

# LCDC Criminal History Information

Many students enter the Human Services Program with the goal of one day becoming a licensed chemical dependency counselor in the state of Texas. The following information is taken from the Licensed Chemical Dependency Counselor (LCDC) handbook, related to the criminal history of those applying to become LCDC Counselor Interns (CIs):

1. The department reviews the criminal history of each applicant for initial licensure, certification, and registration. Reviews are also conducted when the department receives information that a licensee has been charged, indicted, placed on deferred adjudication, community supervision, or probation, or convicted of an offense described below.
2. An applicant shall disclose and provide complete information about all misdemeanor and felony charges, indictments, deferred adjudications, episodes of community supervision or probation, and convictions. Failure to make full and accurate disclosure may be grounds for application denial or disciplinary action, including revocation, against the applicant for, or holder of, a license, registration, or certification.
3. The department obtains criminal history information from the Texas Department of Public Safety, including information from the Federal Bureau of Investigations (FBI).

## **Prohibited Offenses**

The LCDC Board shall deny the application of any applicant whose background check reveals any of the following offenses:

- Capital offenses.
- Sexual offenses involving a child victim.
- Multiple counts of felony sexual offenses involving any adult victim.
- Homicide 1<sup>st</sup> degree.

## **“15 Year Rule” Offenses**

The LCDC Board shall deny the application of any applicant whose background check reveals a conviction in the past 15 years (from the date of application) of any of the following offenses:

- Kidnapping.
- Arson.
- Homicide lesser degrees.
- Single count felony sexual offense involving any adult victim.
- Attempting to commit any of these crimes, as well as attempting to commit any of the crimes listed in the prohibited offenses.

## **“10 Year Rule” Offenses**

The LCDC Board shall deny the application of any applicant whose background check reveals a conviction in the past 10 years (from the date of application) of any of the following offenses:

- Any other felony offense not listed separately above or below and that result in actual or potential physical harm to others or animals.

### **“5 Year Rule” Offenses**

The LCDC Board shall deny the application of any applicant whose background check reveals a conviction in the past 5 years (from the date of application) of any of the following offenses, unless at the time of application proceedings have been dismissed and the person has been discharged after having been placed on and completing community supervision following a deferred adjudication:

- Class A misdemeanor Alcohol and drug offenses.
- Class A misdemeanor offenses resulting in actual or potential physical harm to others or animals.
- Felony Alcohol and drug offenses.
- All other felony offenses not already identified that does not result in actual or potential physical harm to others or animals.

### **“3 Year Rule” Offenses**

The LCDC Board shall deny the application of any applicant whose background check reveals a conviction in the past 3 years (from the date of application) of any of the following offenses:

- Class B misdemeanor Alcohol and drug offenses.
- Class B misdemeanor offenses resulting in actual or potential physical harm to others or animals.

### **Request For Criminal History Evaluation Letter**

In accordance with state law, potential applicants can request the LCDC Board run a “trial” criminal history evaluation before they officially apply for Counselor Intern (CI) status. This evaluation is helpful if potential applicants are concerned they may be ineligible to apply for CI status. There is a \$50 fee for this evaluation, and potential applicants can request this evaluation by visiting the LCDC web site and clicking on “Criminal History Evaluation” along the left side of the home page.

<http://www.dshs.state.tx.us/lcdc/>