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Background Checks, Criminal History and Guard Card Denials

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California's Fair Chance Act limits when employers can ask about criminal history, while BSIS separately reviews criminal records when deciding whether to issue, deny, or revoke a guard card, and denied applicants generally have an appeal pathway.

Two separate processes

The Fair Chance Act generally restricts employers with five or more employees from asking about criminal history before a conditional job offer and requires an individualized assessment before withdrawing an offer based on a conviction.

Separately, the Bureau of Security and Investigative Services (BSIS) reviews criminal history as part of licensing a guard card applicant, since certain convictions can be disqualifying under state law.

An applicant can face a Fair Chance Act issue with an employer and a BSIS licensing issue at the same time, and each has its own process.

Fair Chance Act vs. BSIS review

Aspect	Fair Chance Act	BSIS licensing review
Who applies it	Employers	State licensing agency
When history is considered	After conditional offer	During license application
Appeal pathway	Written notice and response period	BSIS denial notice and administrative appeal

If a guard card is denied

- Read the denial notice carefully for the cited reason and deadline
- Gather documentation of rehabilitation, if applicable
- Respond within the stated appeal window
- Consider consulting a licensed attorney familiar with BSIS proceedings

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For a denial or appeal specific to your case, consult a licensed California attorney or contact BSIS directly.

Quick answers

Can an employer ask about my record before offering the job?

Generally no, most covered employers must wait until after a conditional job offer under the Fair Chance Act.

Does BSIS deny every applicant with a record?

No, BSIS reviews the nature, recency, and relevance of convictions rather than issuing an automatic denial for any record.

Can I appeal a BSIS denial?

Yes, denial notices generally explain an appeal or hearing process with a deadline to respond.

Where do I check my guard card application status?

The BSIS website provides license lookup and applicant status tools.

Primary sources — read the official text

Fair Chance Act overview	California Civil Rights Department	https://civildrights.ca.gov/fair-chance-act/
BSIS Security Guard/Patrolperson program	Bureau of Security and Investigative Services	https://www.bsis.ca.gov/forms_pubs/guard.shtml
BSIS licensing	Bureau of Security and Investigative Services	https://www.bsis.ca.gov/
Department of Consumer Affairs	California DCA	https://www.dca.ca.gov/

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