

**DEPARTMENT OF HEALTH & SOCIAL SERVICES
CRIMINAL BACKGROUND CHECK UNIT
DISQUALIFYING CRIMES
CONVICTION/TIME PARAMETERS**

531. Attempt to Commit a crime: Attempt to commit a crime is an offense of the same grade and degree as the most serious offense, which the accused is found guilty of attempting. Use same disqualifying time limit as charge attempted.

5 YEARS	10 YEARS	NO LIMIT
502. Solicitation 2 nd	513. Conspiracy 1 st	631. Criminally negligent homicide
503. Solicitation 1 st	602b Aggravated Menacing	632. Manslaughter
512. Conspiracy 2 nd	604. Reckless Endangering 1 st Degree	633. Murder/abuse/neglect 2 nd Degree
601. Offensive Touching (if against Law Enforcement, Emergency, Medical or Corrections personnel) Class A Misdemeanor Only	605. Abuse of Pregnant Female in 2 nd Degree 606. Abuse of a Pregnant Female in 1 st Degree	634. Murder/abuse/neglect 1 st Degree
603. Reckless Endangering 2 nd	612. Assault 2 nd	635. Murder 2 nd Degree
611. Assault 3 rd	613. Assault 1 st	636. Murder 1 st Degree
621. Terroristic Threatening (Felony or Misdemeanor)	614. Assault on a sports official 2 nd Offense	645. Promoting Suicide
625. Unlawfully administer drugs – Misdemeanor	615. Assault by Abuse or Neglect (Felony)	768. Unlawful sexual contact in 2 nd Degree
626. Unlawfully administer controlled substance, narcotic drugs.	629. Vehicle Assault 1 st	769. Sexual contact in 1 st
651. Commit Abortion (Other than Therapeutic, that causes miscarriage)	630. Vehicle Homicide 2 nd	770. Sexual penetration 3 rd or Rape 4 th Degree
785. Interference w/custody	630A Vehicle Homicide 1 st	771. Sexual penetration 2 nd or Rape 3 rd Degree
801. Arson in 3 rd	782. Imprisonment 1 st	772 Sexual penetration 1 st or Rape 2 nd Degree
804b2. Reckless burning \$1,500 or more in damage	783. Kidnapping 2 nd	773. Sexual intercourse 3 rd or Rape 1 st Degree
811. Criminal Mischief \$1,500.00 or more damage	783A. Kidnapping 1 st	776. Sexual Extortion
824. Burglary in 3 rd	802. Arson in 2 nd	777. Bestiality
828. Possess Burglary Tools	803. Arson in 1 st	778. Continuous sexual abuse of a child
840. Shoplifting \$1,000 or more	825. Burglary in 2 nd	779. Dangerous crime against child
841. Theft (over \$1,000)	826. Burglary in 1 st	780. Female genital mutilation
842. Theft; lost or mislaid property; mistaken delivery \$1,000 or more	831. Robbery in 2 nd	

5 YEARS	10 YEARS
843. Theft; False pretense \$1,000 or more	832. Robbery in 1 st
844. Theft; false promise \$1,000 or more	835. Carjacking 2 nd Degree
845. Theft of Services \$1,000 or more	836. Carjacking 1 st Degree
848. Misapplication of property over \$1,000	846. Extortion
849. Theft or rented property \$1,000 or more	1108. Sexual exploitation of a child
850. Possess/deal in device for unlawfully taking telecommunication services.- Over 5 devices	1109. Dealing in material depicting a child in a prohibited sexual act.
851. Receive Stolen Property – over \$1,000	1112A. Sexual solicitation of a child
854. Identity Theft	1250. Offenses against law-enforcement animals
859. Larceny of livestock	1253. Escape after conviction
860. Possession of Shoplifters Tools	1254. Assault in Detention Facility
861. Forgery 1 st & 2 nd Degree -Felonies	1256. Promoting prison contraband; deadly wpn.
862. Possession of Forgery Devices	1302. Riot
876. Tamper with public records in 1 st Degree	1304. Hate Crimes
878. Issuing false certificate	1312A. Stalking
900. Issuing Bad check –over \$1,000	1338. Bombs, incendiary devices, Molotov cocktails and explosive devices
903. Unlawful use of credit card (\$1,000 or more)	1339. Adulteration (Causing Injury or Death)
907A. Criminal impersonation, accident related	1353. Promoting prostitution in 1 st Degree
907B. Criminal impersonation of a police officer	1442. Carrying a concealed deadly weapon
908. Concealing a will	1444. Possessing a destructive weapon
911. Fraudulent conveyance of public lands	1445. Unlawfully dealing with a dangerous weapon. (If (4) or (5) violated)
912. Fraudulent receipt of public lands	1447. Possession of deadly weapon during commission of a felony
913. Insurance Fraud	1447A. Possession of a firearm during commission of a felony
913A. Health Care Fraud	1449. Wearing body armor during commission of a felony
916. Home Improvement fraud – 2 nd offense	1455. Engaging in a firearms transaction on behalf of another
917. New home construction fraud – over \$1,000	1503. Racketeering
920. Transfer of recorded sounds.	3533. Aggravated Act of Intimidation
932. Unauthorized access of computer Over \$500.00	4751. Controlled Narcotic substance- Possess, deliver, manufacturer with intent to deliver
933. Theft of Computer Services Over \$500.00	4752. Controlled Non-Narcotic substance
934. Interruption of computer services Over \$500.00	4752A. Delivery of noncontrolled substance

5 YEARS	10 YEARS
935. Misuse of computer system information Over \$500.00	4753A. Trafficking in marijuana, cocaine, illegal drugs, methamphetamines, LSD or designer drugs
936. Destruction of computer equipment) over \$500.00	4754A. Possession and delivery of noncontrolled prescription drug
937. Unrequested or unauthorized electronic mail or use of network or software to cause same. Damage over \$500.0	4755. Distribute, dispense a controlled substance. Maintain dwelling, vehicle etc.
938. Failure to promptly cease electronic communications upon request. Damage over \$500.00	4756. Schedule I & II violations as registrant
1001. Bigamy	4757. Disposal – hypodermic syringe or needle
1100. Dealing in children	4761. Distribution narcotics to minors
1102. Endangering the welfare of a child. (Felony if death or serious injury occurs)	4761A. Purchase narcotics from minors
1111. Possession of Child Pornography	4767. Distribution, delivery or possession of controlled substance within 1,000 feet of a school property
1201. Bribery	4768. Distribution, delivery or possession of controlled substance within 300 feet of a park or recreation area
1203. Receiving a bribe	4771(b) Deliver, possess with intent to deliver, convert, manufacture, convey sell or offer sale of Drug Paraphernalia knowing will be used to plant, grow, manufacture, process, pack, inject, ingest, inhale or otherwise introduce into human body a controlled substance.
1222. Perjury 2 nd Degree	4771 (c) Delivery to a minor of Drug Paraphernalia
1223. Perjury 1 st Degree	Title16/1136. Abuse, Mistreatment, Neglect of a Patient
1239. Wearing a disguise during commission of a felony	Title 31/3913. Abuse, Neglect, exploit, mistreat an infirm adult
1240. Threats to a Public Official	
1244b. Hindering Prosecution (If acts of Felony original charge)	
1248b. Obstructing control and suppression of Rabies during state of emergency	
1249. Abetting the violation of drivers license restrictions 2 nd Offense	
1252. Escape from Detention facility 2 nd Degree	
1259. Sexual relations in detention facility	
1260. Misuse of prisoner mail – 2 nd offense	
1261. Bribing a witness	
1262. Witness receiving bribe	
1263. Tampering with a witness	
1263A. Interfering with a child witness	

5 YEARS	10 YEARS
1264. Bribing a juror	
1265. Juror receiving bribe	
1269. Tampering with physical evidence	
1312. Aggravated Harassment	
1325. Cruelty to animals resulting in death or serious injury	
1326. Animals fighting and baiting	
1335(a)(6). Violation of Privacy	
1351. Promoting prostitution in 3 rd Degree	
1352. Promoting prostitution in 2 nd Degree	
1361. Obscenity	
1448. Possession and purchase of deadly weapons by a person prohibited.	
1450. Receiving a stolen firearm	
1451. Theft of a firearm	
1454. Giving a firearm to a person prohibited	
1457. Possession of a weapon in a Safe School and Recreation Zone	
1458. Removing a firearm from the possession of a law enforcement officer	
1459. Possession of a weapon with a removed, obliterated or altered serial number	
3532. Act of intimidation; class E felony	
4753. Possess, use or consume controlled substance, which is a narcotic drug without valid prescription. – Misdemeanor	
4754. Possess, use or consume controlled or counterfeit substance not a narcotic drug without valid prescription - Misdemeanor	
4771. (a) Possession of Drug Paraphernalia Class A Misdemeanor	
Any other Felony, not listed above, if convicted within last five years	

DESIGNED 05/04/1999 - 02/01/2000

UPDATED: 03/24/2000, 01/05/00, 10/26/01, 01/18/02, 01/24/03, 07/31/03, 12/24/03, 10/22/04, 08/16/05, 10/15/06

KEN THOMPSON

Investigative Administrator