

<u>Non-rehabilitative misdemeanor and felony offenses.</u>			
<u>ORC</u>	<u>Offense</u>	<u>Misdemeanor</u>	<u>Felony</u>
<u>2903.01</u>	<u>Aggravated murder</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>
<u>2903.02</u>	<u>Murder</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>
<u>2903.03</u>	<u>Voluntary manslaughter</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>
<u>2903.04</u>	<u>Involuntary manslaughter</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>
<u>2903.041</u>	<u>Reckless homicide</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>
<u>2903.06</u>	<u>Aggravated Vehicular Homicide</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>
<u>2903.15</u>	<u>Permitting child abuse</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>

DISQUALIFYING OFFENSES FOR FOSTER CAREGIVERS, ADOPTION APPLICANTS AND HOUSEHOLD MEMBERS

2903.32	Female genital mutilation	Non-rehabilitation offense - caregiver cannot be approved .	Non-rehabilitation offense - caregiver cannot be approved .
2905.05	Criminal child enticement	Non-rehabilitation offense - caregiver cannot be approved .	Non-rehabilitation offense - caregiver cannot be approved .
2905.32	Trafficking in persons	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved
2907.02	Rape	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved
2907.03	Sexual battery	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved
2907.04	Unlawful sexual conduct with a minor	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved
2907.05	Gross sexual imposition	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved
2907.12	Felonious sexual penetration (as this former section of law existed)	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved

DISQUALIFYING OFFENSES FOR FOSTER CAREGIVERS, ADOPTION APPLICANTS AND HOUSEHOLD MEMBERS

2907.19	Commercial sexual exploitation of a minor	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved
2907.21	Compelling prostitution	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved
2907.31	Disseminating matter harmful to juveniles	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved
2907.321	Pandering obscenity involving a minor	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved
2907.322	Pandering sexually oriented matter involving a minor	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved
2907.323	Illegal use of a minor in nudity-oriented material or performance	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved
2919.10	Abortion related to finding of down syndrome	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved
2919.12	Unlawful abortion	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved

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2919.121	Unlawful abortion upon a minor	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved
2919.123	Unlawful distribution of an abortion-inducing drug	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved
2919.124	Unlawful performance of a drug induced abortion	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved
2919.13	Abortion manslaughter; failure to render medical care to an infant born alive	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved
2919.15	Dismemberment abortion	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved
2919.151	Partial birth feticide	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved
2919.17	Terminating or attempting to terminate human pregnancy after viability	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved
2919.193	Determination of detectable fetal heartbeat	Non-rehabilitation offense - caregiver cannot be approved	Non-rehabilitation offense - caregiver cannot be approved

DISQUALIFYING OFFENSES FOR FOSTER CAREGIVERS, ADOPTION APPLICANTS AND HOUSEHOLD MEMBERS

<u>2919.194</u>	<u>Procedures after detection of fetal heartbeat</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>
<u>2919.195</u>	<u>Performance of abortion after detection of fetal heartbeat</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>
<u>2919.201</u>	<u>Abortion after gestational age of 20 weeks</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>
<u>2919.22</u>	<u>Endangering children</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>
<u>2919.25</u>	<u>Domestic violence</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>	<u>Non-rehabilitation offense - caregiver cannot be approved</u>

DISQUALIFYING OFFENSES FOR FOSTER CAREGIVERS, ADOPTION APPLICANTS AND HOUSEHOLD MEMBERS

<u>Non-rehabilitative offense if felony conviction occurred within the last five years. Felony convictions after five years and misdemeanor offenses must be evaluated using the rehabilitative criteria in paragraph in Appendix C of this rule but are not automatically disqualifying.</u>			
<u>ORC</u>	<u>Offense</u>	<u>Misdemeanor</u>	<u>Felony</u>
<u>2903.08</u>	<u>Aggravated Vehicular Assault;</u> <u>Vehicular Assault</u>	√	<u>Non-</u> <u>rehabilitation</u> <u>offense -</u> <u>caregiver</u> <u>cannot be</u> <u>approved if</u> <u>conviction</u> <u>occurred within</u> <u>the last five</u> <u>years</u>
<u>2903.11</u>	<u>Felonious assault</u>	√	<u>Non-</u> <u>rehabilitation</u> <u>offense -</u> <u>caregiver</u> <u>cannot be</u> <u>approved if</u> <u>conviction</u> <u>occurred within</u> <u>the last five</u> <u>years</u>
<u>2903.12</u>	<u>Aggravated assault</u>	√	<u>Non-</u> <u>rehabilitation</u> <u>offense -</u> <u>caregiver</u> <u>cannot be</u> <u>approved if</u> <u>conviction</u> <u>occurred within</u> <u>the last five</u> <u>years</u>
<u>2903.13</u>	<u>Assault</u>	√	<u>Non-</u> <u>rehabilitation</u> <u>offense -</u> <u>caregiver</u> <u>cannot be</u> <u>approved if</u> <u>conviction</u> <u>occurred within</u> <u>the last five</u> <u>years</u>

DISQUALIFYING OFFENSES FOR FOSTER CAREGIVERS, ADOPTION APPLICANTS AND HOUSEHOLD MEMBERS

<u>2925.02</u>	<u>Corrupting another with drugs</u>	√	<u>Non-rehabilitation offense - caregiver cannot be approved if conviction occurred within the last five years</u>
<u>2925.03</u>	<u>Trafficking, aggravated trafficking in drugs</u>	√	<u>Non-rehabilitation offense - caregiver cannot be approved if conviction occurred within the last five years</u>
<u>2925.04</u>	<u>Illegal manufacture of drugs or cultivation of marijuana</u>	√	<u>Non-rehabilitation offense - caregiver cannot be approved if conviction occurred within the last five years</u>
<u>2925.041</u>	<u>Illegal assembly or possession of chemicals for manufacture of drugs</u>	√	<u>Non-rehabilitation offense - caregiver cannot be approved if conviction occurred within the last five years</u>

DISQUALIFYING OFFENSES FOR FOSTER CAREGIVERS, ADOPTION APPLICANTS AND HOUSEHOLD MEMBERS

<u>2925.05</u>	<u>Funding of drug or marijuana trafficking</u>	√	<u>Non-rehabilitation offense - caregiver cannot be approved if conviction occurred within the last five years</u>
<u>2925.06</u>	<u>Illegal administration or distribution of anabolic steroids</u>	√	<u>Non-rehabilitation offense - caregiver cannot be approved if conviction occurred within the last five years</u>
<u>2925.11</u>	<u>Possession of controlled substances</u>	√	<u>Non-rehabilitation offense - caregiver cannot be approved if conviction occurred within the last five years</u>
<u>2925.13</u>	<u>Permitting drug abuse</u>	√	<u>Non-rehabilitation offense - caregiver cannot be approved if conviction occurred within the last five years</u>

DISQUALIFYING OFFENSES FOR FOSTER CAREGIVERS, ADOPTION APPLICANTS AND HOUSEHOLD MEMBERS

<u>2925.22</u>	<u>Deception to obtain a dangerous drug</u>	√	<u>Non-rehabilitation offense - caregiver cannot be approved if conviction occurred within the last five years</u>
<u>2925.23</u>	<u>Illegal processing of drug documents</u>	√	<u>Non-rehabilitation offense - caregiver cannot be approved if conviction occurred within the last five years</u>
<u>2925.24</u>	<u>Tampering with drugs</u>	√	<u>Non-rehabilitation offense - caregiver cannot be approved if conviction occurred within the last five years</u>
<u>2925.31</u>	<u>Abusing harmful intoxicants</u>	√	<u>Non-rehabilitation offense - Caregiver cannot be approved if conviction occurred within the last five years</u>

DISQUALIFYING OFFENSES FOR FOSTER CAREGIVERS, ADOPTION APPLICANTS AND HOUSEHOLD MEMBERS

<p><u>2925.32</u></p>	<p><u>Trafficking in harmful intoxicants – improperly dispensing or distributing nitrous oxide</u></p>	<p>√</p>	<p><u>Non-rehabilitation offense - caregiver cannot be approved if conviction occurred within the last five years</u></p>
<p><u>2925.36</u></p>	<p><u>Illegal dispensing of drug samples</u></p>	<p>√</p>	<p><u>Non-rehabilitation offense - caregiver cannot be approved if conviction occurred within the last five years</u></p>
<p><u>2925.37</u></p>	<p><u>Counterfeit controlled substance offenses</u></p>	<p>√</p>	<p><u>Non-rehabilitation offense - caregiver cannot be approved if conviction occurred within the last five years</u></p>

DISQUALIFYING OFFENSES FOR FOSTER CAREGIVERS, ADOPTION APPLICANTS AND HOUSEHOLD MEMBERS

All other offenses that must be evaluated using the rehabilitative criteria in Appendix C of this rule.			
ORC	Offense	Misdemeanor	Felony
959.13	Cruelty to animals	√	√
2151.421	Reporting child abuse or neglect	√	√
2903.16	Failing to provide for a functionally impaired person	√	√
2903.21	Aggravated menacing	√	√
2903.211	Menacing by stalking	√	√
2903.22	Menacing	√	√
2903.34	Patient abuse, neglect	√	√
2905.01	Kidnapping	√	√
2905.02	Abduction	√	√
2905.11	Extortion	√	√
2907.06	Sexual imposition	√	√
2907.07	Importuning	√	√
2907.08	Voyeurism	√	√
2907.09	Public indecency	√	√
2907.22	Promoting prostitution	√	√
2907.23	Enticement or solicitation to patronize a prostitute; procurement of a prostitute for another	√	√
2907.25	Prostitution – after positive HIV test	√	√
2907.32	Pandering obscenity	√	√
2909.02	Aggravated arson	√	√
2909.03	Arson	√	√
2909.22	Soliciting or providing support for act of terrorism	√	√
2909.23	Making terroristic threat	√	√
2909.24	Terrorism	√	√
2911.01	Aggravated robbery	√	√
2911.02	Robbery	√	√
2911.11	Aggravated burglary	√	√
2911.12	Burglary	√	√
2913.49	Identity Fraud	√	√
2917.01	Inciting to violence	√	√
2917.02	Aggravated riot	√	√
2919.21	Nonsupport or contributing to nonsupport of dependents	√	√
2919.23	Interference with custody (that would have been a violation of RC 2905.04 as it existed prior to July 1, 1996 if violation had been committed prior to that date)	√	√
2919.24	Contributing to unruliness or delinquency of a child	√	√
2919.27	Violating protection order	√	√

DISQUALIFYING OFFENSES FOR FOSTER CAREGIVERS, ADOPTION APPLICANTS AND HOUSEHOLD MEMBERS

			<u>If special circumstances exist, as described in 2919.27(B)(3) or (4)</u>
<u>2923.12</u>	<u>Carrying concealed weapons</u>	<u>√</u>	<u>√</u>
<u>2923.13</u>	<u>Having weapons while under disability</u>	<u>√</u>	<u>√</u>
<u>2923.161</u>	<u>Improperly discharging firearm at or into a habitation, in a school safety zone or with intent to cause harm or panic to persons in a school building or at a school function</u>	<u>√</u>	<u>√</u>
<u>2923.17</u>	<u>Unlawful possession of dangerous ordnance – illegally manufacturing or processing explosives</u>	<u>√</u>	<u>√</u>
<u>2923.21</u>	<u>Improperly furnishing firearms to minor</u>	<u>√</u>	<u>√</u>
<u>2923.42</u>	<u>Participating in criminal gang</u>	<u>√</u>	<u>√</u>
<u>2927.12</u>	<u>Ethnic intimidation</u>	<u>√</u>	<u>√</u>
<u>3716.11</u>	<u>Placing harmful objects in food or confection</u>	<u>√</u>	<u>√</u>
<u>4511.19</u>	<u>Operating vehicle under the influence of alcohol or drugs – OVI or OVUAC</u>	<u>√</u> <u>Only a disqualifying offense if two or more violations have been committed within the past 3 years</u>	<u>√</u> <u>Only a disqualifying offense if two or more violations have been committed within the past 3 years</u>
<u>A violation of an existing or former law of this state, any other state, or the United States that is substantially equivalent to any of the offenses listed in this appendix.</u>			