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Registered Sex Offender Terminated from AmeriCorps Service after Background Check

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CNCS management asked CNCS-OIG to investigate an AmeriCorps member serving at the Nevada Clean Energy Corps, Carson City, NV, who was suspended after a completed criminal history check revealed him to be a registered sex offender. The member had disclosed in his application that he had twice been arrested for Open and Gross Lewdness, but denied that he was a registered sex offender. The individual was not listed as a sex offender on the National Sex Offender Public Website (NSOPW), which the grantee had checked before the member began his service. Only the grantee’s subsequent search of Nevada’s criminal history repository revealed that the member was a registered sex offender in Nevada. Completion of both parts of the required criminal history check enabled the grantee to remove the member from service. CNCS disallowed \$3,141.26, the living allowance paid to the member prior to his termination.

Nevada, like many states, requires individuals convicted of certain low-level sex offenses to register, but it does not permit disclosure of those offenses to the NSOPW. However, CNCS’s authorizing statute makes all registered and registerable sex offenders ineligible, regardless of the nature or seriousness of their conduct. This case illustrates the importance of completing not only the NSOPW check but also a check of the state repository and/or an FBI fingerprint-based check. CNCS-OIG believes that grantees are well advised to conduct an FBI fingerprint-based check of all members and grant-funded staff; otherwise, a grantee may unknowingly enroll individuals who have been convicted of sex offenses in other states, but who are not listed in the NSOPW.

Case ID: 2016-016

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