



THE LUKAS COUNSELING COMPANY

AFFIDAVIT AND LOCAL BACKGROUND CHECK

Email to max@lukascounseling.org

or RETURN TO APPLICANT

Applicant's Name: _____



PART I - AFFIDAVIT OF GOOD MORAL CHARACTER

State of Florida - County of _____

Before me this day personally appeared _____ who, being duly
(Applicant's/Employee/Contractor's Name)

sworn, deposes and says: As an applicant for employment with, an employee of, a volunteer for, or an applicant to volunteer with **THE LUKAS COMPANY LLC / LUKAS COUNSELING SERVICES LLC / PSYCHAMERICA BEHAVIORAL SERVICES LLC**, I affirm and attest under penalty of perjury that I meet the moral character requirements for employment, as required by the Florida Statutes and rules, in that:

- I have not been arrested with disposition pending or found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to or have been adjudicated delinquent and the record has not been sealed or expunged for, any offense prohibited under any of the following provisions of the Florida Statutes or under any similar statute of another jurisdiction for any of the offenses listed below:

- Section 393.135 sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct
- Section 394.4593 sexual misconduct with certain mental health patients and reporting of such sexual misconduct
- Section 415.111 adult abuse, neglect, or exploitation of aged persons or disabled adults or failure to report of such abuse
- Section 741.28 criminal offenses that constitute domestic violence, whether committed in Florida or another jurisdiction
- Section 782.04 murder
- Section 782.07 manslaughter, aggravated manslaughter of an elderly person or disabled adult, or aggr. manslaughter of child
- Section 782.071 vehicular homicide
- Section 782.09 killing an unborn quick child by injury to the mother
- Chapter 784 assault, battery, and culpable negligence, if the offense was a felony
- Section 784.011 assault, if the victim of offense was a minor
- Section 784.03 battery, if the victim of offense was a minor
- Section 787.01 kidnapping
- Section 787.02 false imprisonment
- Section 787.025 luring or enticing a child
- Section 787.04(2) taking, enticing, or removing a child beyond the state limits with criminal intent pending custody proceeding
- Section 787.04(3) carrying a child beyond the state lines with criminal intent to avoid producing a child at a custody hearing etc
- Section 790.115(1) exhibiting firearms or weapons within 1,000 feet of a school
- Section 790.115(2) (b) possessing an electric weapon or device, destructive device, or other weapon on school property
- Section 794.011 sexual battery
- Section 794.041 prohibited acts of persons in familial or custodial authority (former)
- Section 794.05 unlawful sexual activity with certain minors

Chapter 796	prostitution
Section 798.02	lewd and lascivious behavior
Chapter 800	lewdness and indecent exposure
Section 806.01	arson
Section 810.02	burglary
Section 810.14	voyeurism, if the offense is a felony
Section 810.145	video voyeurism, if the offense is a felony
Chapter 812	theft and/or robbery and related crimes, if a felony offense
Section 817.563	fraudulent sale of controlled substances, if the offense was a felony
Section 825.102	abuse, aggravated abuse, or neglect of an elderly person or disabled adult
Section 825.1025	lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled adult
Section 825.103	exploitation of disabled adults or elderly persons, if the offense was a felony
Section 826.04	incest
Section 827.03	child abuse, aggravated child abuse, or neglect of a child
Section 827.04	contributing to the delinquency or dependency of a child
Section 827.05	negligent treatment of children
Section 827.071	sexual performance by a child
Section 843.01	resisting arrest with violence
Section 843.025	communication depriving a law enforcement, correctional, or correctional probation officer means of protection
Section 843.12	aiding in an escape
Section 843.13	aiding in the escape of juvenile inmates in correctional institution
Chapter 847	obscene literature
Section 874.05(1)	encouraging or recruiting another to join a criminal gang
Chapter 893	drug abuse prevention/control only if the offense was a felony or if any person involved in the offense is minor
Section 916.1075	sexual misconduct with certain forensic clients and reporting of such sexual conduct
Section 944.35(3)	inflicting cruel or inhuman treatment on an inmate resulting in great bodily harm
Section 944.40	escape
Section 944.46	harboring, concealing, or aiding an escaped prisoner
Section 944.47	introduction of contraband into a correctional facility
Section 985.701	sexual misconduct in juvenile justice programs
Section 985.711	contraband introduced into detention facilities

- THE FOLLOWING APPLIES ONLY TO THOSE APPLICANTS FOR MENTAL HEALTH POSITIONS** In addition to the Chapter 435, F.S., listed offenses, the following offenses are also applicable for “Mental Health Personnel” screened pursuant to section 394.4572, F.S., defined as program directors, professional clinicians, staff members, or volunteers working in a public or private mental health program or facility who have direct contact with individuals held for examination or admitted for mental health treatment. **The additional offenses apply only to “Mental Health Personnel” as determined pursuant to Section 408.809, F.S. as listed below:**

Chapter 408	felony offenses contained in Chapter 408
Section 408.8065(3)	offers service or skilled service without valid license when licensure is required, or knowingly files a false or misleading license or license renewal application, or submits false or misleading information related to application
Section 409.920	Medicaid provider fraud
Section 409.9201	Medicaid fraud
Section 817.034	fraudulent acts through mail, wire, radio, electromagnetic, photoelectronic, photo optical sys
Section 817.234	false and fraudulent insurance claims
Section 817.505	patient brokering
Section 817.568	criminal use of personal identification information
Section 817.60	obtaining a credit card through fraudulent means
Section 817.61	fraudulent use of credit cards, if the offense was a felony
Section 831.01	forgery
Section 831.02	uttering forged instruments
Section 831.07	forging bank bills, checks, drafts or promissory notes
Section 831.09	uttering forged bank bills, checks, drafts, or promissory notes
Section 831.30	fraud in obtaining medicinal drugs
Section 831.31	the sale, manufacture, delivery, or possession with the intent to sell, manufacture, deliver any counterfeit controlled substance, if the offense was a felony.

- I also affirm that I have not been designated as a sexual predator pursuant to s. 775.21; a career offender pursuant to s. 775.261; or a sexual offender pursuant to s. 943.0435, unless the requirement to register as a sexual offender has been removed pursuant to s. 943.04354.

I understand that I must acknowledge the existence of any applicable criminal record relating to the above lists of offenses including those under any similar statute of another jurisdiction, regardless of whether or not those records have been sealed or expunged. Further, I understand that, while employed or volunteering at the agency listed above, in any position that requires background screening as a condition of employment, **I must immediately notify my supervisor/employer of any arrest and any changes in my criminal record involving any of the above listed provisions of Florida Statutes or similar statutes of another jurisdiction whether a misdemeanor or felony.** This notice must be made within one business day of such arrest or charge. Failure to do so could be grounds for termination.

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Pick ONE of the following statements to sign:

I attest that I have read the above carefully and state that my attestation here is true and correct that **my record does NOT contain any of the above listed offenses.** I understand, under penalty of perjury, all employees in such positions of trust or responsibility shall attest to meeting the requirements for qualifying for employment and agreeing to inform the employer immediately if arrested for any of the disqualifying offenses. I also understand that it is my responsibility to obtain clarification on anything contained in this affidavit which I do not understand prior to signing. I am aware that any omissions, falsifications, misstatements or misrepresentations may disqualify me from employment consideration and, if I am hired, may be grounds for termination or denial of an exemption at a later date.

To the best of my knowledge and belief, **my record DOES contain one or more of the applicable disqualifying acts or offenses listed above.** I have placed a check mark by the offense(s) contained in my record.

(Please circle the number which corresponds to the offense(s) contained in your record.)

(If you have previously been granted an exemption for this disqualifying offense, please attach a copy of the letter granting such exemption.)

SIGNATURE OF AFFIANT: _____

SIGNATURE OF AFFIANT: _____

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******* THIS FORM (RELATING TO PAGES 1-3) MUST BE NOTARIZED *******

Sworn to and subscribed before me this ____ day of ____, 20____ .

SIGNATURE OF NOTARY PUBLIC, STATE OF FLORIDA

(Print, Type, or Stamp Commissioned Name of Notary Public)

(____) Affiant personally known to notary **OR** (____) Affiant produced identification

Type of identification produced: (____) DL (____) PASSPORT (____) OTHER

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or RETURN TO APPLICANT

or mail to P. O. Box 784719 Winter Garden FL 34788

Applicant's Name: _____

PART II – LOCAL COUNTY RECORDS SEARCH / BACKGROUND SCREEN

Instructions to Applicant: This is different from your Level-2 fingerprinting. Take this form to the local Sheriff's department in person, in the county where you live, to have this form completed. Bring your Driver's License. There might be a fee (\$5-\$10 – ask in advance) - COVID-19 – please call ahead to see if the Sheriff Office wants to do it online.

Pursuant to Chapter 85-54, Laws of Florida, we request local records check on the applicant listed below:

_____	_____	_____	
Last Name	First Name	Middle Name	
_____	_____	_____	I live in _____ County, FL
Date of Birth	Race	Sex	

I hereby authorize the local law enforcement agency to check any and all records pertaining to criminal convictions and to release to the above-named agency any information regarding convictions under Florida Statute or statutes of other jurisdictions.

X _____

Applicant's Signature Date

*** LAW ENFORCEMENT FINDINGS: (PLEASE WRITE BELOW OR ATTACH) ***

() See Attached () No Records Found / Stamp/Signature Required here > () See Comments Here >