

ROMAN CATHOLIC DIOCESE OF BOISE

Protocol for Criminal Background Checks

It is the policy of the Diocese of Boise that a background check is completed and approved prior to hiring or allowing any individual to work as an employee or volunteer 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 Background Checks Coordinator 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 conviction.
3. When the defendant has been charged with any of the following offenses, they will be prohibited from any employment within the diocese:
 - a. Aggravated assault of a minor or vulnerable adult.
 - b. Aggravated battery of a minor or vulnerable adult.
 - c. Injury or death of a minor or vulnerable adult.
 - d. Abuse of a minor or vulnerable adult, including sexual or physical.
 - e. Sexual exploitation of a minor or vulnerable adult.
 - f. Possession of (child) pornography.
 - g. Lewd conduct with a minor.
 - h. Enticing of a minor.
 - i. Sexual battery of a minor or vulnerable adult.
 - j. Homicide.
 - k. Kidnapping or abduction of a minor.
 - l. Human trafficking in any form.
4. When the defendant has been charged with any felony offense further inquiry will be required as noted in section 5.
5. For a felony conviction, not enumerated 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 an 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 a felony, 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, the Director of Child Youth and Adult Protection (CYAP), and a final decision is made about employment/volunteer status. If it is determined that the candidate is eligible for an employment or volunteer position, the Diocese retains the right to notify any supervisor of the future employee/volunteer about background information.

6. When employee/volunteer has been charged and/or convicted with any of the following misdemeanor offenses, further inquiry will be required as noted in section 7:
 - a. Assault.
 - b. Battery.
 - c. Domestic Violence-related offenses (i.e. assault, battery, harassment).
 - d. Stalking.
 - e. Driving under the influence.
 - f. Encouraging violations of the Juvenile Corrections laws.
 - g. Other offenses that might interfere with employment obligations within five years.
7. For the offenses listed in section 6, 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 an 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, the Director of CYAP, and a final decision is made about employment/volunteer status. If it is determined that the candidate is eligible for an employee or volunteer position the Diocese retains the right to notify any supervisor of the future employee/volunteer about background information.
8. For any offenses listed or not listed in Sections 3, 4, or 6 that may have implications relating to driving in the performance of one's duties or volunteer responsibilities, the employee/volunteer will be notified that a record has been discovered in their criminal background check. The Director of Finance, who oversees the insurance liability for the diocese, will review the matter and determine whether or not a driving restriction will be placed on the employee/volunteer.
9. Regardless if a crime is listed or not in this protocol, the Diocese retains the rights to deny employment or volunteer ability at the discretion of the Bishop or his designee, the Director of CYAP.
10. In all matters relating to this protocol and those relating to the Charter for the Protection of Minors and Vulnerable Adults, the Bishop and/or his designee, the Director of CYAP, may consult with the Diocesan Sexual Misconduct Review Board.
11. All records regarding criminal background checks conducted on employees and volunteers are securely kept in confidential files in the Child, Youth, & Adult Protection office. This includes forms filled out by the employees and volunteers providing personal information. Access to such files is restricted to the Bishop, the 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.

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