

**Background Screening Policy**  
**Appendix B**

**BACKGROUND SCREENING SCORING GUIDELINES**

**Definitions**

- **Non-Conviction:** Any disposition other than a plea of guilty, no contest or a finding of guilt. Non-Convictions can be one of three categories.
  - **Passing:** Non-Conviction leading to charge being dismissed, Nolle Prose, Nolle Prosequi, Expunged, Not Guilty verdict or acquittal of defendant.
  - **Failing:** Any adjudication withheld/deferred where the charge was not dismissed, expunged, Nolle Prose or Nolle Prosequi.
  - **Provisional:** Any active or pending case.
- **Passing Disposition:** Any Non-Conviction disposition leading to the case being dismissed, Nolle Prose, Nolle Prosequi, Expunged, Not Guilty verdict or acquittal of defendant.
- **Failing Disposition:** Any disposition resulting in a Conviction or Non-Conviction (adjudication differed/withheld) that has **not** led to the case being dismissed or expunged.

**Pass**

Score all candidates as "Pass" for the following conditions:

- Any Misdemeanor or Felony crime with a Passing Disposition.
- Any misdemeanor (or lower) traffic violations (DUI is not considered a traffic violation).
- Any Misdemeanor with a disposition date older than 7 years, **with the exception of any Misdemeanor violent crimes, nonconsensual sexual crimes, and crimes against children with a Failing Disposition.**
- For California Facilities:
  - Any Misdemeanor Marijuana offense over two years old in the state of California.

**Provisional** (such applicants may be approved for hire upon consultation with legal counsel)

Score all candidates as "Provisional" for the following conditions:

- Any Misdemeanor or Felony case that is currently active or pending.
- Any SSN Trace where SSN was reported used in Death Benefits Claim.
- Any outstanding warrants.
- Any Felony with a failing disposition that is greater than 7 yrs old.
- Any Misdemeanor crime with a Failing Disposition greater than 3 years\*.
- Any Bankruptcy within the last ten years or tax liens within the last seven years.
- Any other finding determined to be significant enough for further review.

**Fail**

Score all candidates as "Fail" for the following conditions:

- Any case with a Failing Disposition for Misdemeanor or Felony violent crimes, nonconsensual sexual crimes, and crimes against children regardless of elapsed time from disposition date.
- Any other Felony crime with a Failing Disposition within the last 7 years.
- Any Misdemeanor crime with a Failing Disposition within the last 3 years\*.
- Any Controlled Substance Offense (misdemeanor or felony) with a Failing Disposition within the last 7 years\*.

\*California Facilities: Exclude misdemeanor marijuana convictions more than two years old.