



Ned Lamont  
Governor  
Susan Bysiewicz  
Lt. Governor

# STATE OF CONNECTICUT

## OFFICE OF EARLY CHILDHOOD



Connecticut Office of  
Early Childhood

Beth Bye  
Commissioner

**To:** Background Check Applicants  
**From:** Office of Early Childhood Legal Division  
**Date:** July 20, 2022  
**Re:** Criminal Convictions Requiring Review

The attached document provides a list of criminal convictions that may make a person unsuitable to:

- (1) Own, Conduct, Maintain or Operate a Child Care Center or Group Child Care Home:** The Commissioner of Early Childhood has the discretion to deny a license for a child care center or group child care home, or to take action against such license based on the criminal convictions specified in the attached document. However, no refusal of a license shall be rendered except in accordance with the provisions of General Statutes §§ 46a-79 to 46a-81. See General Statutes § 19a-87a (a).
- (2) Be Employed by a Child Care Center or Group Child Care Home:** The Commissioner of Early Childhood has the discretion to determine that an individual is ineligible to be employed in a position requiring the provision of child care services and/or unsupervised access to children based on the criminal convictions specified in the attached document. See General Statutes § 19a-80 (c). No determination of ineligibility shall be rendered except in accordance with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e, et seq.). See 45.C.F.R. § 98.43 (e) (4).
- (3) Own, Conduct, Maintain or Operate a Family Child Care Homes:** The Commissioner of Early Childhood has the discretion to deny a license for a family child care home or take action against such license based on the criminal convictions specified in the attached document.<sup>1</sup> However, no refusal of a license shall be rendered except in accordance with the provisions of General Statutes §§ 46a-79 to 46a-81. See General Statutes § 19a-87e (a).
- (4) Be Employed by a Family Child Care Home:** The Commissioner of Early Childhood has the discretion to deny an assistant or substitute approval or take action against such approval based on the criminal convictions specified in the attached document. However, no refusal of an approval shall be rendered except in accordance with the provisions of General Statutes §§ 46a-79 to 46a-81. See General Statutes § 19a-87e (a).

If you have been convicted of a crime listed on the attached document,<sup>2</sup> the conviction will be reviewed in accordance with the provisions of General Statutes §§ 46a-79 to 46a-81 and consistent with title VII of the Civil Rights Act of 1964. Consideration shall be given to the following:

- (1) The nature of the crime and its relationship to the job for which the person has applied;
- (2) Information pertaining to the degree of rehabilitation of the convicted person; and
- (3) The time elapsed since the conviction or release.

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<sup>1</sup> In the case of a household member, such convictions could result in a denial of an applicant's license or action against the provider's license.

<sup>2</sup> Equivalent out-of-state convictions will also be reviewed.



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### **CONVICTIONS REQUIRING REVIEW TO DETERMINE ELIGIBILITY TO OBTAIN A LICENSE, PROVIDE CHILD CARE SERVICES, HAVE UNSUPERVISED ACCESS TO CHILDREN AND/OR RESIDE IN A CHILD CARE HOME<sup>1</sup>**

(Rev. July 20, 2022)

*This document may be periodically updated in accordance with the state and federal laws.*

GENERAL STATUTES §	TITLE	TIMEFRAME
-	<b><u>Uniform Food, Drug and Cosmetic Act</u></b>	
21a-108	Illegally obtaining or supplying of drugs	Conviction Within the Past 5 Years
21a-110	New drugs (no person shall sell, deliver, offer for sale, hold for sale, or give away)	Conviction Within the Past 5 Years
	<b><u>Dependency-Producing Drugs</u></b>	
21a-267(c)	Penalty for use, possession or delivery of drug paraphernalia (near school)	Conviction Within the Past 5 Years
21a-277	Penalty for illegal manufacture, distribution, sale, prescription, dispensing	Conviction Within the Past 5 Years
21a-278	Penalty for illegal manufacture, distribution, sale, prescription or administration by non-drug-dependant person	Conviction Within the Past 5 Years
21a-278a	Penalty for illegal manufacture, distribution, sale, prescription or administration	Conviction Within the Past 5 Years
21a-279	Penalty for illegal possession	Conviction Within the Past 5 Years
21a-245	Manufacture, sale, administering of restricted substances regulated	Conviction Within the Past 5 Years
21a-266	Prohibited acts	Conviction Within the Past 5 Years
-	<b><u>Division of State Police</u></b>	
29-34(b)	Sale or transfer (of pistol or revolver) to person under twenty-one years of age prohibited.	
29-35	Carrying a pistol or revolver without permit prohibited	
29-38	Weapons in vehicles. Penalty	
-	<b><u>Fire Hazards and Safety Code</u></b>	
29-348	Illegal possession (of explosives)	
29-349	Storage, transportation and use of explosives and blasting agents	
	<b><u>Liquor Control Act</u></b>	
30-86	Sale or delivery (of alcoholic liquor) to minors	Conviction Within the Past 5 Years
30-87	Inducing minors to procure liquor	Conviction Within the Past 5 Years
	<b><u>Protection of Employees</u></b>	
31-23	Employment of minors prohibited in certain occupations	
31-24	Hazardous employment of children forbidden	
	<b><u>Offenses Against the Person</u></b>	
53-20	Cruelty to persons	
53-21	Injury or risk of injury to, or impairing morals of, children. Sale of Children	

<sup>1</sup> See Connecticut General Statutes §§ 19a-87a, 19a-87e and 17b-749k.

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GENERAL STATUTES §	TITLE	TIMEFRAME
53-21a	Leaving child unsupervised in place of public accomadation or motor vehicle. Faiure to report disappearance of child	
53-23	Abandonment of child under the age of six years	
	<b><u>Offenses Against Public Peace and Safety</u></b>	
53-202b	Sale or transfer of assault weapon prohibited	
53-202c	Possession of assault weapon prohibited	
53-202j	Commission of a class A, B, or C felony with an assault weapon	
53-202k	Commission of a class A, B, or C felony with a firearm	
53-202aa	Firearms trafficking	
53-203	Unlawful discharge of firearms	
53-204	Hunting or discharging firearm from public highway	
53-205	Loaded shotguns, rifles and muzzleloaders prohibited in vehicles and snowmobiles	
53-206	Carrying of dangerous weapons prohibited	
53a-211	Possession of a sawed-off shotgun or silencer: Class D felony	
53a-216	Criminal use of firearm or electric defense weapon: Class D felony	
53a-217	Criminal possession of a firearm, ammution or an electronic defense weapon	
	<b><u>Offenses Against Humanity and Morality</u></b>	
53-247	Cruelty to animals	
	<b><u>Principles of Criminal Liability/Inchoate Offenses</u></b>	
53a-8	Criminal Liability for Acts of Another	
53a-48	Conspiracy.Renunciation	
53a-49	Criminal Attempt	
	<b><u>Homicide</u></b>	
53a-54a	Murder	
53a-54b	Murder with special circumstances	
53a-54c	Felony Murder	
53a-54d	Arson Murder	
53a-55	Manslaughter in the first degree	
53a-55a	Manslaughter in the first degree with a firearm	
53a-56	Manslaughter in the second degree	
53a-56a	Manslaughter in the second degree with a firearm	
53a-56b	Manslaughter in the second degree with a motor vehicle	
53a-57	Misconduct with a motor vehicle	
53a-58	Criminally negligent homicide	
	<b><u>Assault and Related Offenses</u></b>	
53a-59	Assault in the first degree	
53a-59a	Assault of an elderly, blind, disabled or pregnant person or a person with intellectual disability in the first degree	
53a-59b	Assault of an employee of the Department of Correction in the first degree	
53a-59c	Assault of a pregnant woman resulting in termination of pregnancy	
53a-60	Assault in the second degree	
53a-60a	Assault in the second degree with a firearm	
53a-60b	Assault of an elderly, blind, disabled or pregnant person or a person with intellectual disability in the second degree	
53a-60c	Assault of an elderly, blind, disabled or pregnant person or a person with intellectual disability in the second degree with a firearm	

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<b>GENERAL STATUTES §</b>	<b>TITLE</b>	<b>TIMEFRAME</b>
53a-60d	Assault in the second degree with a motor vehicle	
53a-61	Assault in the third degree	Conviction Within the Past 10 Years
53a-61a	Assault of an elderly, blind, disabled or pregnant person or a person with intellectual disability in the third degree	
53a-61aa	Threatening in the first degree	
53a-63	Reckless endangerment in the first degree	
53a-64aa	Strangulation in the first degree	
53a-64bb	Strangulation in the second degree	
53a-64cc	Strangulation in the third degree	
53a-322	Abuse in the second degree: Class D felony	
	<b><u>Sex Offenses</u></b>	
53a-70	Sexual assault in the first degree	
53a-70a	Aggravated sexual assault in the first degree	
53a-70b	Sexual assault in spousal or cohabiting relationship	
53a-70c	Aggravated sexual assault of a minor	
53a-71	Sexual assault in the second degree	
53a-72a	Sexual assault in the third degree	
53a-72b	Sexual assault in the third degree with a firearm	
53a-73a	Sexual assault in the fourth degree	
53a-90b	Misrepresentation of age to entice a minor	
53a-82	Prostitution	Misdemeanor/Conviction Within the Past 5 Years
53a-83	Patronizing a prostitute	Misdemeanor/Conviction Within the Past 5 Years
53a-83a	Patronizing a prostitute from a motor vehicle	Misdemeanor/Conviction Within the Past 5 Years
53a-83b	Commercial sexual abuse of a minor	
53a-86	Promoting prostitution in the first degree	Misdemeanor/Conviction Within the Past 5 Years
53a-87	Promoting prostitution in the second degree	Misdemeanor/Conviction Within the Past 5 Years
53a-88	Promoting prostitution in the third degree	Misdemeanor/Conviction Within the Past 5 Years
53a-90a	Enticing a minor	
	<b><u>Kidnapping and Related Offenses</u></b>	
53a-92	Kidnapping in the first degree	
53a-92a	Kidnapping in the first degree with a firearm	
53a-94	Kidnapping in the second degree	
53a-94a	Kidnapping in the second degree with a firearm	
53a-95	Unlawful restraint in the first degree	
53a-96	Unlawful restraint in the second degree	
53a-97	Custodial interference in the first degree	
53a-98	Custodial interference in the second degree	
53a-99	Substitution of children	
	<b><u>Burglary, Criminal Trespass, Arson, Criminal Mischief and Related Offenses</u></b>	
53a-100aa	Home invasion	
53a-101	Burglary in the first degree	
53a-102	Burglary in the second degree	

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53a-102a	Burglary in the second degree with a firearm	
53a-103	Burglary in the third degree	Consider only last 10 years
53a-103a	Burglary in the third degree with a firearm	
53a-111	Arson in the first degree	
53a-112	Arson in the second degree	
53a-113	Arson in the third degree	
	<b><u>Robbery</u></b>	
53a-134	Robbery in the first degree	
53a-135	Robbery in the second degree	
53a-136	Robbery in the third degree	
53a-136a	Robbery involving occupied motor vehicle	
	<b><u>Offenses Against the Administration of Justice</u></b>	
53a-167c	Assault of public safety, emergency medical, public transit or health care personnel	
53a-167d	Assault of a prosecutor	
53a-167e	Aggravated assault of a public transit employee	
	<b><u>Breach of the Peace, Harassment and Related Offenses</u></b>	
53a-181c	Stalking in the first degree	
53a-181d	Stalking in the second degree	
53a-181e	Stalking in the third degree	
53a-181j	Intimidation based on bigotry or bias in the first degree	
53a-181k	Intimidation based on bigotry or bias in the second degree	
53a-182b	Harassment in the first degree	
	<b><u>Public Indecency</u></b>	
53a-186	Public indecency	
	<b><u>Voyeurism</u></b>	
53a-189a (a)	Voyeurism: Class D or C felony	
	<b><u>Incest</u></b>	
53a-191	Incest Class D felony	
	<b><u>Coercion</u></b>	
53a-192a	Trafficking in persons	
	<b><u>Obscenity and Related Offenses</u></b>	
53a-196	Obscenity as to minors: Class D felony	
53a-196a	Employing a minor in an obscene performance	
53a-196b	Promoting a minor in an obscene performance	
53a-196c	Importing child pornography	
53a-196d	Possessing child pornography in the first degree	
53a-196e	Possessing child pornography in the second degree	
53a-196f	Possessing child pornography in the third degree	
53a-196i	Commercial sexual exploitation of a minor	
	<b><u>Registration of Sexual Offenders</u></b>	
54-251	Registration of person who has committed a criminal offense against a victim who is a minor or a nonviolent sexual offense	
54-252	Registration of person who has committed a sexually violent offense	
54-253	Registration of person who has committed a sexually offense in another jurisdiction	
54-254	Registration of person who has committed a felony for a sexual purpose	