

ORS 443.004/OAR 407-007-0275 Crimes

PLEASE READ CAREFULLY

Public funds may not be used to support, in whole or in part, the employment in any capacity of an individual having contact with a recipient of home health or in-home care agency services or support services, or contact with a resident of a residential facility or an adult foster home who has any of the following convictions. **This law pertains to anyone hired into this type of employment on or after July 28, 2009.**

- If the individual has a conviction for delivery (selling) of drugs or manufacture (making) of drugs (or attempt, conspiracy, or solicitation for these crimes) in the past 10 years, THE INDIVIDUAL IS NOT ELIGIBLE FOR THE POSITION. If one or more of these crimes are discovered after the individual signs the 301, submit the 301 to the Background Check Unit.
- If the individual has ever been convicted of any of the listed crimes (or attempt, conspiracy, or solicitation for any of the listed crimes), THE INDIVIDUAL IS NOT ELIGIBLE FOR THE POSITION. If one or more of these crimes are discovered after the completion of the 301, submit the 301 to the Background Check Unit.
- **Note:** If the individual has a juvenile adjudication, guilty except for insanity outcome, or is in diversion or conditional discharge for one or more of these crimes, ORS 443.004 does not apply, but a weighing test must be completed to make a final fitness determination.

These crimes involve violence, harm to children, serious theft, identity theft, and sex crimes.

ORS 163.095	Aggravated murder		
ORS 163.115	Murder	ORS 163.465	Public Indecency
ORS 163.118	Manslaughter I	ORS 163.467	Private Indecency
ORS 163.125	Manslaughter II	ORS 163.525	Incest with a child victim
ORS 163.145	Criminally negligent homicide	ORS 163.535	Abandonment of a child
ORS 163.149	Aggravated vehicular homicide	ORS 163.537	Buying or selling a person under 18 years of age
ORS 163.165	Assault III		
ORS 163.175	Assault II	ORS 163.670	Using a child in display of sexually explicit conduct
ORS 163.185	Assault I		
ORS 163.187	Strangulation	ORS 163.680	Paying for viewing a child's sexually explicit conduct
ORS 163.200	Criminal mistreatment II		
ORS 163.205	Criminal mistreatment I	ORS 163.686	Encouraging child sexual abuse I
ORS 163.225	Kidnapping II	ORS 163.686	Encouraging child sexual abuse II
ORS 163.235	Kidnapping I	ORS 163.687	Encouraging child sexual abuse III
ORS 163.263	Subjecting another person to involuntary servitude II	ORS 163.688	Possession of materials depicting sexually explicit conduct of a child I
ORS 163.264	Subjecting another person to involuntary servitude I	ORS 163.689	Possession of materials depicting sexually explicit conduct of a child II
ORS 163.266	Trafficking in persons	ORS 163.700	Invasion of personal privacy
ORS 163.275	Coercion	ORS 164.055	Theft I
ORS 163.355	Rape III	ORS 164.057	Aggravated Theft I
ORS 163.365	Rape II	ORS 164.098	Organized retail theft
ORS 163.375	Rape I	ORS 164.125	Theft of services, if charged as a felony
ORS 163.385	Sodomy III		
ORS 163.395	Sodomy II	ORS 164.215	Burglary II
ORS 163.405	Sodomy I	ORS 164.225	Burglary I
ORS 163.408	Unlawful sexual penetration II	ORS 164.325	Arson I
ORS 163.411	Unlawful sexual penetration I	ORS 164.377	Computer crime, if charged with a felony
ORS 163.415	Sexual Abuse III		
ORS 163.425	Sexual Abuse II	ORS 164.405	Robbery II
ORS 163.427	Sexual Abuse I	ORS 164.415	Robbery I
ORS 163.432	Online sexual corruption of a child II, if the offender reasonably believed the child to be more than five years younger than the offender	ORS 165.022	Criminal possession of a forged instrument I
ORS 163.432	Online sexual corruption of a child I, if the offender reasonably believed the child to be more than five years younger than the offender	ORS 165.032	Criminal possession of a forgery device
		ORS 165.800	Identity theft
		ORS 165.803	Aggravated identity theft
		ORS 167.012	Promoting prostitution
		ORS 167.017	Compelling prostitution
		ORS 167.054	Furnishing sexually explicit material to a child
ORS 163.435	Contributing to the sexual delinquency of a minor		
		ORS 167.057	Luring a minor
ORS 163.445	Sexual misconduct, if the offender is at least 18 years of age	ORS 181.594	Sex Crimes, including Transporting child pornography into the state