

City of Molalla

MAYOR/CITY COUNCILOR BACKGROUND CHECK AUTHORIZATION

It is the City of Molalla's policy to consider all applicants for Mayor and/or City Council on the basis of merit without discrimination on the basis of race, color, religion, sex, age, disability, veteran status or any other type of discrimination prohibited by local, state or federal law, ordinance or regulations.

It is stated in the City of Molalla Charter in the Municipal Code that the Mayor and City Councilors reside inside the city limits, is a qualified elector and not have any convictions of a felony or any crime of moral turpitude*. In order to be in compliance with the City Charter the City must perform background checks, as well as confirm living inside the city for a minimum of 12 months prior to taking office. In performing the background checks, educational information, criminal history (arrests and convictions), and motor vehicle driver's license or driving record can appear on a background check. Your signature on our employment application authorizes us to obtain such a report.

You have the right to refuse this check; however this would disqualify the applicant from requirements to hold office of Mayor and/or City Council.

I have read and understand or had explained to me the above information and notice. I understand that Molalla Police is authorized to release any information about me. I hereby release them from all liability for issuing such information. I understand that the information below is requested for the sole purpose of gathering the above information accurately and will not be used to discriminate against me in the violation of any law. A fax or a photographic copy of this authorization shall be valid as the original.

Full Name (no nicknames): _____

Other Names (i.e., maiden, nicknames, alias): _____

Social Security #: _____ Date of Birth: ___/___/___ Race: ___ Sex: ___

Driver's License #: _____ State Issued: _____

List below addresses for the last 1 year or more if needed to verify residence inside city limits, starting with the most current:

Residence Address	City	State, Zip	Years/months at address

Signature

Date

* **(defined by: Wikipedia) Moral turpitude** is a legal concept in the United States that refers to "conduct that is considered contrary to community standards of justice, honesty, or good morals".

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Moral turpitude

From Wikipedia, the free encyclopedia

Moral turpitude is a legal concept in the United States that refers to "conduct that is considered contrary to community standards of justice, honesty, or good morals".^[1]

It is of great importance for immigration purposes, as only those offenses which are defined as involving moral turpitude are considered bars to immigration into the U.S.

Contents

- 1 Use in the Visa Waiver Program
- 2 Interpretation of moral turpitude
- 3 Controversy
- 4 See also
- 5 References

Use in the Visa Waiver Program

The first question on document I-94W for those visiting the U.S. on the Visa Waiver Program asks:

Have you ever been arrested or convicted for an offense or crime involving moral turpitude or a violation related to a controlled substance; or been arrested or convicted for two or more offenses for which the aggregate sentence to confinement was five years or more; or been controlled substance trafficker; or are you seeking entry to engage in criminal or immoral activities?

No guidance is provided to the traveller as to which offences are included in the definition; the website of the U.S. embassy in London advises that a visa is required for anyone who has ever been arrested or convicted for any offence.^[2]

Interpretation of moral turpitude

A definition of moral turpitude is available for immigration purposes on the United States Department of State website.^[3]

For offenses (or arrests on suspicion of such offenses) occurring outside the U.S., the locally defined offense must be considered against the U.S. definitions, and in such cases it is the definition of the offense (as defined in the appropriate country) which is considered for immigration purposes, and not the circumstances of the individual's actual case.

Category	Crimes involving moral turpitude	Crimes not involving moral turpitude
Crimes Against Property	<p>Fraud:</p> <ul style="list-style-type: none"> ▪ Making false representation ▪ Knowledge of such false representation by the perpetrator ▪ Reliance on the false representation by the person defrauded ▪ An intent to defraud ▪ The actual act of committing fraud <p>Evil intent:</p> <ul style="list-style-type: none"> ▪ Arson ▪ Blackmail ▪ Burglary ▪ Embezzlement ▪ Extortion ▪ False pretenses ▪ Forgery ▪ Fraud ▪ Larceny (grand or petty) ▪ Malicious destruction of property ▪ Receiving stolen goods (with guilty knowledge) ▪ Robbery ▪ Theft (when it involves the intention of permanent taking) ▪ Transporting stolen property (with guilty knowledge) 	<ul style="list-style-type: none"> ▪ Damaging private property (where intent to damage not required) ▪ Breaking and entering (requiring no specific or implicit intent to commit a crime involving moral turpitude) ▪ Passing bad checks (where intent to defraud not required) ▪ Possessing stolen property (if guilty knowledge is not essential) ▪ Joy riding (where the intention to take permanently not required) ▪ Juvenile delinquency ▪ Trespassing
Crimes Committed Against Governmental Authority	<ul style="list-style-type: none"> ▪ Bribery ▪ Counterfeiting ▪ Fraud against revenue or other government functions ▪ Mail fraud ▪ Perjury ▪ Harboring a fugitive from justice (with guilty knowledge) ▪ Tax evasion (willful) 	<ul style="list-style-type: none"> ▪ Black market violations ▪ Breach of the peace ▪ Carrying a concealed weapon ▪ Desertion from the Armed Forces ▪ Disorderly conduct ▪ Drunk or reckless driving ▪ Driving while license suspended or revoked ▪ Drunkenness

		<ul style="list-style-type: none"> ■ Escape from prison ■ Failure to report for military induction ■ False statements (not amounting to perjury or involving fraud) ■ Firearm violations ■ Gambling violations ■ Immigration violations ■ Liquor violations ■ Loan sharking ■ Lottery violations ■ Minor traffic violations ■ Possessing burglar tools (without intent to commit burglary) ■ Smuggling and customs violations (where intent to commit fraud is absent) ■ Tax evasion (without intent to defraud) ■ Vagrancy
<p style="text-align: center;">Crimes Committed Against Person, Family Relationship, and Sexual Morality</p>	<ul style="list-style-type: none"> ■ Abandonment of a minor child (if willful and resulting in the destitution of the child) ■ Adultery (see INA 101** repealed by Public Law 97-116) ■ Assault (this crime is broken down into several categories, which involve moral turpitude): <ul style="list-style-type: none"> ■ Assault with intent to kill, commit rape, commit robbery or commit serious bodily harm ■ Assault with a dangerous or deadly weapon ■ Bigamy ■ Contributing to the delinquency of a minor ■ Gross indecency ■ Incest (if the result of an improper sexual relationship) ■ Kidnapping 	<ul style="list-style-type: none"> ■ Assault (simple) (i.e., any assault, which does not require an evil intent or depraved motive, although it may involve the use of a weapon, which is neither dangerous nor deadly) ■ Bastardy (i.e., the offense of begetting a bastard child) ■ Creating or maintaining a nuisance (where knowledge that premises were used

	<ul style="list-style-type: none"> ■ Lewdness ■ Manslaughter: <ul style="list-style-type: none"> ■ Voluntary ■ Involuntary (where the statute requires proof of recklessness, which is defined as the awareness and conscious disregard of a substantial and unjustified risk which constitutes a gross deviation from the standard that a reasonable person would observe in the situation. A conviction for the statutory offense of vehicular homicide or other involuntary manslaughter only requires a showing of negligence will not involve moral turpitude even if it appears the defendant in fact acted recklessly) ■ Mayhem ■ Murder ■ Pandering ■ Prostitution ■ Rape (including "Statutory rape" by virtue of the victim's age) ■ Sodomy 	<p>for prostitution is not necessary)</p> <ul style="list-style-type: none"> ■ Fornication ■ Incest (when a result of a marital status prohibited by law) ■ Involuntary manslaughter (when killing is not the result of recklessness) ■ Libel ■ Mailing an obscene letter ■ Mann Act violations (where coercion is not present) ■ Riot ■ Suicide (attempted)
<p>Attempts, Aiding and Abetting, Accessories and Conspiracy</p>	<ul style="list-style-type: none"> ■ An attempt to commit a crime deemed to involve moral turpitude ■ Aiding and abetting in the commission of a crime deemed to involve moral turpitude ■ Being an accessory (before or after the fact) in the commission of a crime deemed to involve moral turpitude ■ Taking part in a conspiracy (or attempting to take part in a conspiracy) to commit a crime involving moral turpitude where the attempted crime would not itself constitute moral turpitude. 	<p>N/A</p>

From the United States Department of State Foreign Affairs Manual^[3]

Controversy

In March 2008, British author Sebastian Horsley was refused entry into the United States, after arriving at Newark Airport for a book tour. Customs denied his entry claiming issues of moral turpitude.

"...travelers who have been convicted of a crime involving moral turpitude (which includes controlled-substance violations) or admit to previously having a drug addiction are not admissible..." said customs spokeswoman, Lucille Cirillo. After eight hours of questioning, he was placed on a plane and sent back to London. Horsley had told the Associated Press that he had prepared for the visit; his one concession: removing his nail polish.

See also

- Good moral character

References

1. ^ Moral Turpitude: Information and Much More from Answers.com (<http://www.answers.com/topic/moral-turpitude?cat=biz-fin>)
2. ^ "Consular Affairs: Visa Wizard Question 8 : Arrests & Convictions (http://london.usembassy.gov/cons_new/visa/visawizard/visawizard008a.html) ". Retrieved on 2007-10-12.
3. ^ ^a ^b United States Department of State. "U.S. Department of State Foreign Affairs Manual Volume 9 - Visas: 9 FAM 40.21(A) N2 Moral turpitude (<http://foia.state.gov/masterdocs/09fam/0940021aN.pdf>) " (pdf) (in english). Retrieved on 2007-10-12.

Retrieved from "http://en.wikipedia.org/wiki/Moral_turpitude"

Categories: Immigration to the United States

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