

**DSHS SECRETARY'S LIST OF CRIMES AND NEGATIVE ACTIONS FOR USE BY ALL Programs Administered by DSHS, including DSHS State Employees in Covered Positions w/ Access to Vulnerable People [EXCEPT AL TSA HCS Providers; AL TSA RCS Providers; DDA Providers, including DSHS employees working in a SOLA; and DSHS employees with access to sensitive information]**

**Crimes:**

A person who has a crime listed below is denied unsupervised access to vulnerable adults, juveniles, and children.  
 If "(5 or more years)" appears after a crime, the person is automatically denied unsupervised access unless 5 or more years has passed since the date of conviction.  
 After 5 years, an overall assessment of the person's character, competence, and suitability to have unsupervised access will determine denial.

Abandonment of a child  
 Abandonment of a dependent person not against child (5 or more years)  
 Abuse or neglect of a child  
 Arson  
 Arson Domestic Violence  
 Assault 1  
 Assault 1 Domestic Violence  
 Assault 2  
 Assault 2 Domestic Violence  
 Assault 3 Domestic Violence  
 Assault 3 not Domestic Violence (5 or more years)  
 Assault 4 violation of RCW 9A.36.041(3)  
 Assault 4/simple assault (5 or more years)  
 Assault 4 Domestic Violence (5 or more years)  
 Assault of a child  
 Burglary (5 or more years)  
 Burglary Domestic Violence (5 or more years)  
 Child buying or selling  
 Child molestation  
 Coercion (5 or more years)  
 Coercion Domestic Violence (5 or more years)  
 Commercial sexual abuse of a minor/ Patronizing a juvenile prostitute  
 Communication with a minor for immoral purposes  
 Controlled substance homicide  
 Criminal mistreatment  
 Custodial assault (5 or more years)  
 Custodial interference  
 Custodial sexual misconduct  
 Dealing in depictions of minor engaged in sexual explicit conduct  
 Drive-by shooting  
 Drive-by shooting Domestic Violence  
 Endangerment with a controlled substance  
 Extortion 1  
 Extortion 2 (5 or more years)  
 False statements, fraud (5 or more years)  
 Forgery (5 or more years)  
 Harassment (5 or more years)  
 Harassment Domestic Violence  
 Hate Crime  
 Homicide by abuse  
 Homicide by watercraft  
 Identity theft (5 or more years)  
 Incendiary devices (possess, manufacture, dispose)  
 Incest  
 Indecent exposure/Public indecency (Felony)  
 Indecent liberties  
 Kidnapping  
 Kidnapping Domestic Violence  
 Leading organized crime (5 or more years)  
 Luring  
 Malicious explosion 1  
 Malicious explosion 2  
 Malicious explosion 3 (5 or more years)  
 Malicious harassment  
 Malicious placement of an explosive 1  
 Malicious placement of an explosive 2 (5 or more years)  
 Malicious placement of an explosive 3 (5 or more years)  
 Malicious placement of imitation device 1 (5 or more years)  
 Manslaughter  
 Manslaughter Domestic Violence  
 Murder/Aggravated murder  
 Murder Domestic Violence  
 Patronizing a prostitute (5 or more years)  
 Permitting Commercial Sexual Abuse of a Minor  
 Possess depictions minor engaged in sexual conduct  
 Possess explosive device (5 or more years)  
 Promoting Commercial Sexual Abuse of a Minor  
 Promoting pornography (5 or more years)  
 Promoting prostitution 1 (5 or more years)  
 Promoting prostitution 2 (5 or more years)  
 Promoting suicide attempt (5 or more years)

Promoting Travel for Commercial Sexual Abuse of a Minor  
 Prostitution (5 or more years)  
 Rape  
 Rape Domestic Violence  
 Rape of child  
 Reckless endangerment (5 or more years)  
 Reckless endangerment Domestic Violence (5 or more years)  
 Registered sex offender  
 Residential burglary (5 or more years)  
 Residential burglary Domestic Violence (5 or more years)  
 Robbery  
 Selling or distributing erotic material to a minor  
 Sending or bringing into the state depictions of a minor  
 Sexual exploitation of minors  
 Sexual misconduct with a minor  
 Sexually violating human remains  
 Stalking (5 or more years)  
 Stalking Domestic Violence (5 or more years)  
 Theft (5 or more years)  
 Theft of a firearm (5 or more years)  
 Theft of a Motor Vehicle (5 or more years)  
 Theft from a Vulnerable Adult (5 or more years)  
 Trafficking  
 Unlawful imprisonment (5 or more years)  
 Unlawful imprisonment Domestic Violence (5 or more years)  
 Unlawful use of bldg for drug purposes (5 or more years)  
 Use of machine gun in a felony  
 Vehicular assault  
 Vehicular homicide (negligent homicide)  
 Viewing Depictions of a Minor Engaged in Sexually Explicit Conduct  
 Violation of child abuse restraining order  
 Violation of civil anti-harassment protection order  
 Violation of protection/no-contact/restraining order  
 Violation of the Imitation Controlled Substance Act (manufacture/deliver/intent - 5 or more years)  
 Violation of Uniform Controlled Substance Act (manufacture/deliver/intent - 5 or more years)  
 Violation of the Uniform Legend Drug Act (manufacture/deliver/intent - 5 or more years)  
 Violation of the Uniform Precursor Drug Act (manufacture/deliver/intent - 5 or more years)  
 Voyeurism

**Pending Crime** - A person who has a pending crime on the Secretary's List is denied unsupervised access while awaiting a decision by a court, administrative entity, or governmental entity. Upon conviction or acquittal by the court, the Secretary's List is applied.

**Negative Action** means a court order, court judgment, or an adverse action taken by an agency, in any state, federal, tribal, or foreign jurisdiction, which results in a finding against the applicant. A "negative action" includes the denial, suspension, revocation, or termination of a license, certification, or contract for the care of vulnerable population, including children, vulnerable adults, and people with mental and developmental disabilities. The following, nonexclusive, negative actions will result in denial of unsupervised access to vulnerable adults, juveniles, or children.

- An order or final notification issued by a court or state agency that an individual abused, neglected, abandoned, or exploited a child, juvenile, or vulnerable adult.
- A government agency denial, termination, or revocation of a contract or license based on failing to care for children, juveniles, or vulnerable adults.
- A surrender, relinquishment, revocation, suspension, termination, or denial of an individual's contract or license in lieu of a government agency taking action against the individual for failing to care for children, juveniles, or vulnerable adults.
- The following type of court orders entered against an individual for abuse, sexual abuse, neglect, abandonment, domestic violence, exploitation, or financial exploitation of a vulnerable adult, juvenile, or child:
  - A permanent vulnerable adult protection order / restraining order, either active or expired, issued by a Washington court ;
  - A sexual assault protection order issued by a Washington court ;
  - A permanent civil anti-harassment protection order, either active or expired, issued by a Washington court ; and

An order similar to any of the above that was issued by a court in any state, federal, tribal, or foreign jurisdiction.