

**TOWNSHIP OF WARREN
RESOLUTION NO. 2018-88**

**AMENDING POLICY FOR FINGERPRINTING AND
CONDUCTING BACKGROUND CHECKS FOR TOWNSHIP'S
SPORTS LEAGUE OFFICIALS**

WHEREAS, the Township Committee of the Township of Warren (the "Township Committee") has determined that it is necessary for the security and well-being of its residents that any Director, Assistant Director, Secretary, a member of the Board of Director involved with a sports club, paid employee of a sport league and volunteer coaches; either head coach or assistant head coach, of the Township's various sports leagues ("League Officials"), of children under the age of eighteen shall be fingerprinted and undergo a criminal history background check; and

WHEREAS, the Township Committee has determined that any individual who has been convicted of a crime or offense considered by the Township Administrator and the Chief of Police to be a disqualifying event shall be removed from their current position of coach and barred from any league activities; and

WHEREAS, the Township Committee has caused to be developed a Policy entitled, "Fingerprinting and Background Checks for the Township's Sports League Officials" that is acceptable to it.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Warren, County of Somerset, and State of New Jersey, as follows:

The policy of the Township of Warren shall be as follows:

"Fingerprinting and Background Checks for the Township's Sports League Officials."

1. Policy

It is the policy of Warren Township that all individuals involved in the Township's various sports leagues including the position of Director, Assistant Director, Secretary, a member of the Board of Directors involved with the sports club, paid employee of the league and all volunteer coaches; including head coach and assistant coach, ("League Officials"), involved with children under the age of eighteen who are involved in sports or recreational activities in the Township of Warren ("minors") shall be fingerprinted and undergo a criminal history background check. If any League Official is determined to have a criminal record containing a disqualifying event, that League Official shall be removed from any current position that they may hold and be barred from any future position.

2. Procedure

A. Submission of Personal Information and Fingerprints. Each League Official must contact "Indento (by MorphoTrust USA)" online for an appointment to get fingerprinted for the first time. The Chief is authorized to receive criminal history record information from the State Bureau of Identification in the Division of State Police and the Federal Bureau of Investigation consistent with applicable State and federal laws, rules and regulations. The League Official shall bear the

cost for the criminal history record background check, including all costs of administering and processing the check. After complying with the State fingerprinting requirements, the sport league will then perform a background check every three (3) years with a background check company approved by the Township Administrator and Chief of Police. The sports league will be required to submit a list of all League Officials annually to the Recreation Director.

B. Notification of a Criminal Record. If the Chief is notified by the State Bureau of Investigation that any League Official has a criminal record, the Chief shall promptly notify the Township Administrator.

C. Investigation of a Criminal Record. Once the Township Administrator is notified of the criminal record, the Township Administrator and Chief of Police shall contact the League Official to request that the League Official obtain detailed information regarding their criminal record from the State Bureau of Investigation and/or other law enforcement agency. If the League Official refuses to provide the information, the League Official shall be removed from any current position and shall be barred from any future position of a League Official until such time as his or her authorization is received. Once the League Official provides such written authorization, the Chief of Police shall review detailed information regarding the criminal record from the State Bureau of Investigation.

D. Determination Regarding the Criminal Record. Once the detailed information regarding the criminal record is received, the Township Administrator and the Chief of Police shall make a determination within five (5) days as to whether any event in the record constitutes a disqualifying event. The following shall constitute a disqualifying event:

- 1) Conviction, indictment, or entry into a diversionary program arising from any crime, offense or the equivalent including, but not limited to, homicide, kidnapping, assault, harassment, sexual offenses, robbery, bias crimes, arson and other burnings, criminal mischief and other property destruction, burglary and other criminal intrusion, theft and related offenses, forgery and fraudulent practices, bribery, corruption, perjury and other falsifications, official misconduct, riot and related conduct, public indecency, possession and possession with the intent to distribute a controlled dangerous substance, terrorism, weapons offenses, child endangerment or offenses involving moral turpitude or any other crime or offense enumerated in New Jersey Criminal Codes 2A,2C or the out of state equivalent.

E. Notification of a Disqualifying Event, Appeal of Determination and Removal of League Official.

- 1) If a determination has been made by the Township Administrator and the Chief of Police that an event in the League Official's criminal record constitutes a disqualifying event, then the Township Administrator and Chief of Police shall notify the League Official in writing of the determination within three (3) days.
- 2) Once the League Official has been formally notified in writing that the Township Administrator and the Chief of Police have made a determination that any event contained in a League Official's criminal record is a disqualifying event, the League Official shall have the right within five (5) days of receipt of the formal notification appeal to the Township Committee for review of the determination of the Township Administrator and Chief of Police.
- 3) The League Official shall be entitled to speak to the Township Committee on his or her own behalf, and shall be entitled to provide information stating why the event in the coach's criminal record should not be considered a disqualifying event.
- 4) Once an appeal is made, the Township Committee shall review the entire file, the circumstances surrounding the criminal record and any statement or information provided by the League Official, and shall make a final determination within ten (10) days as to whether an event on the criminal record constitutes a disqualifying event. The Township Committee may affirm or reverse the decision of the township administrator and the chief of police and shall set forth their final determination in writing.
- 5) If the League Official does not appeal the initial determination by the Township Administrator and Chief of Police the League Official shall be removed or barred from their position within ten (10) days of the date of the formal notification letter of a disqualifying event. If the League Official appeals the determination within five (5) days, the League Official shall be removed from his or her position until such time as a final determination as to the appeal is made by the Township Committee. Once a final determination is made by the Township Committee that an event on the League Official's criminal record constitutes a disqualifying event, the League Official shall be permanently removed from all future Township League positions.

F. Sport Organization Responsibility

All organizations will keep their own database for background checks but may be asked to produce proof at any time. Sport organizations using a company other than Protect Youth Sports or other companies approved by the Chief of Police for background checks must verify that the adjudication criteria is the same or better than the Warren Township requirement. When there is a fail notice, the Warren Township Chief of Police must be notified with the information within (3) three business days of organization receiving the information.

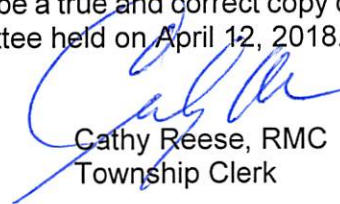
3 Confidentiality

The criminal history record background check and fingerprinting procedure set forth in this policy will be conducted, to the extent possible, in a manner intended to preserve the privacy of all parties. To the extent possible, privacy and confidentiality will be maintained.

INTRODUCED	SECONDED	COMMITTEE	AYE	NAY	ABSTAIN	ABSENT
		LAZO	x			
x		MARION	x			
	x	GARAFOLA	x			
		DINARDO	x			
		SORDILLO	x			

CERTIFICATION

I, Cathy Reese, Township Clerk of the Township of Warren, in the County of Somerset, New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted at a meeting of the Township Committee held on April 12, 2018.



Cathy Reese, RMC
Township Clerk