

Care 4 Kids Program  
PROGRAM OPERATIONS TRANSMITTAL



DIVISION OF FAMILY SERVICES-CHILD CARE TEAM

Transmittal Number: C4K-OPS-07-01

Date: May 21, 2007

To: Sherri Sutera, Program Director  
Care 4 Kids Program

From: Peter Palermino, Program Manager  
Department of Social Services

CC: Program Operations Distribution List

Subject: Revised List of Statutory Crimes

**Program Issue:** The department has revised the list of statutory crimes that prohibit an individual from being eligible to receive reimbursement as a child care provider from Care 4 Kids. The revision includes the statutory crimes from the list issued on November 1, 2000 and appropriate new citations that have been added to the Connecticut General Statutes (CGS) since 2000.

**Background:** CGS 17b-749k requires the department to conduct criminal background checks on unlicensed non-relative providers providing child care in a child's home. The statute also allows a criminal background check to be conducted on any unlicensed provider if there is reason to believe that the individual has been convicted of certain crimes.

**Implementation:** Effective with this transmittal, the attached list of statutory crime replaces the list issued on November 1, 2000. Individuals with a history of conviction for the crimes on the attached list are ineligible for Care 4 Kids reimbursement. Providers currently under arrest for any of the attached crimes are ineligible as well.

Questions on individual case histories or on whether a crime fits one of the statutory categories should be referred to the Child Care Team.

PJP:tte

Attachment

Department of Social Services, 25 Sigourney Street, Hartford, CT 06106-5033

*Connecticut's Lead Agency for Child Care Services*

**List Of Crimes That Make A Provide. ineligible For CCAP Under Current Statute**

**1. Statutory Guidance per 17b-749k:**

Abandonment of children under the age of 6 years under section 53-23/Felony

Statute	Crime
53-023	Abandonment of Child Under 6

Cruelty to persons under section 53-20/Misdemeanor

Statute	Crime
53-020	Cruelty to Persons

Injury or risk of injury to or impairing the morals of children under section 53-21/Felony

Statute	Crime
53-021	Injury or Risk of Injury to Minor

Felony involving use of physical force against another person

Statute	Crime
53-009	Murder
53-010	First Degree Murder, Other Homicide
53-011	Second Degree Murder
53-012	Assault with Intent to Commit Murder
53-013	Manslaughter
53-014	Armed Robbery, Intent to Disfigure
53-016	Aggravated Assault with Weapon
53-019	Binding Person, Intent to Commit Crime
53-027	Kidnapping
53-028	Assault with Intent to Commit Robbery
53-044	Inflicting Injury to Person or Property
53-045	Injury to Public Building by Bomb
53-069	Burglary with Personal Violence
53-080	Intent to Injure with Explosives
53-082	Arson of Dwellings or Public Buildings
53-160	Escape from Jail with Violence
53-202d	Use of Machine Gun for Aggravated Purpose
53-202j	Committing a Class A,B,C Felony with Assault Weapon
53-202k	Committing a Class A,B,C Felony with Firearm
53-216	Bestiality and Sodomy
53-217	Indecent Assault
53-223	Incest
53-224	Seduction of Minor Female
53-238	Rape
53-239	Assault with Intent to Rape
53-240	Intent to Carnally Know Female Child

**List Of Crimes That Make A Provider Ineligible For CCAP Under Current Statute**

**Felony involving use of physical force against another person (continued)**

53a-054	Murder
53a-054a	Murder
53a-054b	Capital Felony
53a-054c	Felony Murder
53a-054d	Arson Murder
53a-055	Manslaughter 1st Degree
53a-055a	Manslaughter 1st Degree with Firearm
53a-056	Manslaughter 2nd Degree
53a-056a	Manslaughter 2nd Degree with Firearm
53a-056b	Manslaughter 2nd Degree with Motor Vehicle (Intoxicated)
53a-057	Misconduct with a Motor Vehicle
53a-059	Assault 1st Degree
53a-059a	Assault 1st Degree Victim 60 or Over
53a-059b	Assault of a Correctional Officer
53a-060	Assault 2nd Degree
53a-060a	Assault 2nd Degree with Firearm
53a-060b	Assault 2nd Degree Victim 60 or Over
53a-060c	Assault 2nd Degree Victim 60 or Over with Firearm
53a-060d	Assault 2nd Degree with Motor Vehicle while Intoxicated
53a-061	Assault 3rd Degree
53a-061a	Assault of an elderly, blind, disabled, pregnant or mentally retarded person in the 3rd Degree
53a-072	Rape 1st Degree
53a-073	Rape 2nd Degree
53a-074	Rape 2nd Degree
53a-082	Prostitution-Patronage
53a-085	Prostitution-Promoting
53a-092	Kidnapping 1st Degree
53a-092a	Kidnapping 1st Degree with Firearm
53a-094	Kidnapping 2nd Degree
53a-094a	Kidnapping 2nd Degree with Firearm
53a-095	Unlawful Restraint 1st Degree
53a-097	Custodial Interference 1st Degree
53a-101	Burglary 1st Degree
53a-102a	Burglary 2nd Degree with Firearm
53a-103a	Burglary 3rd Degree with Firearm
53a-110b	Criminal Violation of Protective Order
53a-111	Arson 1st Degree
53a-112	Arson 2nd Degree
53a-134	Robbery 1st Degree
53a-135	Robbery 2nd Degree

**List Of Crimes That Make A Provider Ineligible For CCAP Under Current Statute**

<b>Felony involving use of physical force against another person (continued)</b>		
53a-136	Robbery 3rd Degree	
53a-136a	Robbery Involving Occupied Motor Vehicle	
53a-167c	Assault on Police or Fire Officer	
53a-179a	Inciting Injury to Person or Property	
53a-182b	Harassment 1st Degree	
53a-191	Incest	
53a-216	Criminal Use of a Firearm	
53a-217	Criminal Possession of Firearm/Electronic Defense Weapon	
54-198	Attempt to Commit Statutory Rape	
<b>Violation of section 53A-70/Felony</b>		
<u>Statute</u>	<u>Crime</u>	
53a-070	Sexual Assault 1st Degree	
<b>Violation of section 53A-70A/Felony</b>		
<u>Statute</u>	<u>Crime</u>	
53a-070a	Sexual Assault 1st Degree with Firearm	
<b>Violation of section 53A-70B/Felony</b>		
<u>Statute</u>	<u>Crime</u>	
53a-070b	Sexual Assault Spouse or Cohab Relationship	
<b>Violation of section 53A-71/Felony</b>		
<u>Statute</u>	<u>Crime</u>	
53a-071	Sexual Assault 2nd Degree	
<b>Violation of section 53A-72A/Felony</b>		
<u>Statute</u>	<u>Crime</u>	
53a-072a	Sexual Assault 3rd Degree	
<b>Violation of section 53A-72B/Felony</b>		
<u>Statute</u>	<u>Crime</u>	
53a-072b	Sexual Assault 3rd Degree with Firearm	
<b>Felony where victim is a child under 18 years of age</b>		
<u>Statute</u>	<u>Crime</u>	
53-202b2	Sell/Give Assault Weapon to Under 18	
53a-099	Substitution of Children	
53a-181c	Stalking 1st Degree	
53a-196a	Employing Minor in Obscene Performance	
53a-196b	Promoting Minor in Obscene Performance	
53a-196d	Possession of Child Pornography	

**List Of Crimes That Make A Provide, .neligible Under Commissioner's Discretion**

**2. Statutory Guidance per 17b-749k(b):**

Has a criminal record that the Commissioner reasonably believes renders the person unsuitable to provide child care

Statute	Crime	Felony/Conviction	Within the Past 5 Years
19-480	Manufacture/Sale Narcotics or Controlled Drug	Felony/Conviction	Within the Past 5 Years
19-480a	Manufacture/Sale Narcotics by Non-Drug Dependent Person	Felony/Conviction	Within the Past 5 Years
19-480b	Sale Controlled Drug by Non-Drug Dependent Person	Felony/Conviction	Within the Past 5 Years
19-480d	Drug Related	Felony/Conviction	Within the Past 5 Years
19-481	Illegal Possession of Narcotics/Controlled Drug	Felony/Conviction	Within the Past 5 Years
19-481a	Possession of Narcotics	Felony/Conviction	Within the Past 5 Years
19-481b	Possession of Hallucinogen	Felony/Conviction	Within the Past 5 Years
19-481c	Illegal Possession of Narcotics or Drugs	Felony/Conviction	Within the Past 5 Years
21a-277a	Sale of Hallucinogen/Narcotic Substance	Felony/Conviction	Within the Past 5 Years
21a-277b	Sale of Controlled Substance	Felony/Conviction	Within the Past 5 Years
21a-277c	Drug Paraphernalia in Drug Factory	Felony/Conviction	Within the Past 5 Years
21a-278	Drug Related Offenses by Non-Drug Dependent Person	Felony/Conviction	Within the Past 5 Years
21a-278a	Sale of Heroin, Cocaine by Non-Drug Dependent Person	Felony/Conviction	Within the Past 5 Years
21a-278b	Sale of Narcotics/Amphetamines by Non-Drug Dependent Person	Felony/Conviction	Within the Past 5 Years
21a-279a	Possession of Narcotics	Felony/Conviction	Within the Past 5 Years
21a-279b	Possession of Hallucinogen or 4+ oz Marijuana	Felony/Conviction	Within the Past 5 Years
21a-279d	Drugs Prohibited Place Near School	Felony/Conviction	Within the Past 5 Years
29-034	Sale of Weapon to Minor	Felony	
29-035	Carrying of Weapons Without Permit	Felony	
29-037	Weapons Penalty	Felony	
29-038	Carrying Weapon in a Motor Vehicle	Felony	
29-088	Illegal Possession of Explosives	Felony	
29-348	Illegal Possession of Explosives	Felony	
29-349	Violation Storage/Transport/Use of Explosives	Felony	
53-202	Machine Guns	Felony	
53-202b	Using Machine Gun in Crime	Felony	
53-202ba1	Distributing/Transporting/Importing Assault Weapons	Felony	
53-202c	Possession of Assault Weapon Prohibited	Felony	
53-206	Carrying or Sale of Dangerous Weapon	Felony	
53a-196c	Importing Child Pornography	Felony	
53a-196d	Possessing Child Pornography	Felony	
53a-211	Possession of Shotgun/Silencer	Felony	
53a-212	Stealing a Firearm	Felony	
19-227	Illegally Obtaining Drugs	Misdemeanor/Conviction	Within the Past 5 Years
19-229	Possession of Controlled Drugs	Misdemeanor/Conviction	Within the Past 5 Years
19-452	Manufacture of Controlled Drugs For Sale	Misdemeanor/Conviction	Within the Past 5 Years
19-472	Attempt to Obtain Controlled Drug	Misdemeanor/Conviction	Within the Past 5 Years

