

**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 programs administered by ADSA Home & Community Services & ADSA Residential Care Services]*

**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  
 Assault 1  
 Assault 2  
 Assault 3 Domestic Violence  
 Assault 3 not Domestic Violence (5 or more years)  
 Assault 4/simple assault (5 or more years)  
 Assault of a child  
 Bail jumping  
 Burglary (5 or more years)  
 Carnal knowledge  
 Child buying or selling  
 Child molestation  
 Coercion (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 (5 or more years)  
 Dealing in depictions of minor engaged in sexual explicit conduct  
 Domestic Violence (felonies only)  
 Drive-by shooting  
 Endangerment with a controlled substance  
 Extortion 1  
 Extortion 2 (5 or more years)  
 Forgery (5 or more years)  
 Harassment (5 or more years)  
 Harassment Domestic Violence  
 Homicide by abuse  
 Homicide by watercraft  
 Identity theft (5 or more years)  
 Incendary devices (possess, manufacture, dispose)  
 Incest  
 Indecent exposure/Public indecency (Felony)  
 Indecent liberties  
 Kidnapping  
 Leading organized crime (5 or more years)  
 Luring  
 Malicious explosion 1  
 Malicious explosion 2  
 Malicious explosion 3 (5 or more years)  
 Malicious harassment  
 Malicious mischief (5 or more years)  
 Malicious mischief Domestic Violence  
 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  
 Murder/Aggravated murder  
 Patronizing a prostitute (5 or more years)  
 Possess depictions minor engaged in sexual conduct  
 Possess explosive device (5 or more years)  
 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)

Prostitution (5 or more years)  
 Rape  
 Rape of child  
 Reckless endangerment (5 or more years)  
 Registered sex offender  
 Residential burglary (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)  
 Theft (5 or more years)  
 Unlawful Imprisonment (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)  
 Violation of child abuse restraining order  
 Violation of civil anti-harassment protection order  
 Violation of protection/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.

**Attempt** RCW 9A.28.020;

**Conspiracy** RCW 9A.28.030; and

**Solicitation** RCW 9A.28.040

These crimes may appear with a listed crime, such as Burglary. When the crime of attempt, conspiracy, or solicitation appears in conjunction with a crime on this list, it is treated the same as the listed crime.

**Example:** Unsupervised access is denied for Attempted Burglary for 5 years after the conviction.

**Sexual Motivation** – RCW 9.94A.835 –A person who has a court finding of sexual motivation is denied unsupervised access to vulnerable adults, juveniles, or children.

**Bail Jumping** – RCW 9A.76.170 - A person who has the crime of bail jumping is denied unsupervised access until a court decision is issued for the original crime that required bail. Upon conviction or acquittal by the court, the Secretary's List is applied.

**Negative Actions** are considered under individual program law and rule and may lead to denial of unsupervised access to vulnerable adults, juveniles, or children.

A **negative action** is an administrative or civil action taken against an individual and may include:

- A finding that an individual abused, neglected, exploited, or abandoned a vulnerable adult, juvenile or child issued by an agency, an Administrative Law Judge, or a court of law. A finding by an agency is not a negative action if the individual was not given the opportunity to request an administrative hearing to contest the finding
- Termination, revocation, suspension, or denial of a license, certification, and/or State or Federal contract
- Relinquishment of a license, certification, or contract in lieu of an agency negative action
- Revocation, suspension, denial or restriction placed on a professional license
- Department of Health disciplining authority finding