

***Guideline:* Criminal Convictions on Background Checks or
Sexual offenders in your parish/school**

***For use by:* Pastors
School principals
DREs
Youth ministers
Parish and school background screeners**

Any criminal record that is found for an applicant as part of a database search or through other means should be given to the pastor and principal (if applicable) immediately for their information and possible follow-up. In general, the use of good pastoral and common sense will serve you well. Call the diocesan safe environment coordinator (SEC) to inform her of the issue. You may also ask any questions as to the definition of a criminal charge, whether the charge is a misdemeanor or felony, the different classes of charges, or any other issues.

SEARCHES run at the parish or school

1. Dru Sjodin National Sex Offender Public Registry (NSOPR)

A person on this registry is listed on one of the fifty states sex offenders' registries as an offender. The person, in most cases, has been convicted of sexually-violent offenses against adults and children or certain sexual contact and other crimes against victims who are minors. In this diocese, our guideline states that we will not employ the applicant in any position or allow this person to volunteer with children.

Additionally, if you know of a parishioner or school parent who is on this list, the pastor and principal (if applicable) should be notified. Once notified, the pastor/principal should determine the steps necessary to serve the spiritual and pastoral needs of the person, while maintaining a safe environment for all vulnerable members of the community. If appropriate, an agreement or understanding may be reached as to where, when, and how the person may be present on the parish/school campus. A written summary of any agreement or understanding should be kept on file and the SEC should be notified of the situation. Also, a person on the NSOPR should not serve in leadership positions in the parish or school, such as parish council member, school board member, lector, Eucharistic minister, etc.

2. The ISP Limited Criminal History

A *Limited Criminal History* from the Indiana State Police contains only felony and class A misdemeanor arrests within the state of Indiana. Completeness of this information is based upon county participation. If any convictions are found for an applicant, first note the number of occurrences and dates. The more occurrences and the more recent the date, the more concern necessary. Some of the convictions found may include:

- **Convictions that have a violent or sexual nature** – Any charge found that is of a *violent or sexual nature* is of great concern, and our guideline states that we will not employ the applicant in any position or allow this person to volunteer with children.
- **Other convictions** – Other charges that are not violent or sexual in nature are left to the pastoral discretion of the pastor (or high school principal). If the pastor would like to consider this applicant as an employee or volunteer with children, the pastor or his delegate should have a personal conversation with the applicant to learn the details of the conviction. The conversation should include a discussion about how the applicant is dealing with the issue in his/her life now.
 - *DUI and moving traffic violations* -- Caution is urged if this person would like to drive children or young people on a field trip. For other employment and volunteer positions, the person should still explain the DUI in the conversation with the pastor or his delegate. This is especially important if the employment or volunteer work will have the person in direct contact with children.

Sample questions: A drug possession charge –

- How long ago did this occur?
- Did the circumstance involve minors?
- Did the person enroll in and successfully complete any remedial therapy or counseling program? How long has it been since the person has engaged in such illegal activity?
- How is the person dealing with this in his/her life?
- Is this person a good role model for children?

A **summary** of the conversation as well as the outcome should be kept on file in the parish or school. If the pastor was not involved in the conversation, he should be notified of the outcome to make a final decision. Notify the SEC of the diocese for informational purposes. If the employee or volunteer will serve in a school, the diocesan Catholic Schools Office (CSO) superintendent should also be notified. If the applicant does not qualify for volunteer work with children, the parish or school may find other volunteer opportunities for the applicant which do not involve children.

3. The Convicted Educator Database (for schools only)

This database contains information concerning current and former school employees and educators who have been reported to the Indiana Department of Education under IC 20-28-5-8 for conviction of

one of 19 felonies. This database is available to the public. A list of the nineteen possible felonies appears in Catholic Schools Policy P1600.

4. Fingerprint scan (for schools only)

The results of the fingerprint scan from *L-1 Identity Solutions* and reported on the Indiana State Police INKLESS website show two final results: QUALIFIED or DISQUALIFIED. An applicant receives a disqualified status if he/she has been convicted of one or more of twenty-one offenses listed in IC 20-26-5-11. An applicant must receive the QUALIFIED status in order to be employed by our diocesan Catholic schools. *An applicant for school employment who received the DISQUALIFIED status may only be hired with the permission of the Vicar General of the diocese.*

Search run by the Diocesan Safe Environment Coordinator (with results provided to the parish/school)

1. Lexis Nexis National Background Check

The Lexis Nexis National Criminal File provides a database search of more than 200 million criminal records representing more than 62 million individuals. Records are gathered from across all 50 states, from multiple criminal record repositories. If any convictions are found for an applicant, first note the number of occurrences and dates. The more occurrences and the more recent the date, the more concern necessary. Some of the convictions found may include:

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In general, seek assistance from the SEC for any questions regarding background checks. Document in the person's file any findings, conversations, and agreements made related to the results of a search. Please inform the diocesan SEC and Vicar General of any written agreements or important issues.