

Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Abandonment of a Dependent Person 1 (if victim is a child – class B felony) <a href="#">RCW 9A.42.060</a>	Child Welfare Early Learning			
Abandonment of a Dependent Person 1 (if victim is <b>not</b> a child – class B felony) <a href="#">RCW 9A.42.060</a>				
Abandonment of a Dependent Person 2 (if victim is a child – class C felony) <a href="#">RCW 9A.42.070</a>	Child Welfare Early Learning			
Abandonment of a Dependent Person 2 (if victim is <b>not</b> a child – class C felony) <a href="#">RCW 9A.42.070</a>				
Abandonment of a Dependent Person 3 (gross misdemeanor) <a href="#">RCW 9A.42.070</a>				
Aggravated Murder 1 (class A felony) <a href="#">RCW 10.95.020</a>	Child Welfare Early Learning			

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary's List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Aiming or Discharging Firearms, Dangerous Weapons (gross misdemeanor) <a href="#">RCW 9.41.230</a>				
Alien Possession of Firearms (class C felony) <a href="#">RCW 9.41.171</a>				
Allowing Unauthorized Person to Drive (misdemeanor) <a href="#">RCW 46.16A.520</a>				
Animal Cruelty 1 (class C felony) <a href="#">RCW 16.52.205</a>				
Animal Cruelty 2 (gross misdemeanor) <a href="#">RCW 16.52.207</a>				
Arson 1 (class A felony) <a href="#">RCW 9A.48.020</a>	Early Learning			
Arson 2 (class B felony) <a href="#">RCW 9A.48.030</a>	Early Learning			
Assault 1 (class A felony) <a href="#">RCW 9A.36.011</a>	Child Welfare (if child or spouse is involved) Early Learning	Child Welfare (if child or spouse is <b>not</b> involved)		

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary's List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Assault and in Violation of a Protection Order (class C felony) <a href="#">RCW 26.50.110</a>	Early Learning (felony or misdemeanor)	Child Welfare (felony)		
Assault 2 (class A felony) <a href="#">RCW 9A.36.021</a>	Child Welfare (if child or spouse is involved) Early Learning	Child Welfare (if child or spouse is <b>not</b> involved)		
Assault 3 (class C felony) <a href="#">RCW 9A.36.031</a>	Early Learning	Child Welfare		
Assault of a Child 1 (class A felony) <a href="#">RCW 9A.36.120</a>	Child Welfare Early Learning			
Assault of a Child 2 (class B felony) <a href="#">RCW 9A.36.130</a>	Child Welfare Early Learning			
Assault of a Child 3 (class C felony) <a href="#">RCW 9A.36.140</a>	Child Welfare Early Learning			
Assault 4 (class C felony or gross misdemeanor) <a href="#">RCW 9A.36.041</a>				
Bail Jumping (varies depending on crime initially charged or convicted) <a href="#">RCW 9A.76.170</a>				

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Burglary 1 (if child or spouse is assaulted – class A felony) <a href="#">RCW 9A.52.020</a>	Child Welfare Early Learning			
Burglary 1 (if child or spouse is <b>not</b> assaulted – class A felony) <a href="#">RCW 9A.52.020</a>				
Burglary 2 (if child or spouse is assaulted – class B felony) <a href="#">RCW 9A.52.030</a>	Child Welfare Early Learning			
Burglary 2 (if child or spouse is <b>not</b> assaulted – class B felony) <a href="#">RCW 9A.52.030</a>				
Carrying Firearms (misdemeanor) <a href="#">RCW 9.41.050</a>				
Child Molestation 1 (class A felony) <a href="#">RCW 9A.44.083</a>	Child Welfare Early Learning Juvenile Rehabilitation			
Child Molestation 2 (class B felony) <a href="#">RCW 9A.44.086</a>	Child Welfare Early Learning Juvenile Rehabilitation			
Child Molestation 3 (class C felony) <a href="#">RCW 9A.44.089</a>	Child Welfare Early Learning Juvenile Rehabilitation			

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Child Selling – Child Buying (class C felony) <a href="#">RCW 9A.64.030</a>	Child Welfare Early Learning			
Civil Anti-Harassment Protection Order Violation (gross misdemeanor) <a href="#">RCW 10.14.170</a>				
Coercion (gross misdemeanor) <a href="#">RCW 9A.36.070</a>				
Commercial Sexual Abuse of a Minor (class B felony) <a href="#">RCW 9.68A.100</a>	Child Welfare Early Learning Juvenile Rehabilitation			
Communication with Minor for Immoral Purposes (class C felony with previous violation or conviction) <a href="#">RCW 9.68A.090</a>	Child Welfare Early Learning Juvenile Rehabilitation			
Communication with Minor for Immoral Purposes (gross misdemeanor) <a href="#">RCW 9.68A.090</a>				
Controlled Substances Homicide (class B felony) <a href="#">RCW 69.50.415</a>		Child Welfare		
Criminal Gang Intimidation (class C felony) <a href="#">RCW 9A.46.120</a>				

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Criminal Impersonation 1 (class C felony) <a href="#">RCW 9A.60.040</a>				
Criminal Impersonation (gross misdemeanor) <a href="#">RCW 9A.60.045</a>				
Criminal Mistreatment 1 (if victim is a child – class B felony) <a href="#">RCW 9A.42.020</a>	Child Welfare Early Learning			
Criminal Mistreatment 1 (if victim is <b>not</b> a child – class B felony) <a href="#">RCW 9A.42.020</a>				
Criminal Mistreatment 2 (if victim is a child – class C felony) <a href="#">RCW 9A.42.030</a>	Child Welfare Early Learning			
Criminal Mistreatment 2 (if victim is <b>not</b> a child – class C felony) <a href="#">RCW 9A.42.030</a>				
Criminal Mistreatment 3 (gross misdemeanor) <a href="#">RCW 9A.42.035</a>				
Criminal Mistreatment 4 (misdemeanor) <a href="#">RCW 9A.42.037</a>				

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Criminal Sabotage (class B felony) <a href="#">RCW 9.05.060</a>				
Criminal Trespass 1 (gross misdemeanor) <a href="#">RCW 9A.52.070</a>				
Criminal Trespass 2 (misdemeanor) <a href="#">RCW 9A.52.080</a>				
Custodial Assault (class C felony) <a href="#">RCW 9A.36.100</a>	Early Learning	Child Welfare		
Custodial Interference 1 (if injury to child – class C felony) <a href="#">RCW 9A.40.060</a>	Child Welfare Early Learning			
Custodial Interference 1 (if <b>no</b> injury to child – class C felony) <a href="#">RCW 9A.40.060</a>				
Custodial Interference 2 (if injury to child – gross misdemeanor first offense and class C felony for subsequent convictions) <a href="#">RCW 9A.40.070</a>	Child Welfare (felony) Early Learning			

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Custodial Interference 2 (if <b>no</b> injury to child – gross misdemeanor first offense and class C felony for subsequent convictions) <a href="#">RCW 9A.40.070</a>				
Custodial Sexual Misconduct 1 (class C felony) <a href="#">RCW 9A.44.160</a>	Child Welfare (if victim is a child) Early Learning (if victim is a child) Juvenile Rehabilitation			
Custodial Sexual Misconduct 2 (gross misdemeanor) <a href="#">RCW 9A.44.170</a>				
Cyberstalking (class C felony or gross misdemeanor) <a href="#">RCW 9.61.260</a>				
Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 1 or 2 (both degrees are class B felony) <a href="#">RCW 9.68A.050</a>	Child Welfare Early Learning Juvenile Rehabilitation			
Disorderly Conduct (misdemeanor) <a href="#">RCW 9A.84.030</a>				

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)



Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Domestic Violence Court Order Violation (class C felony if assault or two prior convictions otherwise gross misdemeanor) <a href="#">RCW 26.50.110</a>	Child Welfare (felony)			
Drive-by shooting (class B felony) <a href="#">RCW 9A.36.045</a>	Child Welfare			
Driving Citations other than DUI				
Driving Under the Influence (three or more DUI or prior vehicular assault or vehicular homicide while under influence – class B felony) <a href="#">RCW 46.61.502</a>				
Driving Under the Influence (gross misdemeanor) <a href="#">RCW 46.61.502</a>				
Drug Possession (other than manufacture/deliver/intent – class B or C felony within the Imitation, Legend, Precursor and Uniform) <a href="#">RCW 69</a>				

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Embezzlement (see Theft)				
Endangerment with a Controlled Substance (if victim is a child – class B felony) <a href="#">RCW 9A.42.100</a>	Child Welfare Early Learning			
Endangerment with a Controlled Substance (if victim is <b>not</b> a child – class B felony) <a href="#">RCW 9A.42.100</a>				
Escape 1 (class B felony) <a href="#">RCW 9A.76.110</a>				
Escape 2 (class C felony) <a href="#">RCW 9A.76.120</a>				
Escape 3 (gross misdemeanor for first offense and class C felony if third or more) <a href="#">RCW 9A.76.130</a>				
Extortion 1 (class B felony) <a href="#">RCW 9A.56.120</a>	Child Welfare (if victim is a child) Early Learning (if victim is a child) Juvenile Rehabilitation (if “sexual favors” element is met)			

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Extortion 2 (if victim is a child – class C felony) <a href="#">RCW 9A.56.130</a>	Child Welfare Early Learning			
Failure to Register as Felony Firearm Offender (gross misdemeanor) <a href="#">RCW 9.41.335</a>				
Failure to Register as Sex Offender or Kidnapping Offender (gross misdemeanor or class C felony) <a href="#">RCW 9A.44.132</a>				
Finding of abuse, neglect, exploitation, or abandonment of a vulnerable adult, child or juvenile (including a court finding of child abuse or neglect, or established “B” dependency)				
Forgery (class C felony) <a href="#">RCW 9a.60.020</a>				
Furnishing Liquor to Minors (gross misdemeanor) <a href="#">RCW 66.44.270</a>				
Harassment (class C felony or gross misdemeanor) <a href="#">RCW 9A.46.020</a>	Child Welfare (felony)			

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Hit and Run Attended (class B or C felony or gross misdemeanor) <a href="#">RCW 46.52.020</a>				
Hit and Run Unattended (duty on striking unattended car – misdemeanor) <a href="#">RCW 46.52.010</a>				
Homicide by Abuse (class A felony) <a href="#">RCW 9A.32.055</a>	Child Welfare Early Learning (if victim is a child)			
Homicide by Watercraft (class A felony) <a href="#">RCW 79A.60.050</a>	Child Welfare (if victim is a child)			
Incendiary Devices – Possession, Manufacture or Disposing of (class B felony) <a href="#">RCW 9.40.120</a>				
Incest 1 or 2 (if victim is a child – class B or C felony) <a href="#">RCW 9A.64.020</a>	Child Welfare Early Learning Juvenile Rehabilitation			
Incest 1 or 2 (if victim is <b>not</b> a child – class B or C felony) <a href="#">RCW 9A.64.020</a>				

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Indecent Exposure (class C felony or gross misdemeanor) <a href="#">RCW 9A.88.010</a>	Child Welfare (if felony and victim is a child) Early Learning (if felony and victim is a child) Juvenile Rehabilitation			
Indecent Liberties (if victim is a child – class B felony) <a href="#">RCW 9A.44.100</a>	Child Welfare Early Learning			
Indecent Liberties (if victim is <b>not</b> a child – class B felony) <a href="#">RCW 9A.44.100</a>				
Indecent Liberties by Forcible Compulsion (if victim is a child – class A felony) <a href="#">RCW 9A.44.100</a>	Child Welfare Early Learning Juvenile Rehabilitation			
Indecent Liberties by Forcible Compulsion (if victim is <b>not</b> a child – class A felony) <a href="#">RCW 9A.44.100</a>				
Kidnapping 1 (if victim is a child – class A felony) <a href="#">RCW 9A.40.020</a>	Child Welfare Early Learning			

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Kidnapping 1 (if victim is <b>not</b> a child – class A felony) <a href="#">RCW 9A.40.020</a>				
Kidnapping 2 (if victim is a child – class B felony) <a href="#">RCW 9A.40.030</a>	Child Welfare Early Learning			
Kidnapping 2 (if victim is <b>not</b> a child – class B felony) <a href="#">RCW 9A.40.030</a>				
Leading Organized Crime (class A or B felony) <a href="#">RCW 9A.82.060</a>				
Leaving Children Unattended in Parked Automobile (gross misdemeanor) <a href="#">RCW 9.91.060</a>				
Luring (class C felony) <a href="#">RCW 9A.40.090</a>	Child Welfare			
Mail Theft (class C felony) <a href="#">RCW 9A.56.370</a>				
Malicious Harassment (if victim is a child – class C felony) <a href="#">RCW 9A.36.080</a>	Child Welfare Early Learning			

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Malicious Harassment (if victim is <b>not</b> a child – class C felony) <a href="#">RCW 9A.36.080</a>				
Malicious Mischief 1 (class B felony) <a href="#">RCW 9A.48.070</a>				
Malicious Mischief 2 (class C felony) <a href="#">RCW 9A.48.080</a>				
Malicious Mischief 3 (gross misdemeanor) <a href="#">RCW 9A.48.090</a>				
Malicious Placement of an Explosive 1, 2 or 3 (class A or B felony) <a href="#">RCW 70.74.270</a>				
Malicious Placement of an Imitation Device 1 or 2 (class B or C felony) <a href="#">RCW 70.74.272</a>				
Manslaughter 1 (class A felony) <a href="#">RCW 9A.32.060</a>	Child Welfare Early Learning (if victim is a child)			
Manslaughter 2 (if victim is a child – class B felony) <a href="#">RCW 9A.32.070</a>	Child Welfare Early Learning			

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Manslaughter 2 (if victim is <b>not</b> a child – class B felony) <a href="#">RCW 9A.32.070</a>				
Murder 1 (class A felony) <a href="#">RCW 9A.32.030</a>	Child Welfare Early Learning			
Murder 2 (class A felony) <a href="#">RCW 9A.32.050</a>	Child Welfare Early Learning			
Negative actions: <ul style="list-style-type: none"> <li>• Termination, revocation, suspension, or denial of a license, certification, and/or state or federal contract.</li> <li>• Relinquishment of a license, certification, or contract in lieu of an agency negative action.</li> <li>• Revocation, suspension, denial or restriction placed on a professional license.</li> <li>• Department of Health disciplining authority findings.</li> </ul>				

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)



Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Obstructing a Law Enforcement Officer (gross misdemeanor) <a href="#">RCW 9A.76.020</a>				
Official Misconduct (gross misdemeanor) <a href="#">RCW 9A.80.010</a>				
Patronizing a Prostitute (misdemeanor) <a href="#">RCW 9A.88.110</a>				
Physical Control of Vehicle Under the Influence (class C felony or gross misdemeanor) <a href="#">RCW 46.61.504</a>				
Possession of Depictions of Minor Engaged in Sexually Explicit Conduct 1 or 2 – class B felony) <a href="#">RCW 9.68A.070</a>	Child Welfare Early Learning Juvenile Rehabilitation			
Possession of Stolen Property 1 (class B felony) <a href="#">RCW 9A.56.150</a>				
Possession of Stolen Property 2 (class C felony) <a href="#">RCW 9A.56.160</a>				

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Possession of Stolen Property 3 (gross misdemeanor) <a href="#">RCW 9A.56.170</a>				
Possession of Stolen Vehicle (class B felony) <a href="#">RCW 9A.56.068</a>				
Promoting Commercial Sexual Abuse of a Minor (class A felony) <a href="#">RCW 9.68A.101</a>	Child Welfare Early Learning Juvenile Rehabilitation			
Promoting Pornography (if victim is a child – class C felony) <a href="#">RCW 9.68.140</a>	Child Welfare Early Learning Juvenile Rehabilitation			
Promoting Pornography (if victim is <b>not</b> a child – class C felony) <a href="#">RCW 9.68.140</a>				
Promoting Prostitution 1 (if victim is a child – class B felony) <a href="#">RCW 9A.88.070</a>	Child Welfare (if victim is a child or involves violence) Early Learning Juvenile Rehabilitation			
Promoting Prostitution 1 (if victim is <b>not</b> a child – class B felony) <a href="#">RCW 9A.88.070</a>				

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary's List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Promoting Prostitution 2 (class C felony) <a href="#">RCW 9A.88.080</a>				
Promoting Suicide Attempt (class C felony) <a href="#">RCW 9A.36.060</a>				
Promoting Travel for Commercial Sexual Abuse of a Minor (class C felony) <a href="#">RCW 9.68A.102</a>	Child Welfare Juvenile Rehabilitation			
Prostitution (misdemeanor) <a href="#">RCW 9A.88.030</a>				
Rape 1 (class A felony) <a href="#">RCW 9A.44.040</a>	Child Welfare Early Learning Juvenile Rehabilitation			
Rape of a Child 1 (class A felony) <a href="#">RCW 9A.44.073</a>	Child Welfare Early Learning Juvenile Rehabilitation			
Rape 2 (class A felony) <a href="#">RCW 9A.44.050</a>	Child Welfare Early Learning Juvenile Rehabilitation			
Rape of a Child 2 (class A felony) <a href="#">RCW 9A.44.076</a>	Child Welfare Early Learning Juvenile Rehabilitation			

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Rape 3 (class C felony) <a href="#">RCW 9A.68A.060</a>	Child Welfare Early Learning Juvenile Rehabilitation			
Rape of a Child 3 (class C felony) <a href="#">RCW 9A.44.079</a>	Child Welfare Early Learning Juvenile Rehabilitation			
Reckless Endangerment (gross misdemeanor) <a href="#">RCW 9A.36.050</a>				
Rendering Criminal Assistance 1 (gross misdemeanor or class B felony) <a href="#">RCW 9A.76.070</a>				
Rendering Criminal Assistance 2 (gross misdemeanor or misdemeanor) <a href="#">RCW 9A.76.080</a>				
Rendering Criminal Assistance 3 (misdemeanor) <a href="#">RCW 9A.76.090</a>				
Residential Burglary (class B felony) <a href="#">RCW 9A.52.025</a>				

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary's List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Resisting Arrest (misdemeanor) <a href="#">RCW 9A.76.040</a>				
Robbery 1 (class A felony) <a href="#">RCW 9A.56.200</a>	Child Welfare (if victim is a child) Early Learning (if victim is a child)	Child Welfare (if physical assault)		
Robbery 2 (class B felony) <a href="#">RCW 9A.56.210</a>	Child Welfare (if victim is a child) Early Learning (if victim is a child)	Child Welfare (if physical assault)		
Selling or Giving Tobacco to Minor (gross misdemeanor) <a href="#">RCW 26.28.080</a>				
Sending or Bringing into the State Depictions of Minor Engaged in Sexually Explicit Conduct 1 or 2 (class B felony) <a href="#">RCW 9.68A.060</a>	Child Welfare Early Learning Juvenile Rehabilitation			
Sexual Exploitation of a Minor (class B felony) <a href="#">RCW 9.68A.040</a>	Child Welfare Early Learning Juvenile Rehabilitation			
Sexual Misconduct with a Minor 1 (class C felony) <a href="#">RCW 9A.44.093</a>	Child Welfare Early Learning Juvenile Rehabilitation			

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Sexual Misconduct with a Minor 2 (gross misdemeanor) <a href="#">RCW 9A.44.096</a>				
Sexually Violating Human Remains (class C felony) <a href="#">RCW 9A.44.105</a>				
Stalking (class B felony or gross misdemeanor) <a href="#">RCW 9A.46.110</a>				
Taking a Motor Vehicle without Permission 1 (class B felony) <a href="#">RCW 9A.56.070</a>				
Taking a Motor Vehicle without Permission 2 (class C felony) <a href="#">RCW 9A.56.075</a>				
Telephone Harassment (class C felony or gross misdemeanor) <a href="#">RCW 9.61.230</a>				
Theft 1 (class B felony) <a href="#">RCW 9A.56.030</a>				
Theft 2 (class C felony) <a href="#">RCW 9A.56.040</a>				

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Theft 3 (gross misdemeanor) <a href="#">RCW 9A.56.050</a>				
Theft of a Motor Vehicle (class B felony) <a href="#">RCW 9A.56.065</a>				
Trafficking 1 or 2 (class A felony) <a href="#">RCW 9A.40.100</a>				
Trafficking in Stolen Property 1 (class B felony) <a href="#">RCW 9A.82.050</a>				
Trafficking in Stolen Property 2 (class C felony) <a href="#">RCW 9A.82.055</a>				
Unlawful Harboring of a Minor (gross misdemeanor) <a href="#">RCW 13.32A.080</a>				
Unlawful Imprisonment (if victim is a child – class C felony) <a href="#">RCW 9A.40.040</a>	Child Welfare Early Learning			
Unlawful Imprisonment (if victim is <b>not</b> a child – class C felony) <a href="#">RCW 9A.40.040</a>				

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary's List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Unlawful Issuance of Checks or Drafts (class C felony or gross misdemeanor) <a href="#">RCW 9A.56.060</a>				
Unlawful Use of a Building for Drug Purposes (class C felony) <a href="#">RCW 69.53.010</a>		Child Welfare Early Learning		
Use of a Machine Gun in felony (if victim is a child – class A felony) <a href="#">RCW 9.41.225</a>	Child Welfare			
Use of a Machine Gun in felony (if victim is <b>not</b> a child – class A felony) <a href="#">RCW 9.41.225</a>				
Vehicle Prowling 1 (class C felony) <a href="#">RCW 9A.52.095</a>				
Vehicle Prowling 2 (gross misdemeanor or class C felony) <a href="#">RCW 9A.52.100</a>				
Vehicular Assault (class B felony) <a href="#">RCW 46.61.522</a>		Child Welfare		

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)



Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Vehicular Homicide (if victim is a child – class A felony) <a href="#">RCW 46.61.520</a>	Child Welfare Early Learning			
Vehicular Homicide (if victim is <b>not</b> a child – class A felony) <a href="#">RCW 46.61.520</a>				
Viewing Depictions of a Minor Engaged in Sexually Explicit Conduct 1 or 2 (class B or C felony) <a href="#">RCW 9.68A.075</a>	Child Welfare Juvenile Rehabilitation			
Violation of Anti-Harassment, Contact, Protection or Restraining Order (class C felony or gross misdemeanor) <a href="#">RCW 26.50.110</a>				
Violation of the Imitation Controlled Substances Act (manufacture/deliver/intent – class B or C felony) <a href="#">RCW 69.52</a>		Child Welfare Early Learning		

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Violation of the Uniform Controlled Substances Act (manufacture/deliver/intent – class B or C felony) <a href="#">RCW 69.50</a>		Child Welfare Early Learning		
Violation of the Uniform Legend Drug Act (manufacture/deliver/intent – class B or C felony) <a href="#">RCW 69.41</a>		Child Welfare Early Learning		
Violation of the Uniform Precursor Drug Act (manufacture/deliver/intent – class B or C felony) <a href="#">RCW 69.43</a>		Child Welfare Early Learning		
Voyeurism (if child is involved – class C felony or gross misdemeanor) <a href="#">RCW 9A.44.115</a>	Child Welfare (felony) Juvenile Rehabilitation			
Voyeurism (if child is <b>not</b> involved – class C felony or gross misdemeanor) <a href="#">RCW 9A.44.115</a>				

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)

## Proposed Department of Children, Youth, and Families Secretary’s List of Crimes

Crime/Negative Action	Permanently Disqualifying per Program Listed	5-Year Disqualifying per Program Listed	Character, Competence and Suitability Required	Character, Competence and Suitability Not Required
Other Class A felonies not listed (up to life imprisonment)				
Other Class B felonies not listed (up to 10 years imprisonment)				
Other Class C felonies not listed (up to 5 years imprisonment)				

**Pending Crime** - The department must not license, contract, certify, or authorize a person to have unsupervised access to children if the person has a criminal charge pending for a disqualifying crime described above, or a criminal charge pending for a disqualifying crime that relates directly to child safety, permanence, or well-being.

**Negative Action** is a negative licensing action or other civil or administrative determination resulting from a procedure that affords appropriate due process. A negative action would be disqualifying for a Juvenile Rehabilitation applicant when it is determined the subject engaged in sexual activity in the community facilitated by force, or coercion, or if the victim did not consent, was not able to consent, or was not legally capable of consent. A negative action is currently automatically disqualifying for early learning applicants, but not child welfare applicants.

When the crime of attempt, conspiracy, domestic violence, sexual motivation or solicitation appears in conjunction with a crime on this list it is treated the same as the listed crime:

- Attempt [RCW 9A.28.020](#)
- Conspiracy [RCW 9A.28.040](#)
- Domestic Violence [RCW 10.99.020](#)
- Sexual Motivation [RCW 9.94A.835](#)
- Solicitation [RCW 9A.28.030](#)

Child Welfare must adhere to the federally disqualifying crimes in the Adoption and Safe Families Act [Public Law 105-89](#)  
 Early Learning must adhere to the federally disqualifying crimes in the Child Care Develop Fund Grant Act [Public Law 113-186](#)  
 Juvenile Rehabilitation must adhere to the federally disqualifying crimes in the Prison Rape Elimination Act [Public Law 108-79](#)