

Cannabis Business Permit Criminal Background Check Administrative Guidelines — Page 1 of 2

Live Scan criminal background checks through the California Department of Justice and the FBI will be performed on each Responsible Person associated with a cannabis business permit applicant.

As stated in the Culver City Municipal Code, section 11.17.115(C)(2), “the City reserves the right to reject any or all applications if it determines it would be in the best interest of the City, taking into account the public health, safety and welfare.”

The Culver City Police Department will use the following administrative guidelines when determining if a Responsible Person is qualified for receipt of a commercial cannabis business permit based on his or her criminal background and the interest of public health, safety and welfare. All Responsible Persons associated with an application must be qualified for the permit to be approved.

Responsible Person Status	Criminal Background History
<p>Disqualified.</p>	<p>1. Any prior felony conviction, excluding crimes that have since been reclassified as a misdemeanor. This includes, <u>but is not limited to</u>:</p> <ul style="list-style-type: none"> a) Violent felony (See CPC 667.5(c)); b) Serious felony (see CPC 1192.7(c)); c) Felony involving fraud, deceit, or embezzlement; d) Felony involving minors and controlled substances—including cannabis; e) Felony for trafficking a controlled substance—including cannabis (See CHSD Section 11370.4 or 11379.8); f) Felony involving possession for sale, sale, manufacture, transportation, or cultivation of a controlled substance—including cannabis.
<p>May be qualified.</p>	<p>1. Misdemeanor, or felony conviction that has since been reclassified as a misdemeanor, involving possession, possession for sale, sale, manufacture, transportation, or cultivation of a controlled substance—including cannabis—if more than 5 years ago, one time only, has completed sentence, and has statement of rehabilitation, mitigating circumstances, and supporting evidence.</p> <p>See additional information and factors that CCPD will take into consideration when determining qualification, below.</p>
<p>Not considered for qualification purposes.</p>	<p>1. Previous conviction of possession of cannabis that has since been reclassified as an infraction.</p>

Fines, Sanctions, or Enjoinments

Although the following information will not appear in Live Scan background check results, since they are not criminal charges, they will be taken into consideration when staff reviews an application:

- Responsible Persons who have been issued a fine, sanctioned, or enjoined for operating a **cannabis** dispensary or retailer without the necessary permits within the last 3 years, will be disqualified.
- Responsible Persons who have been issued a fine, sanctioned, or enjoined for operating a **cannabis** dispensary or retailer without the necessary permits outside of the last 3 years, may be qualified with statement of rehabilitation, mitigating circumstances, and supporting evidence (see below).

Factors Taken Into Consideration for Certain Criminal Convictions/Fines/Sanctions/Enjoinments

Conviction for certain crimes, receipt of fines, etc. listed above as “May be qualified”, does not necessarily make a Responsible Person ineligible to receive a commercial cannabis business license. A Responsible Person disclosing a criminal conviction or prior fine in one of the “May be qualified” categories, above, or other penalty should submit any evidence of rehabilitation for consideration by the CCPD with the application. A statement of rehabilitation should be written by the Responsible Person and contain all the evidence that the Responsible Person would like the CCPD to consider that demonstrates the Responsible Person’s fitness for permitting. Supporting evidence may be attached to the statement of rehabilitation and may include, but is not limited to, evidence specified below, and dated letters of reference from employers, instructors, or counselors that contain valid contact information for the individual providing the reference.

Factors that will be taken into consideration by the CCPD when determining eligibility include:

1. Whether the Responsible Person originally included the applicable information from the background check on their application with the City.
2. The nature and severity of the act or offense, including the actual or potential harm to the public.
3. The Responsible Person’s criminal record as a whole.
4. Evidence of any act committed subsequent to the act or offense under consideration that could be considered grounds for denial, suspension, or revocation of a permit.
5. The time elapsed since commission of the act or offense.
6. The extent to which the Responsible Person has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the Responsible Person.
7. If applicable, evidence of expungement proceedings under Penal Code section 1203.4 or a similar law in another state.
8. If applicable, a certificate of rehabilitation obtained under Penal Code section 4852.01 or a similar law in another state.
9. Other evidence of rehabilitation submitted by the Responsible Person.