony including driving infractions (DUI, DWI, reckless driving). Minor parking and/or driving tickets, littering, or similar matters do not need to be reported. However, if in doubt, report the matter to your leadership. The duty to inform also includes MSC and FORHQ leaders keeping G1 informed of any such incidents they learn of –if not through the member. Members may apply for a waiver IAW the procedures in **VDFR 600-10, APDX B.**

(7) Should an initial enlistment check or periodic background check find, that the person concerned has an unreported felony or other disqualifying reason as set forth in this regulation, s/he will not be enlisted, or face immediate involuntary separation/discharge from the VDF, as applicable. If discharged, the discharge shall be characterized as “General.”

b. Disqualifying criteria. VDF will follow the Virginia National Guard standards for Background Checks per below process. Consult **VDFR 600-10, APDX B,** for disqualifying criteria and waiver request procedures.

4. Administrative Process.

VDFR 600-10 Appendix F, Virginia Defense Force Background Checks

a. All applicants to VDF -- and current VDF members so directed by ACTDET acting on CG's behalf -- shall Complete VDF Form 380-67-1 upon notice to do so and shall send to ACTDET via either fax or U.S. Postal Service.

b. Only VDF Form 380-67-1, Background Check, will be used and completed VDF Form 380-67-1 shall be transmitted via only U.S. Postal Service (USPS) or facsimile (fax).

c. The completed form shall be forwarded through R&R BN to ACTDET for applicants, or directly from the current VDF member directly via either fax or USPS.

d. ACTDET shall: (1) acknowledge receipt of completed VDF Form 380-67-1 to MSC via e-mail; and, (b) Conduct background check and inform MSC S-1s or designated administrative personnel of results.

e. The applicant shall be informed that processing of background check may take up to thirty (30) days.

f. ACTDET sends the verified, signed VDF Form 380-67-1 to the Virginia State Police (VSP) web site for a background check.

(1) If the VSP reports back with no negative information, ACTDET prints the VSP notification, places that notification and the VDF Form 380-67-1 into the new or existing member's Personnel Record, and adds the clearance to the VDF Background Check roster for Force-wide tracking.

(2) If the VSP finds negative information they send a hard copy of their findings to ACTDET. ACTDET then sends a summary description of the history without any name to the FORHQ Staff Judge Advocate (SJA) for review as to whether the negative information is waivable.

(3) The SJA designee consults the current version-National Guard Bureau Recruiting Regulation, "Accession Options Criteria, Annex A -Waivers & Suitability Processing," and AR 601-210, chapter 4-22 (see above).

(4) If the SJA determines a disqualifying and *non-waiverable factor*, (a) the R&R BN will notify the applicant s/he is being denied enlistment; or (b) ACTDET will notify the Cdr of a present VDF member concerned of the finding (Cdr will notify the member, and ACTDET will discharge the member.

(5) If the SJA determines a disqualifying and *waiverable factor*, the applicant or current member will follow the waiver procedures in **VDFR 600-10, APDX B**.

g. Only the following individuals may have access to completed VDF Forms 380-67-1: (a) Original applicant; (b) R&R BN administrative personnel Employees approved and trained for processing VSP Background Checks; (c) VDF G-1/Deputy G-1/G-1 Section Chief; (d) VDF Unit Administrator (UA); (e) VDF Part-Time (P-14) Employees approved and trained for processing VSP Background Checks by the VDF UA.

VDFR 600-10 Appendix F, Virginia Defense Force Background Checks

h. Applicants who pass the background check or successfully apply for a CG waiver, may be sworn in only after the R&R BN has been informed by ACTDET that the enlistment is cleared.

i. No VDF Form 380-67-1 copy or VSP results shall be kept at R&R BN once ACTDET confirms receipt. Only ACTDET shall retain/store any and all copies of completed VDF Form 380-67-1 or VSP results. These shall be stored in a secure manner IAW **VDFR 600-10, APDX M, "Personnel Records Management."**

JUSTIN P. CARLITTI  
BG (VA)  
Commanding General



**Enclosure (1) CRIMINAL HISTORY RECORD NAME SEARCH REQUEST**

**PURPOSE OF THIS REQUEST:**

Appointment/Enlistment in the Virginia Defense Force and continuous monitoring after accession into the Virginia Defense Force

**APPLICANT – PLEASE READ THOROUGHLY AND INITIAL AND DATE AFTER EACH STATEMENT:**

The Virginia Defense Force is entitled by Section 19.2-389 of the Code of Virginia to:

1. Obtain a copy of any criminal history record that I may have. \_\_\_\_\_
2. Obtain a prompt determination as to the validity of criminal record(s) I may have before enlistment or appointment in the Virginia Defense Force (VDF). \_\_\_\_\_
3. Prior to the completion of the criminal record search(es,) I will not be sworn in to service in the Virginia Defense Force and may not participate in any VDF training activities or events. \_\_\_\_\_
4. Should I be found to have a conviction for any felony, misdemeanor of moral turpitude, current domestic protective order, habitual DUIs, be found to be on a sex offender registry, or any conviction or behavior that would bring discredit upon the VDF, I understand that I will be disqualified for service in the Virginia Defense Force. \_\_\_\_\_
5. Should it be found that, after being sworn in to service in the Virginia Defense Force, I have a conviction for any felony, misdemeanor of moral turpitude, current domestic protective order, habitual DUIs, be found to be on a sex offender registry, or any conviction or behavior that would bring discredit upon the VDF, I understand that I am subject to discharge from the Virginia Defense Force. \_\_\_\_\_
6. I understand that the Virginia Defense Force will conduct periodic background checks on me during my term of service with the organization. \_\_\_\_\_
7. I understand that Social Security Numbers provided will be used to help identify the proper record and will be used for no other purpose by the Virginia Defense Force. \_\_\_\_\_

**NAME INFORMATION TO BE SEARCHED:**

<u>LAST NAME</u>	<u>FIRST NAME</u>	<u>MIDDLE NAME</u>	<u>MAIDEN NAME</u>
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<u>RACE</u>	<u>SEX</u>	<u>DATE OF BIRTH</u> (MM/DD/YYYY)	<u>SOCIAL SECURITY NUMBER</u>
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**CONSENT OF APPLICANT** I hereby give consent and authorize the Virginia Defense Force to search the files of the Central Criminal Record Exchange (CCRE) for a criminal history record and report the results of such search to the agent or individual authorized in this document to receive same.

Signature \_\_\_\_\_

State/Commonwealth of \_\_\_\_\_ City/County of \_\_\_\_\_ Date \_\_\_\_\_

**SIGNATURE OF VIRGINIA DEFENSE FORCE AGENT** As provided in Section 19.2-389 of the Code of Virginia, I hereby request the criminal history record of the individual named above and swear or affirm that I have the consent of the individual to obtain their record and will not further disseminate the information received, except as provided by law.

Virginia Defense force 5001 Waller Road  
Richmond, Virginia 23230-2915

\_\_\_\_\_  
Date of Request

\_\_\_\_\_  
Signature of Authorized Agent

\_\_\_\_\_  
Printed Name

**VDF USE ONLY**

- Background check conducted (Date: \_\_\_\_\_)     Person passed background check for VDF purposes ( Yes/  
 No)