

A conviction of any of the following crimes is potentially disqualifying. Offenses or convictions that are classified as less than a misdemeanor, such as violations or infractions, are not potentially disqualifying (see ORS 161.505 to 161.565).

**The crimes listed in this section are permanent review crimes which require that a fitness determination be completed regardless of date of conviction.**

ORS 162.155, ORS 162.165, ORS 162.285, ORS 162.325, ORS 163.005, ORS 163.095, ORS 163.115, ORS 163.118, ORS 163.125, ORS 163.145, ORS 163.149, ORS 163.160, ORS 163.165, ORS 163.175, ORS 163.185, ORS 163.187, ORS 163.190, ORS 163.200, ORS 163.205, ORS 163.207, ORS 163.208, ORS 163.213, ORS 163.225, ORS 163.235, ORS 163.245, ORS 163.257, ORS 163.263, ORS 163.264, ORS 163.266, ORS 163.275, ORS 163.355, ORS 163.365, ORS 163.375, ORS 163.385, ORS 163.395, ORS 163.405, ORS 163.408, ORS 163.411, ORS 163.415, ORS 163.425, ORS 163.427, ORS 163.432, ORS 163.433, ORS 163.435, ORS 163.445, ORS 163.452, ORS 163.454, ORS 163.465, ORS 163.467, ORS 163.476, ORS 163.479, ORS 163.515, ORS 163.525, ORS 163.535, ORS 163.537, ORS 163.545, ORS 163.547, ORS 163.555, ORS 163.575, ORS 163.670, ORS 163.680, ORS 163.684, ORS 163.686, ORS 163.687, ORS 163.688, ORS 163.689, ORS 163.693, ORS 163.700, ORS 163.732, ORS 163.750, ORS 164.055, ORS 164.057, ORS 164.075, ORS 164.085, ORS 164.098, ORS 164.125, ORS 164.135, ORS 164.170, ORS 164.215, ORS 164.225, ORS 164.315, ORS 164.325, ORS 164.365, ORS 164.377, ORS 164.395, ORS 164.405, ORS 164.415, ORS 165.013, ORS 165.022, ORS 165.032, ORS 165.055, ORS 165.065, ORS 165.581, ORS 165.800, ORS 165.803, ORS 165.810, ORS 166.005, ORS 166.070, ORS 166.085, ORS 166.087, ORS 166.155, ORS 166.165, ORS 166.220, ORS 166.270, ORS 166.272, ORS 166.275, ORS 166.370, ORS 166.382, ORS 166.384, ORS 166.429, ORS 166.450, ORS 166.720, ORS 167.012, ORS 167.017, ORS 167.054, ORS 167.057, ORS 167.062, ORS 167.075, ORS 167.080, ORS 167.212, ORS 167.262, ORS 167.315, ORS 167.320, ORS 167.322, ORS 167.333, ORS 167.339, ORS 181.594, ORS 181.599, ORS 433.010, ORS 475.525, ORS 475.805, ORS 475.840, ORS 475.846, ORS 475.848, ORS 475.850, ORS 475.852, ORS 475.854, ORS 475.856, ORS 475.858, ORS 475.860, ORS 475.862, ORS 475.864, ORS 475.866, ORS 475.868, ORS 475.870, ORS 475.872, ORS 475.874, ORS 475.876, ORS 475.878, ORS 475.880, ORS 475.882, ORS 475.884, ORS 475.886, ORS 475.888, ORS 475.890, ORS 475.892, ORS 475.894, ORS 475.904, ORS 475.906, ORS 475.908, ORS 475.910, ORS 475.914, ORS 475.967, ORS 475.990, ORS 475.992, ORS 677.080, ORS 685.990, ORS 689.527

Any unclassified felony defined in Oregon Revised Statutes not listed in this rule

Any U.S. military crime

Any other felony in Oregon Revised Statutes not listed in this rule that is serious and indicates behavior that poses a threat or jeopardizes the safety of vulnerable persons

Any felony in a jurisdiction outside Oregon that is not the substantial equivalent of any of the Oregon crimes listed in this section but that is serious and indicates behavior that poses a threat or jeopardizes the safety of vulnerable persons

Any federal crime

Any crime that is no longer codified in Oregon or other jurisdiction but that is the substantial equivalent of any of the crimes listed in section (1) of this rule, as determined by BCU

Any crime of attempt, solicitation, or conspiracy to commit a crime listed in this section pursuant to ORS 161.405, 161.435, or 161.450, including any crime based on criminal liability for conduct of another pursuant to ORS 161.155

Any crime in any other jurisdiction that is the substantial equivalent of any of the Oregon crimes listed in section (1) of this rule, as determined by BCU

**The crimes listed in this section are ten-year review crimes which require that a fitness determination be completed if the date of conviction is within ten years of the date the Background Check Request form was signed or the date the Department conducted a criminal records check due to imminent risk.**

ORS 033.045, ORS 109.311, ORS 133.076, ORS 133.310(3), ORS 135.290, ORS 162.015, ORS 162.025, ORS 162.065, ORS 162.075, ORS 162.117, ORS 162.145, ORS 162.175, ORS 162.185, ORS 162.195, ORS 162.205, ORS 162.247, ORS 162.257, ORS 162.265, ORS 162.275, ORS 162.295, ORS 162.305, ORS 162.315, ORS 162.335, ORS 162.355, ORS 162.365, ORS 162.367, ORS 162.369, ORS 162.375, ORS 162.385, ORS 162.405, ORS 162.415, ORS 162.425, ORS 163.195, ORS 163.196, ORS 163.212, ORS 164.043, ORS 164.045, ORS 164.095, ORS 164.138, ORS 164.140, ORS 164.162, ORS 164.235, ORS 164.255, ORS 164.265, ORS 164.272, ORS 164.354, ORS 165.007, ORS 165.017, ORS 165.037, ORS 165.042, ORS 165.070, ORS 165.074, ORS 165.080, ORS 165.085, ORS 165.090, ORS 165.095, ORS 165.100, ORS 165.102, ORS 165.540, ORS 165.543, ORS 165.570, ORS 165.572, ORS 165.577, ORS 165.579,

ORS 165.692, ORS 166.015, ORS 166.023, ORS 166.025, ORS 166.065, ORS 166.076, ORS 166.090, ORS 166.116, ORS 166.180, ORS 166.190, ORS 166.240, ORS 166.250, ORS 166.470, ORS 166.480, ORS 166.649, ORS 166.651, ORS 166.660, ORS 167.007, ORS 167.090, ORS 167.122, ORS 167.127, ORS 167.167, ORS 167.222, ORS 167.325, ORS 167.330, ORS 167.337, ORS 167.340, ORS 167.352, ORS 167.355, ORS 167.365, ORS 167.370, ORS 167.428, ORS 167.431, ORS 167.820, ORS 192.865, ORS 314.075, ORS 411.630, ORS 411.640, ORS 411.675, ORS 411.840, ORS 412.074, ORS 412.099, ORS 417.990, ORS 471.410, ORS 475.912, ORS 475.916, ORS 475.918, ORS 475.950, ORS 475.955, ORS 475.960, ORS 475.965, ORS 803.230, ORS 807.620, ORS 811.060, ORS 811.140, ORS 811.540, ORS 811.700, ORS 811.705, ORS 819.300, ORS 830.475

Any unclassified misdemeanor defined in Oregon Revised Statutes not listed elsewhere in this rule

Any other misdemeanor in Oregon Revised Statutes or a local Oregon jurisdiction not listed in this rule that is serious and indicates behavior that poses a threat or jeopardizes the safety of vulnerable persons, as determined by BCU. If a misdemeanor in a jurisdiction outside Oregon is similar to a violation in Oregon, then it may not be considered potentially disqualifying under this section.

Any misdemeanor in a jurisdiction outside Oregon that is not the substantial equivalent of any of the Oregon crimes listed in section (2) of this rule, as determined by BCU

Any crime which is no longer codified in Oregon, but which is the substantial equivalent of any of the crimes listed in section (2) of this rule, as determined by BCU

Any crime of attempt, solicitation or conspiracy to commit a crime listed in this section pursuant to ORS 161.405 or 161.435, including any conviction based on criminal liability for conduct of another pursuant to ORS 161.155

Any crime in any other jurisdiction which is the substantial equivalent of any of the Oregon crimes listed in section (2) of this rule, as determined by BCU

**The crimes listed in this section are five-year review crimes which require that a fitness determination be completed if the date of conviction is within five years of the date the Background Check Request form was signed or the date the Department conducted a criminal records check due to imminent risk.**

ORS 162.085, ORS 162.235, ORS 164.245, ORS 164.335, ORS 164.345, ORS 165.555, ORS 165.813, ORS 166.075, ORS 166.095, ORS 811.182, ORS 813.010, ORS 830.315, ORS 830.325, ORS 830.730

Any crime which is no longer codified in Oregon, but which is the substantial equivalent of any of the crimes listed in section (3) of this rule, as determined by BCU

Any crime in any other jurisdiction which is the substantial equivalent of any of the Oregon crimes listed in section (3) of this rule, as determined by BCU

Any conviction for attempt, solicitation or conspiracy to commit a crime listed in this section pursuant to ORS 161.405 or 161.435, including any conviction based on criminal liability for conduct of another pursuant to ORS 161.155

**Evaluations of crimes may be based on Oregon laws and laws in other jurisdictions in effect at the time of the fitness determination, regardless of the jurisdiction in which the conviction occurred.**

**An SI may not be denied under these rules due to the existence or contents of a juvenile record that has been expunged pursuant to ORS 419A.260 to 419A.262.**

**An SI may not be denied under these rules due to the existence or contents of an adult record that has been set aside pursuant to ORS 137.22**