

See Potentially Disqualifying Convictions for OPS Work Permits on page 2.

The Background Check Unit determines if a conviction is potentially disqualifying based on how recent the conviction occurred and what you are applying for with OPS. Convictions can be in Oregon or any other jurisdiction. **If your conviction is for a crime within the timeframes given below, then it is potentially disqualifying.** BCU will do a weighing test to determine approval or denial.

HOW RECENT THE CONVICTION OCCURRED

- **Five Year Crimes:** The five-year list only includes Driving Under the Influence of Intoxicants (DUII; ORS 813.010) or Boating Under the Influence of Intoxicants (BUII; ORS 830.325). If you have two convictions within five years from the date of the criminal records check, they may be potentially disqualifying. BUII is always a misdemeanor; DUII may be a felony or a misdemeanor.
- **Ten Year Crimes:** If you have a conviction for any crime that is not on the five-year list or on the permanent list, then it may be potentially disqualifying if the date of conviction is within ten years of the background check submission to ORCHARDS. Ten-Year Crimes may be a felony or a misdemeanor.
- **Permanent Crimes:** The crimes listed below may be potentially disqualifying regardless of date of conviction (how long ago it was).

PERMANENT CRIMES

Abandonment of a child [ORS 163.535]
 Aggravated animal abuse I [ORS 167.322]
 Aggravated identity theft [ORS 165.803]
 Aggravated murder [ORS 163.095]
 Aggravated theft I [ORS 164.057]
 Aggravated vehicular homicide [ORS 163.149]
 Animal abuse I [ORS 167.320]
 Arson I [ORS 164.325]
 Assault I [ORS 163.185]
 Assault II [ORS 163.175]
 Assault III [ORS 163.165]
 Burglary I [ORS 164.225]
 Burglary II [ORS 164.215]
 Buying or selling a person under 18 yrs. [ORS 163.537]
 Child neglect I [ORS 163.547]
 Coercion [ORS 163.275]
 Compelling prostitution [ORS 167.017]
 Computer crime [ORS 164.377]
 Contributing to sex. delinquency of minor [ORS 163.435]
 Criminal mistreatment I [ORS 163.205]
 Criminal mistreatment II [ORS 163.200]
 Criminal possession of a forged instrument I [ORS 165.022]
 Criminal possession of a forgery device [ORS 165.032]
 Criminally negligent homicide [ORS 163.145]
 Encouraging child sexual abuse I [ORS 163.684]
 Encouraging child sexual abuse II [ORS 163.686]
 Encouraging child sexual abuse III [ORS 163.687]
 Forgery I [ORS 165.013]
 Identity theft [ORS 165.800]
 Incest (if with a child victim) [ORS 163.525]
 Invasion of personal privacy I [ORS 163.701]
 Invasion of personal privacy II [ORS 163.700]
 Kidnapping I [ORS 163.235]
 Kidnapping II [ORS 163.225]
 Luring a minor [ORS 167.057]
 Manslaughter I [ORS 163.118]

Manslaughter II [ORS 163.125]
 Murder I [ORS 163.107]
 Murder II [ORS 163.115]
 Online sexual corruption of a child I [ORS 163.433]
 Online sexual corruption of a child II [ORS 163.432]
 Organized retail theft [ORS 164.098]
 Paying for viewing child's sexual conduct [ORS 163A.005]
 Poss. child sexually explicit materials I [ORS 163.688]
 Poss. child sexually explicit materials II [ORS 163.689]
 Private indecency [ORS 163.467]
 Promoting prostitution [ORS 167.012]
 Public indecency [ORS 163.465]
 Purchasing sex with a minor [ORS 163.413]
 Rape I [ORS 163.375]
 Rape II [ORS 163.365]
 Rape III [ORS 163.355]
 Robbery I [ORS 164.415]
 Robbery II [ORS 164.405]
 Sexual abuse I [ORS 163.427]
 Sexual abuse II [ORS 163.425]
 Sexual abuse III [ORS 163.415]
 Sexual assault of animal [ORS 167.333]
 Sexual misconduct (offender is at least age 18) [ORS 163.445]
 Sodomy I [ORS 163.405]
 Sodomy II [ORS 163.395]
 Sodomy III [ORS 163.385]
 Strangulation [ORS 163.187]
 Subjecting person to invol. servitude I [ORS 163.264]
 Subjecting person to invol. servitude II [ORS 163.263]
 Theft I [ORS 164.055]
 Theft of services [ORS 164.125]
 Trafficking in persons [ORS 163.266]
 Transporting child pornography into state [ORS 163A.005]
 Unlawful sexual penetration I [ORS 163.411]
 Unlawful sexual penetration II [ORS 163.408]
 Using child in display - sexually explicit conduct [ORS 163.670]
 All Manufacture/Delivery statutes & crimes [ORS Ch. 475]

NOTE about Manufacture/Delivery convictions:*

- **Manufacture of psilocybin or a marijuana item is NOT potentially disqualifying if:**
 - **The conviction is older than 2 years from the date of your application AND**
 - **You only have one such conviction.**

- **Possession of psilocybin or a marijuana item is NOT potentially disqualifying if:**
 - **The conviction is older than 2 years from the date of your application OR**
 - **You only have one such conviction.**
- *See ORS 475A.250.

See Potentially Disqualifying Convictions for OPS Licensee on page 1.

The Background Check Unit determines if a conviction is potentially disqualifying based on how recent the conviction occurred and whether it meets OPS criteria. Convictions can be in Oregon or any other jurisdiction. If you conviction is for a crime within the timeframes given below, it is potentially disqualifying. The conviction must result in a felony, except for the two misdemeanors listed. BCU will do a weighing test to determine approval or denial.

HOW RECENT THE CONVICTION OCCURRED

- **Two Year Misdemeanor Crimes.** If you were convicted of either of these crimes within two years of your initial application or a renewal, the convictions are potentially disqualifying.
 - 475A.501 Prohibition against producing identification that falsely indicates age.
 - 475A.504 Prohibition regarding person who is visibly intoxicated
- **Five Year Crimes:** The five-year list only includes Driving Under the Influence of Intoxicants (DUII; ORS 813.010). If you have two **felony** convictions within five years from the date of the criminal records check, they may be potentially disqualifying.
- **Ten Year Crimes:** If you have a conviction for any crime that is not on the five-year list or on the permanent list, then it is potentially disqualifying if the date of conviction is **within ten years** of the background check submission to ORCHARDS AND it is a **felony**.
- **Permanent Crimes:** If you have a conviction for any crimes listed below and it is a **felony**, it is potentially disqualifying regardless of date of conviction (how long ago it was).

PERMANENT CRIMES

Abandonment of a child [ORS 163.535]	Manslaughter II [ORS 163.125]
Aggravated animal abuse I [ORS 167.322]	Murder I [ORS 163.107]
Aggravated identity theft [ORS 165.803]	Murder II [ORS 163.115]
Aggravated murder [ORS 163.095]	Online sexual corruption of a child I [ORS 163.433]
Aggravated theft I [ORS 164.057]	Online sexual corruption of a child II [ORS 163.432]
Aggravated vehicular homicide [ORS 163.149]	Organized retail theft [ORS 164.098]
Animal abuse I [ORS 167.320]	Paying for viewing child's sexual conduct [ORS 163A.005]
Arson I [ORS 164.325]	Poss. child sexually explicit materials I [ORS 163.688]
Assault I [ORS 163.185]	Poss. child sexually explicit materials II [ORS 163.689]
Assault II [ORS 163.175]	Private indecency [ORS 163.467]
Assault III [ORS 163.165]	Promoting prostitution [ORS 167.012]
Burglary I [ORS 164.225]	Public indecency [ORS 163.465]
Burglary II [ORS 164.215]	Purchasing sex with a minor [ORS 163.413]
Buying or selling a person under 18 yrs. [ORS 163.537]	Rape I [ORS 163.375]
Child neglect I [ORS 163.547]	Rape II [ORS 163.365]
Coercion [ORS 163.275]	Rape III [ORS 163.355]
Compelling prostitution [ORS 167.017]	Robbery I [ORS 164.415]
Computer crime [ORS 164.377]	Robbery II [ORS 164.405]
Contributing to sex. delinquency of minor [ORS 163.435]	Sexual abuse I [ORS 163.427]
Criminal mistreatment I [ORS 163.205]	Sexual abuse II [ORS 163.425]
Criminal mistreatment II [ORS 163.200]	Sexual abuse III [ORS 163.415]
Criminal possession of a forged instrument I [ORS 165.022]	Sexual assault of animal [ORS 167.333]
Criminal possession of a forgery device [ORS 165.032]	Sexual misconduct (offender is at least age 18) [ORS 163.445]
Criminally negligent homicide [ORS 163.145]	Sodomy I [ORS 163.405]
Encouraging child sexual abuse I [ORS 163.684]	Sodomy II [ORS 163.395]
Encouraging child sexual abuse II [ORS 163.686]	Sodomy III [ORS 163.385]
Encouraging child sexual abuse III [ORS 163.687]	Strangulation [ORS 163.187]
Forgery I [ORS 165.013]	Subjecting person to invol. servitude I [ORS 163.264]
Identity theft [ORS 165.800]	Subjecting person to invol. servitude II [ORS 163.263]
Incest (if with a child victim) [ORS 163.525]	Theft I [ORS 164.055]
Invasion of personal privacy I [ORS 163.701]	Theft of services [ORS 164.125]
Invasion of personal privacy II [ORS 163.700]	Trafficking in persons [ORS 163.266]
Kidnapping I [ORS 163.235]	Transporting child pornography into state [ORS 163A.005]
Kidnapping II [ORS 163.225]	Unlawful sexual penetration I [ORS 163.411]
Luring a minor [ORS 167.057]	Unlawful sexual penetration II [ORS 163.408]
Manslaughter I [ORS 163.118]	Using child in display - sexually explicit conduct [ORS 163.670]
	All Manufacture/Delivery statutes & crimes [ORS Ch. 475]

Note: Courts may have the discretion to give misdemeanor treatment to felony convictions; if granted, the conviction is not potentially disqualifying for OPS Work Permits.