

Bristol Town Council

RESOLUTION OF THE TOWN OF BRISTOL ESTABLISHING A POLICY FOR CONDUCTING BUREAU OF CRIMINAL IDENTIFICATION CHECKS FOR APPLICANTS TO TOWN BOARD, COMMISSION, OR COMMITTEE POSITIONS

WHEREAS, the Town of Bristol recognizes the importance of conducting background checks for those applying to serve on a Town board, commission, or committee to maintain public trust and safety; and

WHEREAS, the Town of Bristol does not currently have a written policy in place governing the background check process for applicants; and

WHEREAS, the process has historically been administered based on past practice rather than through a formally adopted policy; and

WHEREAS, in order to facilitate the application process for applying to town board, commission, or committee positions, the Town of Bristol is proposing this policy herein to govern this process; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Bristol that a background check policy for applicants to Town board, commission, or committee positions is hereby established and organized as follows, as may be amended from time to time:

Definitions

1. “Applicant” means any individual applying for a position on a board, commission, or committee within the Town of Bristol.
2. “Background check” means a criminal history check conducted by the Rhode Island Office of Attorney General Bureau of Criminal Identification (BCI) Unit or the Bristol Police Department.
3. “Disqualifying Information” has the meaning assigned to it in the Standards for Disqualification section of this policy.
4. “Town” means the Town of Bristol.

Purpose

This policy establishes consistent procedures for conducting Background Criminal Identification (BCI) checks for applicants to boards, commissions, and committees of the Town of Bristol, ensuring transparency, safety, and legal compliance while balancing due process and operational practicality.

Applicability

This policy applies to:

- All first-time applicants or Any appointment to any Town board, commission, or committee.
- Reappointments only in cases where the member serves on a board involving child safety.

BCI Requirements Based on Appointment Type

Positions Involving Direct Contact With Minors

- Boards, commissions, or committees that involve direct contact with minors are listed in Attachment A, an Excel sheet that includes a color-coded BCI column identifying these boards.
- Applicants (for both initial appointment and reappointment) to these boards must undergo a BCI conducted by the Bristol Police Department (BPD).
- These BCIs will be performed at no cost to the applicant.
- Applicants must provide written consent for the background check at the time they submit a completed application form to the Town for the relevant board, commission, or committee.
- A copy of a valid photo ID must also be provided with the application.
- The Bristol Police Department shall be the designated authority responsible for initiating the background check once the application is received.
- The BPD shall be provided with the Town's established standards for disqualification, as outlined in Section titled "STANDARDS FOR DISQUALIFICATION" of this policy.

All Other Positions

- For boards and commissions that do not involve direct contact with minors, Applicants must obtain a BCI through the Rhode Island Attorney General's Office, located at 4 Howard Avenue, Cranston, RI; or
- A notarized release form (available in English and Spanish) online at riag.ri.gov/i-want/get-background-check;
- These BCIs are required only at the time of initial appointment and not for reappointments unless there is a break in service.

- These BCIs will be performed at no cost to the applicant.
- For BCI (Background Check) requests requiring submission to the Rhode Island Attorney General's Office, applicants must file the completed BCI form with the Town Clerk's Office. The Clerk's Office will process the payment and forward the third party background check materials to the Attorney General's Office for completion.

Applicant Disclosure Requirement

All board, commission, and committee applications will include a section requiring applicants to disclose any disqualifying information, including prior arrests or convictions, that may impact final appointment decisions. Failure to disclose relevant information may be grounds for denial of appointment or reappointment

Handling BCI Results

- If **no disqualifying information** is found, the appointment process will proceed.
 - For those applicants in which no disqualifying information is found, the BPD shall inform the Town Clerk or the staff of the appointing authority if the appointing authority is not the Town Council, in writing of the applicant's clearance.
- If **disqualifying information** is identified:
 - Upon BPD's discovery of any disqualifying information for an applicant's background check, the BPD shall inform in writing the Town Clerk or the staff of the appointing authority if the appointing authority is not the Town Council, that the background check revealed disqualifying application and the application shall be rejected and the applicant shall be notified, which may be verbally, of the disqualification..
 - An applicant against whom disqualifying information has been found may request a review by the Town Council in Executive Session in accordance with state law.
 - The applicant will receive written notice of the Executive Session if the application will be considered.

Standards for Disqualification

For purposes of this policy, "disqualifying information" means conviction of, or accepting responsibility for, including without limitation entering a plea of *nolo contendere*, or arrest in a case that still pending, for any of the following offenses:

- “Murder, voluntary manslaughter, involuntary manslaughter, first-degree sexual assault, second-degree sexual assault, third-degree sexual assault, assault on persons sixty (60) years of age or older, assault with intent to commit specified felonies (murder, robbery, rape, burglary, or the abominable and detestable crime against nature) felony assault, patient abuse, neglect or mistreatment of patients, burglary, first-degree arson, robbery, felony drug offenses, felony larceny, or felony banking law violations, felony obtaining money under false pretenses, felony embezzlement, abuse, neglect and/or exploitation of adults with severe impairments, exploitation of elders, or a crime under section 1128(a) of the Social Security Act (42 U.S.C. § 1320a-7(a))” as enumerated in Rhode Island General Laws § 23-17-37.
- First- or second-degree child molestation sexual assault, as enumerated in Rhode Island General Laws § 11-37-8.1 to 8.3.
- Crimes of fraud and false dealing, as enumerated in Rhode Island General Laws Title 11, Chapter 18.
- Crimes of theft, embezzlement, false pretenses, and misappropriation, as enumerated in Rhode Island General Laws Title 11, Chapter 41.

Refusal or Failure to Submit a BCI

- Any applicant who refuses to submit a BCI or fails to provide a completed BCI or waiver within forty-five (45) days of receiving notice from the Clerk’s Office will be deemed ineligible for appointment or reappointment.

Reappointments

- Members being reappointed to a child safety-related board must undergo a new BCI through the Bristol Police Department.
- Members being reappointed to all other boards are not required to submit a new BCI if:
 - A valid BCI was previously submitted, and
 - There has been no break in service.
- Disclosure Requirement: Reappointment applications shall include a section requiring applicants to disclose any potentially disqualifying information, including prior arrests or convictions, that may affect eligibility or final appointment decisions. Failure to disclose relevant information may constitute grounds for denial or revocation of appointment. Any disclosed or subsequently discovered information may require submission of a new BCI (Background Check) prior to reappointment

- **Applicability to Existing Members:** Pre-existing board and commission members serving as of the date of adoption of this policy are not required to obtain a BCI through the Rhode Island Attorney General's Office. This requirement shall apply prospectively to new applicants only, and solely to boards or commissions whose duties do not involve direct interaction with minors.

BCI Fee Responsibility

- The \$5.00 fee for Third Party BCIs processed through the Attorney General's Office shall be the responsibility of the Town of Bristol
- Instructions and forms will be provided by the Clerk's Office and made available on the Town's website.

Confidentiality and Recordkeeping

- Documentation and retention of background check records shall comply with state and federal laws.
- The BPD and the Town shall take reasonable measures to protect the privacy of applicants and ensure the confidentiality of sensitive information.
- Other such authorized personnel such as Town Clerk, Town Administrator, and Town Council will have access to BCI results in executive session or when deemed necessary.

ADOPTED by the Bristol Town Council this ____ day of _____, 2025

ATTEST: _____
Town Clerk

Board Name	Term Length	BPD- BCI Required	Attorney General BCI REQUIRED	Subject to BCI upon reappointment	
Assistant Harbor Master	1 year	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TC- Sec.8-9
Auxiliary Harbor Master	1 year	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TC- Sec.8-9
Board Of Canvassers	6 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Board of Fire Engineers	1 year	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Board of Tax Assessment Review	3 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Board of Tenants' Affairs	2 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Bristol 250th Commission	1 year	<input checked="" type="checkbox"/>	<input type="checkbox"/>	n/a	
Bristol Christmas Festival	1 year	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Bristol County Water Authority	3 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Bristol Housing Authority	5 year	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Bristol Planning Board	3 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Bristol Prevention Coalition	2 years	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Building Code of Appeals Board	1 year	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Town Administrators Appointments
Capital Project Commission	5 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Charter Review Commission	10 years	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(CRMC) Representative	1 year	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Conservation Commission	3 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Fourth of July Committee	2 years	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Harbor Commission	3 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Harbor Commission Advisory Committee	3 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Harbor Master	3 years				
Historic District Commission	3 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Joint Finance Committee- Bristol Members*	2 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Juvenile Hearing Board	3 years	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Mount Hope Trust	2 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Newport & Bristol County Convention & Visitors Bureau	3 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
North & East Burial Grounds Commission	5 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Personnel Board	4 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Police Pension Fund Board of Trustees	3 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Post Retirement Benefits Fund Board of Trustees	3 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Recreation Board	3 years	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Rogers Free Library Board of Trustees	3 years	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Special Constables /Fire-Police	1 year	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TC- sec 21-83 (11
Special Constables, Private Investigators, Matrons & Retiree Officers	1 year	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TC- sec 21-83 (11) & RIGL 45-16-8
Tree Warden	1 year	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Waypoyset Trust	2 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Zoning Board of Review	2 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
* subject to BCI- if alternate member is appointed in place of a current serving council member					