



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
DEPARTMENT WIDE

REVISION DATE
12/24/21

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
 Revised: 12/24/21

SUMMARY OF REVISION/REVIEW:

Updated terminology throughout
 Policy Statement I. and Directive V.B. - Added clarifying language
 I.A. & B. - Removed unnecessary language
 I.A.1.b., II.A., III.B.1.-2., and IV.A.1. - Adjusted language for clarification
 Added I.B.1. that failure to provide notification may result in corrective/disciplinary action
 Removed IV.A.2. that employment action requires Appointing Authority approval


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
 Department of Corrections

11/19/21

 Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY DEPARTMENT WIDE		
	REVISION DATE 12/24/21	PAGE NUMBER 2 of 5	NUMBER DOC 810.015
	TITLE CRIMINAL RECORD DISCLOSURE AND FINGERPRINTING		

REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A.640](#); DOC 410.235 Use of Force Training and Qualifications (RESTRICTED); DOC 410.930 Community Corrections Use of Force Training (RESTRICTED); DOC 810.800 Recruitment, Selection, and Promotion; [Collective Bargaining Agreements](#); [PREA Standards](#)

POLICY:

- I. 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 as required for firearms qualification and at least every 5 years in accordance with the Prison Rape Elimination Act (PREA) standards.
- 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 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.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY DEPARTMENT WIDE		
	REVISION DATE 12/24/21	PAGE NUMBER 3 of 5	NUMBER DOC 810.015
	TITLE CRIMINAL RECORD DISCLOSURE AND FINGERPRINTING		

- b. Current supervisory status as the 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 assigned program to their Appointing Authority/designee within 24 hours or before returning to work, whichever occurs first.


- 1. Failure to provide notification may result in corrective and/or disciplinary action, up to and including dismissal.

II. Fingerprinting

- A. Upon initial appointment, all Department employees must be fingerprinted, including former employees being rehired.
- B. Any contract staff or intern will be fingerprinted if, as part of their duties, they have access to individuals under Department jurisdiction and/or Department criminal records.
- C. Volunteers who have access to confidential information or an individual's 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/designee
 - 2. Contract Staff - Appointing Authority/designee
 - 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 (RESTRICTED) and DOC 410.930 Community Corrections Use of Force Training (RESTRICTED).

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY DEPARTMENT WIDE		
	REVISION DATE 12/24/21	PAGE NUMBER 4 of 5	NUMBER DOC 810.015
	TITLE CRIMINAL RECORD DISCLOSURE AND FINGERPRINTING		

IV. Use of Disclosure

- 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.
 - 1. Conviction information will be considered as it relates to the expectations/duties of the job functions or delivery of services.
- B. Failure to fully divulge criminal information on the part of a person 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 employment criminal history/background report of official records received pertaining to convictions for employees will be provided to the Appointing Authority/designee 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:



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
DEPARTMENT WIDE

REVISION DATE
12/24/21

PAGE NUMBER
5 of 5

NUMBER
DOC 810.015

POLICY

TITLE
**CRIMINAL RECORD DISCLOSURE AND
FINGERPRINTING**

DOC 03-031 Criminal Disclosure

DOC 05-370 Request for Criminal History Record Information WASIS/NCIC III Check

WACIC/NCIC Check