

Roman Catholic Diocese of Boise

“Protocol for Criminal Background Checks”

It is the intent of the Diocese that a background check is completed and approved prior to the hiring or utilization of any individual working in an environment engaging children or vulnerable adults. Confidentiality will be maintained throughout the process.

1. If the criminal records check reveals a criminal record, the Human Resources office will first review the information to assure that the identified defendant is the same person as the employee/volunteer. If there is no match, that conclusion will be documented.
2. If it appears that the criminal record belongs to the person who is serving as an employee/volunteer, the records will be reviewed to determine what type of offense is reflected, and whether there was a finding of guilt.
3. When the defendant has been charged with any of the following offenses or similar offenses, further inquiry will be necessary, as noted in section 4:
 - A. Aggravated assault of a minor
 - B. Aggravated battery of a minor
 - C. Injury or death of a minor
 - D. Abuse of a minor, including sexual or physical
 - E. Sexual exploitation of a minor
 - F. Possession of (child) pornography
 - G. Lewd conduct with a minor
 - H. Enticing of a minor
 - I. Sexual battery of a minor
 - J. Sale or barter of a minor
 - K. Murder of a minor
 - L. Kidnapping or abduction of a minor
 - M. Importation or exportation of a minor for immoral purposes
4. For the offenses listed in section 3, the employee/volunteer will be notified that a record has been discovered in their criminal background check. He/she will be given an opportunity to offer explanation, including information that would certify that he/she is not the defendant in the criminal action. If the information provided indicates that he/she is guilty of one of the offenses listed in section 3 then the employee/volunteer will not be allowed to work in diocesan, parish or school programs until the situation is reviewed by the Bishop or his designee, and a final decision is made about employment/volunteer status. If the Bishop determines that the candidate is eligible for an employment or volunteer position, the Bishop retains the right to notify any supervisor of the future employee/volunteer about background information.

5. When the defendant has been charged with any of the following offenses or similar offenses, further inquiry will be required as noted in section 6.
 - a. Misdemeanor assault
 - b. Misdemeanor battery
 - c. Domestic assault or battery
 - d. Malicious harassment
 - e. Stalking
 - f. Driving under the influence
 - g. Violation of substance abuse laws
 - h. Selling or providing alcohol to a minor
 - i. Encouraging violations of the Juvenile Corrections laws
 - j. Reckless driving
 - k. Armed robbery
 - l. Trespassing
 - m. Driving without privileges
 - n. Other offenses that might interfere with employment obligations

6. For the offenses listed in section 5, the employee/volunteer will be notified that a record has been discovered in their criminal background check. He/she will be given an opportunity to offer explanation, including information that would certify that he/she is not the defendant in the criminal action. If the information provided indicates that he/she is guilty of one of the offenses listed in section 5 and/or the offense, and circumstances surrounding the offense, indicates a potential danger in working with minors or vulnerable adults, then the employee/volunteer will not be allowed to work in diocesan, parish or school programs until the situation is reviewed by the Bishop or his designee, and a final decision is made about employment/volunteer status. If the Bishop determines that the candidate is eligible for an employment or volunteer position the Bishop retains the right to notify any supervisor of the future employee/volunteer about background information.

7. In all matters relating to this protocol, the Bishop may consult with the Diocesan Sexual Misconduct Review Board.

8. All records regarding criminal background checks conducted on employees and volunteers are securely kept in confidential files in the Diocesan Human Resources office. This includes forms filled out by employees and volunteers providing personal information. Accesses to such files is restricted to the Bishop/Vicar General, and select employees of the Human Resources department, unless prior permission for access, based on a need to know, is granted by the Bishop.

Revised: December 7, 2007