

Things to Include When Requesting a Criminal History Exception from the DHS Assistant Director for CAF and the DHS Assistant Deputy Director for CAF Field Services (Erinn Kelley-Siel & Jerry Waybrant)

The following items must accompany all exception requests:

- A completed form [1011D](#) (Criminal History Exception Request) signed by *both* the Districts's Child Welfare Program Manager *and* The District Manager. *It's important for Jim and Erinn to know that the CW Manager and the District Manager have reviewed and approved the request before it comes to them for consideration.*
- A brief statement (a few sentences are enough) that includes the following information about the child(ren) the agency intends to place with the subject individual (*this information is not required if the home is being certified as a "regular" foster home, as opposed to a foster home certified to serve a specific child or group of children*)
 - < An indication of the relationship of the child or children to the subject individual
 - < The reason the child or children originally came into the Agency's care
 - < An indication of where the child or children are currently placed
 - < The permanency plan for the child or children
 - < An indication of whether or not there is a CASA involved in the case
- If a CASA is involved, a statement from the CASA indicating that the CASA has knowledge of the subject individual's criminal history and expressing the CASA's opinion of the proposed placement.
- For child-specific certifications, a statement from the child's attorney indicating that the attorney has knowledge of the subject individual's criminal history and expressing the attorney's opinion of the proposed placement.
- A copy of the subject individual's LEDS report, FBI report, if applicable, and any other pertinent criminal history information
- A copy of any available police reports or court records generated in connection with the crime(s) being considered for exception, or, if not available, an indication of efforts made to obtain these documents.
- Details of any Child Protective Services involvement on the part of the subject individual or anyone else in the household, if applicable
- A brief description of any criminal history of other people in the home or a copy of the coinciding LEDS and/or FBI Reports, if applicable
- A copy of the [1011F](#) (Consent for Criminal Records & Fingerprint Check) completed and signed by the subject individual
- A copy of the Home Study, if it's available at the time of the Exception Request

The items listed below are not necessarily required, but it is strongly recommended that these things be included with the request if they are available:

- Any documentation showing that the subject individual successfully completed any court-ordered treatment, paid any fines or restitution or fulfilled any other court-imposed sentence or conditions of probation.
- A discharge summary from any treatment program attended, court-ordered or otherwise.
- Any available professional/clinical Assessments (A&D, anger management, etc.) pertinent to the crime(s) being considered
- A letter from the individual's Parole/Probation Officer that indicates the subject's parole/probation status, comments on the individual's character and, if applicable, comments on his or her suitability to provide foster care or, if applicable, to adopt a child.
- A letter from the individual's employer that comments on the individual's character, work habits and, if possible, their suitability to provide foster care or to adopt.
- A letter from the subject individual that comments on his or her motivation and suitability to provide foster care or to adopt.
- A memo or letter from the District Manager and/or the District Child Welfare Program Manager that describes her or his reasons for supporting the exception request.
- Any and all other available information, positive or negative, that has relevance and warrants consideration when determining the subject individual's suitability to care for children or to reside in a home where children are placed.

Keep in mind all of the factors that will be considered in making a decision to approve or deny the exception request, such as the number of arrests and convictions, the amount of time elapsed since arrests/convictions, the nature and severity of the crimes, etc.. Some requests will warrant the inclusion of more documentation than others, or different kinds of supporting documents. For example, if an individual has a conviction for a crime related to drug use, a discharge report from a D&A treatment program, a D&A Assessment or copies of negative drug screens are very pertinent. A letter from an individual's parole/probation officer is always welcome, but is probably more important when the individual was released from parole or probation within the last 5 years as opposed to three decades ago. Be conscious of the fact that Erinn and Jerry are making their decision without the benefit of direct knowledge of the subject individual. They have to rely completely on the information that is supplied with the request.