

WAC 110-05-0015 CPI—Exclusions. The department may not issue a CPI if:

(1) Fewer than five years have elapsed since the date the investigative assessment was issued that resulted in the individual's last founded finding of CA/N;

(2) Fewer than two years have passed since the department denied the individual's request for a CPI;

(3) The individual has a founded finding for sexual abuse or sexual exploitation or has a founded finding for physical abuse and the conduct that was the basis for the physical abuse finding involved cutting, burning, interfering with a child's breathing, shaking a child under three, or threatening a child with a deadly weapon;

(4) The individual was convicted of or is the subject of a pending criminal investigation for:

(a) Any felony offense involving the physical neglect of a child under chapter 9A.42 RCW;

(b) Any felony offense under chapter 9A.32 or 9A.36 RCW involving a physical injury or death of a child;

(c) Any felony domestic violence offense committed against a family or household member as defined in chapter 10.99 RCW;

(d) A felony offense against a child under chapter 9.68A RCW; or

(e) Any of the following felony offenses:

(i) Defined under any law as a class A felony or an attempt to commit a class A felony;

(ii) Criminal solicitation of or criminal conspiracy to commit a class A felony;

(iii) Manslaughter in the first or second degree;

(iv) Indecent liberties;

(v) Kidnapping in the second degree;

(vi) Arson in the second degree;

(vii) Extortion in the first degree;

(viii) Robbery in the second degree;

(ix) Drive-by shooting; and

(x) Vehicular homicide; or

(f) Any out-of-state, federal, or state conviction for a felony offense that is comparable to an offense listed in subsection (4) of this section; or

(5) The individual applying for a CPI has previously received a CPI and is the alleged perpetrator in a subsequent founded finding of CA/N.

[Statutory Authority: RCW 74.13.720(7). WSR 21-12-014, § 110-05-0015, filed 5/20/21, effective 6/20/21.]