

ANR Volunteer Evaluation Process, Barrier Offenses & Decision Framework

This document outlines UC ANR's process for reviewing criminal history information received through Department of Justice (DOJ) background checks, subsequent arrest notifications (SANs), and disposition notifications for volunteers. DOJ notifications are monitored centrally by the UC ANR Custodian of Records in partnership with Risk & Safety Services (RSS) and the [Volunteer Appointing Authority \(VAA\)](#).

Volunteer Evaluation Process

RSS evaluates criminal records or other concerns during the volunteer appointment or review process using the following approach:

- Barrier crimes that automatically disqualify a person.
- Review criteria used by RSS, in consultation with the VAA regarding volunteer duties and program responsibilities, to evaluate non-barrier offenses.

Review criteria include:

1. Seriousness of the crime
2. Whether the individual was arrested or convicted
3. Length of time since the last offense
4. Duties of the volunteer position
5. Pattern of criminal activity
6. Activities since the offense occurred

Volunteers may only be appointed, reappointed, or reinstated following review and clearance by Risk & Safety Services (RSS). The Volunteer Appointing Authority (VAA) is responsible for making volunteer appointments in accordance with RSS determinations.

Barrier Offenses

The following offenses automatically disqualify an individual from serving as a volunteer:

- Any felony conviction
- Any subsequent arrest for a violent or sexual felony
- Any convictions or subsequent arrests for the following misdemeanor offenses:
 - Crimes against children (including abuse, neglect, exploitation, or child pornography)
 - Sexual offenses (including assault, rape, or lewd conduct)
 - Stalking, restraint, imprisonment, or coercion offenses
 - Assault involving a weapon or resulting in bodily harm
 - Terrorist threats
 - Cruelty to animals
- Any attempt or conspiracy to commit the offenses listed above

Decision Framework

The following framework determines if a volunteer is eligible to serve in UC ANR programs.

Initial DOJ Results – Non-barrier Offense

When DOJ results involving a non-barrier offense are received, the UC ANR Custodian of Records and RSS will review the criminal history information and consider the following factors:

1. Seriousness of the crime,
2. Whether the individual was arrested or convicted,
3. Length of time since last offense,
4. The duties required in the volunteer position,
5. Pattern of criminal activity, and
6. Constructive activities the applicant has been involved in since the offense occurred

Criminal history information obtained through DOJ notifications will not be disclosed to the VAA.

RSS will consult with the VAA regarding the nature of the volunteer position, assigned duties, level of supervision and other relevant program considerations necessary to assess volunteer suitability. Following review, RSS will advise the VAA regarding volunteer eligibility and any conditions or restrictions that may be necessary. The VAA is responsible for issuing any appointment, conditional appointment, or notice of ineligibility consistent with RSS determinations.

Subsequent Notification – Non- barrier Offense

The UC ANR Custodian of Records monitors all Department of Justice (DOJ) subsequent arrest notifications (SANs) and disposition notifications received for volunteers. Upon receipt of a notification involving a non-barrier offense, RSS will review the information and consider the following factors:

1. Seriousness of the crime,
2. Whether the individual was arrested or convicted,
3. Length of time since last offense,
4. The duties required in the volunteer position,
5. Pattern of criminal activity, and
6. Constructive activities the volunteer has been involved in since the offense occurred

Criminal history information obtained through DOJ notifications will not be disclosed to the VAA.

RSS will consult with the VAA regarding the nature of the volunteer position, assigned duties, level of supervision and other relevant program considerations necessary to assess volunteer suitability. Following review, RSS will advise the VAA regarding volunteer eligibility and any conditions or restrictions that may be necessary. The VAA is responsible for issuing any conditional appointment, or notice of suspension consistent with RSS determinations. If RSS determines that the volunteer is not eligible for reinstatement, the VAA must issue a termination letter and formally terminate the volunteer's appointment.

The VAA may appoint only if/when the individual demonstrates conclusively to RSS that the charging period has passed and that no "Barrier Offense" charge was filed, or that such a charge was filed but was subsequently dismissed, or that they were found not guilty and RSS has determined the individual is eligible for volunteer service. The VAA is responsible for issuing a reinstatement notice.

Initial DOJ Results – Barrier Offense

RSS will coordinate with the VAA regarding the steps necessary to document that the individual is ineligible for volunteer appointment. The VAA is responsible for issuing any notice of ineligibility or appointment decision consistent with RSS determinations.

The VAA may appoint only if/when the individual demonstrates conclusively to RSS that the charging period has passed and that no "Barrier Offense" charge was filed, or that such a charge was filed but was subsequently dismissed, or that they were found not guilty and RSS has determined the individual is eligible for volunteer service.

Subsequent Notification – Barrier Offense

RSS will coordinate with the VAA regarding the steps necessary to suspend the volunteer's service. The VAA is responsible for issuing the suspension notice to the volunteer.

The VAA may appoint or reinstate only if/when the individual demonstrates conclusively to RSS that the charging period has passed and that no "Barrier Offense" charge was filed, or that such a charge was filed but was subsequently dismissed, or that they were found not guilty and RSS has determined the individual is eligible for volunteer service. The VAA is responsible for issuing a reinstatement notice.

Subsequent Disposition Confirming Barrier Offense Conviction

The VAA must terminate the volunteer's service upon confirmation by RSS of a conviction for a barrier offense. The VAA is responsible for issuing the termination notice to the volunteer.

Volunteer Appointing Authority (VAA)

In the context of this document "Volunteer Appointing Authority" or VAA, means the County/MCP Director/Area Director, the Research and Extension Center Director, or the ANR Statewide Program Director, 4-H Regional Program Coordinator (and/or designee). Additionally the Volunteer Appointing Authority is empowered to "non-renew" a volunteer at any time if their services are no longer needed/beneficial to the ANR program.