

## **SAMPLE CRIMINAL RECORD POLICY**

The company does not automatically disqualify any person from hiring or promotion because of a criminal record.

A criminal record will be considered among all other factors in evaluating an individual. In reviewing a conviction record, the company will consider the length of time since the conviction, rehabilitation of the individual, the age of the person when the crime was committed, the seriousness of the offense and the relationship between the offense and the job functions of the position being filled.

If a person has a pending charge, an inquiry will be made into the offense charged by obtaining information from the individual, his/her attorney and/or the prosecutor's office. The inquiry includes determining the likelihood that the person committed the crime in question and/or the time away from work the criminal process will require.

If a person has a record of a criminal proceeding without a conviction, the company will determine from the individual, and others noted above, the circumstances surrounding the arrest and charges to determine the facts and circumstances of the matter to determine the likelihood of whether the person committed the crime in question.

If it is determined by the company that the individual committed the pending offense or a prior not previously prosecuted or dismissed, that fact will be handled in the same manner as a conviction record. If an individual was tried on a criminal complaint and was found not guilty, the fact of the arrest and/or charge will not be considered except in the most unusual circumstances.

The company has created a matrix of offenses along with the probable hiring decision regarding each position and offense. Any person with a criminal record shall have their application/promotion papers sent to the human relations office to ensure uniform and fair treatment of those with a criminal record.

### CLERICAL GUIDELINES

VIOLENT CRIMES	0 – 1	1 – 3	3 – 7	Over 7	COMMENT
1 <sup>st</sup> degree murder	N	N	N	R	
2 <sup>nd</sup> degree murder	N	N	N	R	
Manslaughter	N	N	R	R	
Negligent homicide	N	R	R	Y	
Aggravated Assault	N	N	R	R	
Assault w/deadly weapon	N	N	N	R	
Assault w/dangerous weapon	N	N	R	R	Nature of weapon
Simple Assault & battery	N	R	R	Y	
Armed Robbery	N	N	N	R	
Rape	N	N	N	R	No working alone with gender of victim
Sexual assault	N	N	N	R	No working alone with gender of victim
Child abuse/elder abuse	N	N	R	Y	(no contact with children)
Kidnapping	N	N	N	R	(no contact with children)
Child stealing (parent)	N	R	R	Y	(no contact with children)
Public indecency (not involving children)	N	N	R	Y	(no contact with children)
Contributing to the delinquency of a minor	R	R	Y	Y	(no contact with children)
Disorderly conduct	R	R	Y	Y	

HONESTY	0 – 1	1 – 3	3 – 7	Over 7	COMMENT
Embezzlement	N	N	N	R	
Extortion	N	N	N	R	
Larceny (felony) – car theft (joy ride)	N	N	N	R	
Larceny (misdemeanor)	N	N	R	Y	
Shoplifting	N	N	R	R	
Forgery	N	N	N	R	
Fraud (false) Pretence and (I.D.) theft	N	N	N	R	

OTHER CRIMES	0 – 1	1 – 3	3 – 7	Over 7	COMMENT
DUI/DWI	N	R	Y	Y	No job first 7 yrs that might involve driving
False I.D.	R	R	R	Y	
Drug possession	N	R	R	Y	Rehab completed?
Drugs with intent to sell	N	N	N	R	
Cockfighting etc.	R	R	Y	Y	
Campaign laws	N	R	R	Y	
Illegal voting	R	R	Y	Y	
Medicaid fraud	N	N	R	R	
Other laws that regulate conduct or status but to not reflect moral wrongs	R	R	R	Y	