
Care 4 Kids Program

PROGRAM OPERATIONS TRANSMITTAL



DIVISION OF FAMILY SERVICES-CHILD CARE TEAM

Transmittal Number: C4K-OPS-09-01

Date: January 30, 2009

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: This transmittal reissues 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 May 21, 2007 and citations added on March 5, 2008 as a result of a review of the Connecticut General Statutes.

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 crimes replaces the list issued on May 21, 2007. 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 whether a crime fits one of the statutory categories should be referred to the Child Care Team.

PJP:tte

Attachment

List Of Crimes That Make A Provider 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-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
Violation of section 53A-70/Felony	
Statute	Crime
53a-070	Sexual Assault 1st Degree
Violation of section 53A-70A/Felony	
Statute	Crime
53a-070a	Sexual Assault 1st Degree with Firearm
Violation of section 53A-70B/Felony	
Statute	Crime
53a-070b	Sexual Assault Spouse or Cohab Relationship
Violation of section 53A-71/Felony	
Statute	Crime
53a-071	Sexual Assault 2nd Degree
Violation of section 53A-72A/Felony	
Statute	Crime
53a-072a	Sexual Assault 3rd Degree
Violation of section 53A-72B/Felony	
Statute	Crime
53a-072b	Sexual Assault 3rd Degree with Firearm
Felony where victim is a child under 18 years of age	
Statute	Crime
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
	Added 5/21/2007

List Of Crimes That Make A Provider Ineligible 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	
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
19-480	Manufacturer/Sale Narcotics or Controlled Drug	Felony/Conviction Within the Past 5 Years
19-480a	Manufacturer/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
53-247	Cruelty to Animals	Added 3/5/2008
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
21a-267c	Prohibited Acts re Drug Paraphernalia- Near School	Misdemeanor/Conviction Within the Past 5 Years
30-086	Liquor Sales to Minors	Misdemeanor/Conviction Within the Past 5 Years
30-087	Inducing Minors to Procure Liquor	Misdemeanor/Conviction Within the Past 5 Years
31-023	Employment of Minor	Misdemeanor

List Of Crimes That Make A Provider Ineligible Under Commissioner's Discretion

	Has a criminal record that the Commissioner reasonably believes renders the person unsuitable to provide child care (continued)	
31-024	Hazardous Employment of Children	Misdemeanor
53-203	Unlawful Discharge of Firearms	Misdemeanor
53-204	Discharge of Firearm Near Highway	Misdemeanor
53-205	Shotguns and Rifles in Vehicle	Misdemeanor
53-220	Indecent Exposure	Misdemeanor
53-254	Causing Delinquency of Children	Misdemeanor
53a-063	Reckless Endangerment 1st Degree	Misdemeanor
53a-073a	Sexual Assault 4th Degree	Misdemeanor
53a-181d	Stalking 2nd Degree	Misdemeanor
53a-181e	Stalking 3rd Degree	Misdemeanor
53a-186	Public Indecency	Misdemeanor
53a-196	Obscenity as to Minors	Misdemeanor
53a-197	Disseminating Indecent Comic Books	Misdemeanor
53a-217a	Criminally Negligent Storage of Firearm	Misdemeanor