

## SDBMOE General Guidelines on Criminal History

1. No History: No Problem
2. Felony Conviction: Generally disqualifies applicant for a license
3. Misdemeanors: Divided into two classes which are distinguished from each other by the following maximum penalties which are authorized upon conviction:
  - Class 1 Misdemeanor: one year imprisonment in a county jail or two thousand dollar fine
  - Class 2 Misdemeanor: thirty days imprisonment in a county jail or five hundred dollar fine, or both

The applicant should check with the Board staff prior to enrolling in a program if any of the following apply:

- Misdemeanor Class 1: (DWI, theft, simple assault, marijuana possession etc.) within past 3 years, and any misdemeanor involving alcohol or drugs within past 3 years.
- Misdemeanors: (more than 1 or a combination of misdemeanors within past 5 years) demonstrating a pattern of unlawful conduct, addiction, and/or a lack of moral character (theft, bad checks, simple assault, misprision of felony, eluding, obstructions of law enforcement etc.)
- Multiple Misdemeanors: (more than 3) history of more than 3 misdemeanor convictions