

Cisive reporting policy maintains permissible reporting procedures in adherence to the Fair Credit Reporting Act (FCRA) and applicable state/local laws.

Record reporting is achieved by applying the following:

1. FCRA
2. The **most restrictive** State laws by *current residence* or *work location* (if work location is known, otherwise apply laws of residence location).
3. Cisive reporting policy
4. Custom client matrix or client reporting guidelines

Cisive reporting policy may override client reporting matrix or client reporting guidelines.

The Cisive reporting policy will not apply to reporting procedures for investigative reports, non-employment screening (e.g. due diligence), and non-FCRA products.

FCRA does not restrict the reporting of criminal records. Although conviction information can be reported indefinitely under this federal law, there are more restrictive laws imposed by specific States or other jurisdictions that could limit Cisive reporting or limit the use of Cisive reporting by the employer.

Under the federal law, FCRA reporting restrictions do not apply to reports furnished for employment purposes if the report subject's annual salary equals or may reasonably be expected to equal \$75,000 or more.

Fair Credit Reporting Act (FCRA)

- Civil, arrest, and non-conviction records are not reportable after seven (7) years from the date of the charge or filing date (not disposition or sentence date). If salary is expected to be ≥\$75,000, the seven (7) year restriction does not apply. If salary is not provided, the seven (7) year restriction would apply.
- Warrants, Summons and Failure To Appear may be reported indefinitely while active i.e., there are no year restrictions on reportability.
 - Warrants must always be confirmed if active prior to reporting
 - The charge(s) associated with the warrant may be reported if no restrictions apply to reporting the charge(s)
 - An active warrant does not pull a record into scope if the underlying record is not otherwise reportable (e.g. charges over 7 years, minor traffic offenses, etc.)
- Voluntary Bankruptcy is reportable for 10 years from the date it is filed.
- Involuntary Bankruptcy is reportable for 10 years from the date the order dismissing the petition was entered.

SEVEN (7) YEAR REPORTING RESTRICTIONS

As an organization, Cisive will limit reporting in the following record instances (even if a client may request Cisive to report such information):

- **Prosecution pending** charges will not be reported over seven (7) years from the charge date (date of entry)
 - If a warrant is active on a pending case, the warrant may be reported without the charge details
- **Complaint** will not be reported over seven (7) years from the file date (date of entry)
- **Civil Records** will not be reported over seven (7) years from the file/charge date (date of entry)
- **Criminal Ordinance & Summary Violations** will not be reported over seven (7) years from the charge date (date of entry).
 - *Reportable ordinance and summary offenses include Theft, Violence, or any offense where the degree is a misdemeanor or felony.*
- **Traffic crimes** will not be reported over seven (7) years from the file/charge date (date of entry).
 - *Reportable Traffic Offenses Include: DUI/DWI, Alcohol or Drug related, Vehicular Manslaughter, Property Damage, Theft, Violence, and any Felony level traffic. No other traffic related crimes may be reported i.e. minor traffic infractions, violations or traffic degree level offenses (e.g. speeding, driving suspended, no seatbelt).*
 - If a warrant is active on a traffic case, the warrant may be reported without the charge detail

DO NOT REPORT

As an organization, Cive will NOT report the following record instances (even if a client may request Cive to report such information):

- **Arrest Only**
- **Dismissals**
- **Pardons**
- **Juvenile Records (unless tried as an adult)**
- **Non-Criminal designated Items**
- **Non-convictions (e.g. records that did not result in a judgement of guilt)**
- **Minor traffic infractions, violations, or traffic level offenses (e.g., speeding, driving suspended, no seatbelt), however, if there is an active warrant – the warrant may be reported without the traffic offense detail**

Any charges or convictions that have been defined by Cive as non-reportable will not be reported if included as part of a larger record. The charges will be removed from the full case disposition and only reportable charges or convictions will be applied and included in the client report.

Instances may occur frequently where Cive will need to restrict non-reportable charges from larger reportable records. For example, a single docket is returned with multiple charges – DUI and speeding. Cive would position to report the DUI charge and remove the speeding charge from the record to finalize the client’s report.

NON-REPORTABLE DISPOSITIONS

The following table provides common dispositions used for non-reportable dispositions, including non-convictions (e.g. records that did not result in a judgement of guilt). Cive may otherwise classify non-convictions as non-reportable dispositions.

This is not an all-inclusive list; however, these terms should be recognized as non-reportable dispositions as per Cive policy.

NON-REPORTABLE DISPOSITIONS	
Abandoned Acquitted Arrest Only Civil Compromise Dead Docket Dismissed Docketed by Mistake Dropped Judgment Set Aside Letter of Release No Bill	Nolle Prose / Nolle Prosequi / Nolle Prossed No Information Filed Non-Indictable Offenses Not Guilty Not Prosecuted Pass to File Pardon Plea in Bar Set Aside Stricken Withdrawn

DEFERRAL PROGRAM DISPOSITIONS

Deferral Programs (e.g., Adjudication Withheld, Deferred Adjudication) are a separate class of non-conviction. Although Cisive does not report non-conviction dispositions, deferred programs are permissible to report per FCRA if the program is active within seven (7) years. Active deferral programs are not reportable after seven (7) years from the date of the charge or filing date. If salary is expected to be ≥\$75,000, the seven (7) year restriction does not apply. If salary is not provided, the seven (7) year restriction would apply.

Deferrals are no longer reportable if known to be successfully completed and will not be reported as of the completion date.

Certain State Laws limit the reportability of non-convictions and/or prosecution pending matters which may limit the reportability of active deferral programs. Deferral program dispositions will NOT be reported in States that define these limitations.

The following table provides deferral program dispositions and reportability classifications.

This is not an all-inclusive list; however, these terms should be recognized as deferral program dispositions as per Cisive policy.

DEFERRAL PROGRAM DISPOSITIONS	Active Deferral	Inactive Deferral (completed)
Adjudication Withheld ARD (Accelerated Rehabilitation Disposition) Deferred Adjudication Deferred Judgement Deferred Prosecution First Offender Program Intervention in lieu of Conviction Misdemeanor Intervention Program Non-Adjudication of Guilt Prayer for Judgment Plea in Abeyance Pre-Trial Diversion Pre-Trial Intervention Probation Before Judgement STET (Maryland) Suspension of Prosecution TBDBG (To Be Dismissed with Good Behavior) Withhold Judgement ACD / ACOD (Adjournment in contemplation of dismissal)	<ul style="list-style-type: none"> • Probation, probation violations within seven (7) years • Instances where the case has been continued, violated, or overturned within seven (7) years 	<ul style="list-style-type: none"> • Unpaid fines, fees, costs • Instances where the deferral period has passed without further case activity
	<p style="text-align: center;">State restrictions</p> <p style="text-align: center;">DO NOT report active deferrals in the following States See section: STATE AND/OR LOCAL REPORTING RESTRICTIONS</p> <p style="text-align: center;">California Kentucky Louisiana US Virgin Islands</p>	

SEX OFFENDER REGISTRY (SOR)

In addition to (and in conjunction with) criminal records, Cisive will complete Sex Offender Registry (SOR) searches as requested by clients. Cisive will maintain position to apply general rules in reporting SOR records:

1. Cisive will only report if an individual is registered on the public (or non-public) sex offender registry. SOR results will only show that the individual is registered.
2. Underlying case law is not to be reported in this SOR search i.e., related criminal information found on the SOR is not permitted to be reported within the SOR search of the report. Crimes must be reported as part of the criminal record search.
3. Adhere to State Restriction(s):
 - a. Nevada - Sex Offender Registry information cannot be reported or used for employment purposes (except as authorized pursuant to specific statute) under any circumstances and regardless of where the individual is working or residing.

STATE AND/OR LOCAL REPORTING RESTRICTIONS

State laws are to be applied by *most restrictive* location (current residence or work location - if known)

State/County/City	Salary Threshold	Reporting restrictions
California	None	<ul style="list-style-type: none"> ▪ Seven (7) year limit on convictions from the date of disposition, release, or start of parole ▪ Marijuana convictions have a two (2) year limit from the date of disposition (applies to both felony and misdemeanor convictions for marijuana) ▪ Criminal Non-Convictions not reportable ▪ Active Deferrals are not reportable ▪ Cases/Records where participation in pre-trial or post-trial diversion programs is noted are not reportable
Georgia	None	<ul style="list-style-type: none"> ▪ Do not report cases where First Offender status is mentioned or known
Hawaii	None	<ul style="list-style-type: none"> ▪ Seven (7) year limit on felony convictions from the date of conviction ▪ Five (5) year limit on misdemeanor convictions from the date of conviction
Kansas	≥\$20,000	<ul style="list-style-type: none"> ▪ Seven (7) year limit on convictions from the date of disposition, release, or start of parole <p><i>*Restriction does not apply if salary is expected to be equal to or greater than \$20,000 annually</i></p>
Kentucky	None	<ul style="list-style-type: none"> ▪ Criminal Non-Convictions are not reportable ▪ Active Deferrals are not reportable ▪ Prosecution pending cases are not reportable
Louisiana	None	<ul style="list-style-type: none"> ▪ Criminal Non-Convictions are not reportable ▪ Active Deferrals are not reportable ▪ Prosecution pending cases are not reportable
Maryland	≥\$20,000	<ul style="list-style-type: none"> ▪ Seven (7) year limit on convictions from the date of disposition, release, or start of parole <p><i>*Restriction does not apply if salary is expected to be equal to or greater than \$20,000 annually</i></p>

<p>Maryland (Montgomery County) <i>Applies to County work location if known, otherwise do not apply</i></p> <p>Montgomery County, Maryland consists of the following Incorporated Cities and Municipalities – Rockville, Gaithersburg, Takoma Park, Barnesville, Brookeville, Chevy Chase, Friendship Heights, Garrett Park, Glen Echo, Kensington, Laytonville, Poolesville, Somerset, Washington Grove</p>	<p>≥\$20,000</p>	<p>The following items are not reportable:</p> <ul style="list-style-type: none"> ▪ Criminal Non-Convictions are not reportable ▪ Misdemeanor convictions over three (3) years since the date of conviction or the date of incarceration are not reportable <p>First conviction for the following:</p> <ul style="list-style-type: none"> ▪ Trespass (under §§ 6-402 or 6-403 of the Criminal 62 Law Article of the Maryland Code) ▪ Disturbance of the Peace (under § 10-201 of the 64 Criminal Law Article of the Maryland Code) ▪ Assault in the second degree (under § 3-203 of the 66 Criminal Law Article of the Maryland Code) <p>Records are confidential under Section 3-8A-27 of the Courts and Judicial Proceedings Article of the Maryland Code. Records that are expunged under Sections 10-101-10-110 of the Criminal and Procedure Article of the Maryland Code</p>
<p>Massachusetts</p>	<p>None</p>	<ul style="list-style-type: none"> ▪ Felony Convictions are limited to seven (7) years from the date of disposition, release, or start of parole ▪ Misdemeanor Convictions are limited to three (3) years from the date of disposition, release, or start of parole ▪ Criminal Non-Convictions are not reportable <p>Note: Consumer Reporting Agency (CRA) ability to report information from the Massachusetts CORI system depends on the employer’s level of CORI access. See 803 CMR 11.10</p>
<p>Montana</p>	<p>None</p>	<ul style="list-style-type: none"> ▪ Seven (7) year limit on convictions from the date of disposition, release, or start of parole
<p>New Hampshire</p>	<p>≥\$20,000</p>	<ul style="list-style-type: none"> ▪ Seven (7) year limit on convictions from the date of disposition, release, or start of parole <p><i>*Restriction does not apply if salary is expected to be equal to or greater than \$20,000 annually</i></p>
<p>New Mexico</p>	<p>None</p>	<ul style="list-style-type: none"> ▪ Seven (7) year limit on convictions from the date of disposition, release, or start of parole unless a full pardon has been granted
<p>New York</p>	<p>≥\$25,000</p>	<ul style="list-style-type: none"> ▪ Seven (7) year limit on convictions from the date of disposition, release, or start of parole <p><i>*Restriction does not apply if salary is expected to be equal to or greater than \$25,000 annually</i></p> <ul style="list-style-type: none"> ▪ Criminal Non-Convictions not reportable
<p>Pennsylvania (Philadelphia) <i>Applies to City work location if known, otherwise do not apply</i></p>	<p>None</p>	<ul style="list-style-type: none"> ▪ Seven (7) year limit on convictions from the date of disposition, release, or start of parole ▪ Criminal Non-Convictions not reportable
<p>Washington</p>	<p>≥\$20,000</p>	<ul style="list-style-type: none"> ▪ Seven (7) year limit on convictions from the date of disposition, release, or start of parole <p><i>*Restriction does not apply if salary is expected to be equal to or greater than \$20,000 annually</i></p>
<p>US Virgin Islands</p>	<p>None</p>	<ul style="list-style-type: none"> ▪ Criminal Non-Convictions are not reportable ▪ Active Deferrals are not reportable ▪ Prosecution pending cases are not reportable