

# USA Swimming Background Check Policy

All non-athlete members are required to pass a criminal background check conducted by IntelliCorp Records, the background check provider engaged by USA Swimming.

## Background Check Searches Conducted

- (1) Validated Criminal Database Search for criminal convictions including Validated Sexual Offender search in all states, social security trace and identity verification, and a search of other watch lists from various national and international databases. The validated database search will be conducted on the name provided and on all former last names (as applicable) found within the 7 year address history.

Such search will be repeated monthly on the anniversary of the original background check date for the 24-month period that the background check authorization is valid. Any member who chooses to leave USA Swimming during this 24-month period and wishes to stop the monthly updates must notify USA Swimming's Member Services Department in writing that such member has resigned his/her membership. We will discontinue the monthly update within 30 days following receipt of the member's notice of resignation. Depending on the scheduled monthly update and the date of resignation, one monthly update may occur following the notice of resignation.

- (2) County Criminal Search in all counties of residence within the 7 year address history on name provided and one (1) former last name as applicable.
- (3) Federal Court Search on name provided.

## USA Swimming Criminal Background Check Disqualification Criteria and Appeals Process

Any results that meet the criteria set below will be reported to USA Swimming's General Counsel.

Automatic Disqualifiers ("Review – Eligible for Dispute"): An individual will be disqualified from USA Swimming membership if a background search reveals that such individual has been convicted of, received an imposition of a deferred sentence for, or for any plea of guilty or no contest at any time, or the existence of any pending charges for any crime involving:

- (1) Any felony involving:
  - a. Violence against a person;
  - b. Violent crimes involving weapons (including armed robbery and aggravated assault with a weapon);
  - c. Animal abuse or animal neglect
- (2) Any felony or misdemeanor involving:
  - a. All sexual crimes (excluding only those potential disqualifiers provided in 3c below);
  - b. Drug use or possession, (including the use of drug paraphernalia) within the previous 3 years;
  - c. Other drug related crimes including drug distribution, intent to distribute, manufacturing, trafficking, or sale within the previous 7 years;
  - d. Child endangerment, neglect or abuse.

Individuals with a "Pre-Adverse" Status may dispute the accuracy of the reported information with IntelliCorp Records, but not the consequence of disqualification if the above criteria are met.

Potential Disqualifiers ("Review – Eligible for Appeal"): An individual will be subject to review for disqualification from USA Swimming membership if a background search reveals that such individual has been convicted of, received an imposition of a deferred sentence for, or for any plea of guilty or no contest at any time, or the existence of any pending charges at any time of any crime involving:

- (1) Other felonies not included in Automatic Disqualifiers above;

- (2) Crimes involving vehicular bodily harm;
- (3) Other misdemeanors for:
  - a. Drug related crimes which are not covered in Automatic Disqualifiers above;
  - b. Violence against a person (including crimes involving firearms);
  - c. Prostitution, indecent exposure, and public indecency;
  - d. Stalking or harassment;
  - e. Destruction of property, including arson, vandalism, and criminal mischief;
  - f. Animal abuse or neglect.

Individuals with a status of “Eligible for Appeal” status may request a hearing before the USA Swimming Background Check Appeal Panel to contest the consequence of disqualification. An applicant may also dispute the accuracy of the reported information with IntelliCorp Records.

**Offenses that have already been reported to USA Swimming under its previous background check process would not trigger additional action.**

Questions? [backgroundcheck@usaswimming.org](mailto:backgroundcheck@usaswimming.org)