

## **Criminal History Background Checks**

### **Frequently Asked Questions**

1. **Does the Township of Washington have the legal authority to fingerprint and conduct background checks of volunteers?** Yes. In 1999, the State Legislature of New Jersey made it legal to conduct background checks on volunteers. The Township also requires criminal background checks for employees who supervise minors.
2. **To whom does this Ordinance apply?** The Ordinance applies to volunteers and employees of Township Sponsored Programs and of Youth Serving Organizations utilizing Washington Township facilities who have direct, non-supervised and ongoing interaction with minors in the course of performing their services. Generally, this will include individuals such as coaches, assistant coaches, managers, leaders and co-leaders. It would likely not include an occasional parent-volunteer or other temporary assistant whose interaction with the minors is not “ongoing.”
3. **Do I have to be checked even if I passed a criminal background check at an earlier time in my life or as a condition of my employment?** If you have been subject to a similar record check, which includes fingerprinting, a state check, and a federal check, and the check was performed within three years, than you may be exempt from our record check. Proof of a similar record check must be submitted to the Washington Police or the Recreation Division, who shall verify the authenticity of the record check
4. **What happens if an individual does not wish to be fingerprinted and checked?** The individual will not be allowed to volunteer or otherwise provide services in programs sponsored by Washington Township or any Youth Serving Organizations that use Washington Township facilities.
5. **Who conducts the fingerprinting and processes the criminal background checks?** The Washington Township Police will perform the fingerprinting. The Washington Township Police Department and Recreation Division will submit the prints to the New Jersey State Police, who will then perform the criminal background checks. The Washington Township Police Department and Recreation Division will also photograph all volunteers and employees and issue a photo identification card to those who have passed their record check.
6. **What criminal convictions will disqualify me from coaching/volunteering?** The state statute and local ordinance define the following convictions as disqualifiers: 2C:11 **HOMICIDE**-All Offenses; 2C:12 **ASSAULT; ENDANGERING; THREATS**-All Offenses; 2C:13 **KIDNAPPING**-All Offenses; 2C:14 **SEXUAL OFFENSES**-All Offenses; 2C:15 **ROBBERY**-All Offenses; 2C:20 **THEFT**-All Offenses; 2C:24 **OFFENSES AGAINST THE FAMILY, CHILDREN AND INCOMPETENTS**-All Offenses; and 2C:35 **CONTROLLED DANGEROUS SUBSTANCES**-All offenses except paragraph (4) of subsection (a) of N.J.S.A 2C:35-10. If you have any questions pertaining to these specific offenses, please speak with your attorney.
7. **Does the law apply to me if I was charged but not convicted of a crime?** No. For an individual to be disqualified, they must have a record of conviction for any of the criminal offenses listed in #6.
8. **Is my criminal history released or revealed to any person or agency?** NO. The result of the background check is reported as either “**recommended**” or “**not recommended**” based on the disqualifiers listed in #6. Neither the Washington Township Police Department nor the Recreation Division will have knowledge of the details of a criminal background. The only person who will have access to your criminal history is you. If you are “not recommended” as a result of your record check, you will not be permitted to volunteer or otherwise provide services. The Township of Washington will notify the President and/or Director of the Respective Youth Serving Organization or Township Sponsored Program with the State Police’s “recommended” or “not recommended” result of your criminal background check.
9. **How can I obtain a copy of the report of my criminal background check?** You can obtain a copy of your criminal background from the New Jersey State Police. The Washington Township Police Department will provide the contact information if needed.
10. **What is the procedure if I pass the criminal background check?** If you pass, you will be eligible to volunteer/provide services. Washington Township will issue you a photo identification card certifying the passage of your background check.
11. **If I pass the background check, will I have to be fingerprinted again next year? How about for a different sport this year?** Individuals will be fingerprinted once. If you pass the background check, you will be eligible to volunteer or provide services for all Township Sponsored Programs and Youth Serving Organizations utilizing Township facilities. After three years, a criminal background re-check must be performed in order for you to continue to be eligible.

**For additional information, contact the Recreation Division (609) 259-7082 x 113**