

DSHS SECRETARY'S LIST OF CRIMES AND NEGATIVE ACTIONS FOR USE BY ALL Programs Administered by DSHS, including DSHS State Employees in Covered Positions w/ Access to Vulnerable People [EXCEPT ALTA HCS Providers; ALTA RCS Providers; DDA Providers, including DSHS employees working in a SOLA; and DSHS employees with access to sensitive information]

Crimes:

A person who has a crime listed below is denied unsupervised access to vulnerable adults, juveniles, and children.

If "(5 or more years)" appears after a crime, the person is automatically denied unsupervised access unless 5 or more years has passed since the date of conviction. After 5 years, an overall assessment of the person's character, competence, and suitability to have unsupervised access will determine denial.

Abandonment of a child
 Abandonment of a dependent person not against child (5 or more years)
 Abuse or neglect of a child
 Arson
 Assault 1
 Assault 2
 Assault 3 Domestic Violence
 Assault 3 not Domestic Violence (5 or more years)
 Assault 4 violation of RCW 9A.36.041(3)
 Assault 4/simple assault (5 or more years)
 Assault of a child
 Burglary (5 or more years)
 Child buying or selling
 Child molestation
 Coercion (5 or more years)
 Commercial sexual abuse of a minor/ Patronizing a juvenile prostitute
 Communication with a minor for immoral purposes
 Controlled substance homicide
 Criminal mistreatment
 Custodial assault (5 or more years)
 Custodial interference
 Custodial sexual misconduct
 Dealing in depictions of minor engaged in sexual explicit conduct
 Domestic Violence (felonies only)
 Drive-by shooting
 Endangerment with a controlled substance
 Extortion 1
 Extortion 2 (5 or more years)
 Forgery (5 or more years)
 Harassment (5 or more years)
 Harassment Domestic Violence
 Homicide by abuse
 Homicide by watercraft
 Identity theft (5 or more years)
 Incendiary devices (possess, manufacture, dispose)
 Incest
 Indecent exposure/Public indecency (Felony)
 Indecent liberties
 Kidnapping
 Leading organized crime (5 or more years)
 Luring
 Malicious explosion 1
 Malicious explosion 2
 Malicious explosion 3 (5 or more years)
 Malicious harassment
 Malicious placement of an explosive 1
 Malicious placement of an explosive 2 (5 or more years)
 Malicious placement of an explosive 3 (5 or more years)
 Malicious placement of imitation device 1 (5 or more years)
 Manslaughter
 Murder/Aggravated murder
 Patronizing a prostitute (5 or more years)
 Possess depictions minor engaged in sexual conduct
 Possess explosive device (5 or more years)
 Promoting pornography (5 or more years)
 Promoting prostitution 1 (5 or more years)
 Promoting prostitution 2 (5 or more years)
 Promoting suicide attempt (5 or more years)
 Prostitution (5 or more years)
 Rape
 Rape of child
 Reckless endangerment (5 or more years)
 Registered sex offender
 Residential burglary (5 or more years)
 Robbery
 Selling or distributing erotic material to a minor
 Sending or bringing into the state depictions of a minor

Sexual exploitation of minors
 Sexual misconduct with a minor
 Sexually violating human remains
 Stalking (5 or more years)
 Theft (5 or more years)
 Theft of a Motor Vehicle (5 or more years)
 Theft from a Vulnerable Adult (5 or more years)
 Unlawful imprisonment (5 or more years)
 Unlawful use of bldg for drug purposes (5 or more years)
 Use of machine gun in a felony
 Vehicular assault
 Vehicular homicide (negligent homicide)
 Violation of child abuse restraining order
 Violation of civil anti-harassment protection order
 Violation of protection/contact/restraining order
 Violation of the Imitation Controlled Substance Act (manufacture/deliver/intent - 5 or more years)
 Violation of Uniform Controlled Substance Act (manufacture/deliver/intent - 5 or more years)
 Violation of the Uniform Legend Drug Act (manufacture/deliver/intent - 5 or more years)
 Violation of the Uniform Precursor Drug Act (manufacture/deliver/intent - 5 or more years)
 Voyeurism

Pending Crime - A person who has a pending crime on the Secretary's List is denied unsupervised access while awaiting a decision by a court, administrative entity, or governmental entity. Upon conviction or acquittal by the court, the Secretary's List is applied.

Sexual Motivation – RCW 9.94A.835 –A person who has a court finding of sexual motivation is denied unsupervised access to vulnerable adults, juveniles, or children.

Negative Action means a court order, court judgment, or an adverse action taken by an agency, in any state, federal, tribal, or foreign jurisdiction, which results in a finding against the applicant. A "negative action" includes the denial, suspension, revocation, or termination of a license, certification, or contract for the care of vulnerable population, including children, vulnerable adults, and people with mental and developmental disabilities. The following, nonexclusive, negative actions will result in denial of unsupervised access to vulnerable adults, juveniles, or children.

- An order or final notification issued by a court or state agency that an individual abused, neglected, abandoned, or exploited a child, juvenile, or vulnerable adult.
- A government agency denial, termination, or revocation of a contract or license based on failing to care for children, juveniles, or vulnerable adults.
- A surrender, relinquishment, revocation, suspension, termination, or denial of an individual's contract or license in lieu of a government agency taking action against the individual for failing to care for children, juveniles, or vulnerable adults.
- The following type of court orders entered against an individual for abuse, sexual abuse, neglect, abandonment, domestic violence, exploitation, or financial exploitation of a vulnerable adult, juvenile, or child:
 - A permanent vulnerable adult protection order / restraining order, either active or expired, issued by a Washington court under chapter 74.34 RCW;
 - A sexual assault protection order issued by a Washington court under chapter 7.90 RCW;
 - A permanent civil anti-harassment protection order, either active or expired, issued by a Washington court under chapter 10.14 RCW; and
 - An order similar to any of the above that was issued by a court in any state, federal, tribal, or foreign jurisdiction.