



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
DEPARTMENT WIDE

REVISION DATE
11/1/17

PAGE NUMBER
1 of 5

NUMBER
DOC 810.015

POLICY

TITLE
**CRIMINAL RECORD DISCLOSURE AND
FINGERPRINTING**

REVIEW/REVISION HISTORY:

Effective: 12/2/03
 Revised: 8/30/06
 Revised: 9/12/07
 Revised: 4/6/09
 Revised: 11/1/10
 Revised: 7/1/14
 Revised: 11/1/17

SUMMARY OF REVISION/REVIEW:

Policy statement I., Directive II.A., and III.A - Adjusted language for clarification
 I.A., and II.D. - Added language for clarification
 V.B. - Removed unnecessary language


APPROVED:

Signature on file

STEPHEN SINCLAIR, Secretary
 Department of Corrections

9/29/17

 Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A.640](#); [ACA 4-4055](#); [ACA 4-4061](#); [ACA 7B-05](#); [ACA 7E-06](#); DOC 410.235 Use of Force Training and Qualifications; DOC 410.930 Community Corrections Use of Force Training; [DOC 810.800 Recruitment, Selection, and Promotion](#); [PREA Standards 115.17 and 115.217](#)

POLICY:

- I. [4-4061] [7B-05] A background check will be completed for all applicants before initial appointment or rehire. The Department will provide guidance to hiring authorities consistent with RCW 9.94A.640 concerning disclosure and use of information about prior criminal convictions and subsequent incarcerations of employees, contract staff, and volunteers.
- II. Once appointed, criminal background checks will be performed at least every 5 years.
- III. For represented employees, collective bargaining agreements will prevail if a portion of this policy is determined to be in conflict.

DIRECTIVE:

- I. Disclosure
 - A. All applicants, including former employees/contract staff/volunteers, will be required to complete DOC 03-031 Criminal Disclosure and DOC 05-370 Request for Criminal History Record Information WASIS/NCIC III Check WACIC/NCIC Check before being offered an initial appointment.
 1. Disclosure requirements are not limited to any time period and include:
 - a. All convictions.
 - 1) This includes suspended and/or deferred sentences, convictions by a Juvenile Court where the applicant was 15 years of age or older at the time of the offense, and incarcerations for:
 - a) Felony offenses,
 - b) Gross misdemeanor offenses involving violence, and
 - c) Any offenses involving sexual misconduct.
 - 2) This does not include convictions vacated by the court and removed from the official record.

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- b. Current supervisory status as a result of a conviction.
- c. Whether all civil rights have been restored.

B. Once appointed, employees will be required to report all arrests, criminal citations, and court-imposed sanctions or conditions that may affect their fitness for duty or their assigned program to their Appointing Authority/designee within 24 hours or before returning to work, whichever occurs first.


II. Fingerprinting

- A. As a part of the initial appointment procedure, all Department employees must be fingerprinted, including former employees being rehired.
- B. Any contract staff or intern will be fingerprinted if, as part of his/her duties, s/he has access to offenders and/or Department criminal records.
- C. Volunteers who have access to confidential information/offender file material will be fingerprinted.
- D. Fingerprint cards will be sent to the Washington State Patrol for processing.

III. Criminal Background Checks

- A. For initial appointments and rehires, criminal background checks will be completed per DOC 810.800 Recruitment, Selection, and Promotion.
- B. Subsequent criminal background checks will be facilitated as follows:
 - 1. Employees - Local Human Resources
 - 2. Contract Staff - An employee designated by the Appointing Authority
 - 3. Volunteers - The local Community Partnership Program Coordinator or the Headquarters Corrections Program Administrator/designee, as applicable
- C. The designated unit/employee will establish a process to ensure that criminal background checks are run for all current volunteers, contract staff, and unarmed employees at least every 5 years.
 - 1. Annual criminal background checks are required as part of weapons qualification for all armed employees per DOC 410.235 Use of Force Training and Qualifications and DOC 410.930 Community Corrections Use of Force Training.

IV. Use of Disclosure

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- A. A history of prior felony convictions, gross misdemeanor convictions for crimes involving violence, or sexual misconduct will not necessarily preclude employment or promotion with the Department. [4-4055] [7E-06]
 - 1. Conviction information will be considered to the extent that it would affect job performance or delivery of services.
 - 2. Employment actions, including promotions, and volunteer assignments for these applicants requires Appointing Authority approval.
- B. Failure to fully divulge criminal information on the part of an individual subsequently employed, promoted, or authorized to provide services for the Department may be cause for disciplinary action, up to and including dismissal or termination of services.
- C. Employees who fail to report an arrest, criminal citation, or any other court-imposed sanction or condition that may affect their fitness for duty or the program of the agency may be subject to disciplinary action, up to and including dismissal.
- V. Record Review and Retention
 - A. DOC 03-031 Criminal Disclosure will be kept confidential.
 - B. The final applicable criminal history/background report of official records received pertaining to convictions for employees will be provided to the Appointing Authority for review as necessary and maintained in the local Human Resources Office.
 - C. Criminal history/background information for contract staff will be maintained in the contract file by the applicable contract manager.
 - D. Criminal history/background information for volunteers will be maintained in the volunteer file.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:



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[DOC 03-031 Criminal Disclosure](#)

[DOC 05-370 Request for Criminal History Record Information WASIS/NCIC III Check](#)

[WACIC/NCIC Check](#)