



Forest County Potawatomi Community
P.O. Box 340, Crandon, Wisconsin 54520

POTAWATOMI
(Keeper of the Fire)

Criminal Background Waiver General Information

The Forest County Potawatomi Community (“Community”) General Council approved the Gaming License Criminal Background Waiver Policy (“Policy”) on August 11, 2018. The Policy was amended by General Council on May 8, 2021. The General Council delegated the responsibility of conducting criminal background investigations to the Gaming Commission and initial reviews of Criminal Background Waiver Applications (“Application”) to the Criminal Background Waiver Panel (“Panel”) and the Executive Council. The General Council retained the ultimate authority to approve all criminal background waivers by legislative resolution.

Based on the Policy, if you are an enrolled member of the Community and your criminal background has prevented you, or you suspect your criminal background will prevent you, from being employed by the Community’s Gaming Enterprises and/or the Gaming Commission, you may be eligible for a criminal background waiver. This General Information document will guide you through the criminal background waiver process. For additional information, please refer to the Criminal Background Waiver Application and Instructions.

I. Criminal Background Waiver Eligibility

To be eligible to apply for a criminal background waiver, you must be convicted of, or entered a plea of guilty or no contest to, any of the following without receiving a pardon:

1. felony in the last ten (10) years other than felony convictions for offenses indicated in number 2, 3, 4 below;
2. gambling related offenses;
3. fraud or misrepresentation in any connection; or
4. violation of any applicable gaming law or regulation.

If you were convicted of, or entered a plea of guilty or no contest to, number 2, 3, or 4 above, you will not be eligible to apply for a criminal background waiver until at least ten (10) years have passed since the date of conviction.

If you were denied a criminal background waiver, you will not be eligible to apply for a new criminal background waiver until at least one (1) year has passed since the date of the most recent denial.

II. Criminal Background Waiver Procedure

You must complete the Application in its entirety and submit the completed Application to the Gaming Commission. Failure to provide a completed Application may cause a delay in the criminal background waiver review process.

Upon receipt of your completed Application, the Gaming Commission will assign an Investigator to review your Application and conduct an investigation to verify the accuracy and completeness of the information provided in your Application. The Gaming Commission will create an investigation report based on the completed investigation. Any misrepresentation or omission of information in the Application may result in the denial of your Application.

Your completed Application and the Gaming Commission's investigation report will be provided to the Panel. Based on your request, the Panel may schedule an informal hearing to review your Application, to gather additional evidence and testimony, render judgment based solely upon written submissions, or consider both information obtained during an informal hearing and written submissions.

After the Panel's review of the evidence, the Panel will issue a written decision within fifteen (15) calendar days of either the date of the hearing or the date the Panel met to consider your Application. The written decision will document the Panel's recommendation whether to grant or deny you a criminal background waiver. You will be sent a copy of the Panel's written decision by Certified Mail. It is your responsibility to provide the Panel with your current address. If the written decision is returned to the Panel due to an incorrect address, no further notice will be sent to you.

1. If the Panel decides to grant a waiver, the Panel will forward its recommendation to the Executive Council for consideration.
2. If the Panel decides to deny a waiver, the Panel will not forward its recommendation to the Executive Council. You may, however, file a timely appeal to the Executive Council to review the Panel's decision or the Panel's decision will be final.

The Executive Council will review the Panel's recommendation to grant a waiver or your appeal of the Panel's recommendation to deny a waiver in a timely manner.

1. If the Executive Council decides to grant a waiver, the Executive Council will include its recommendation on the next General Council Meeting Agenda.

2. If Executive Council decides to deny a waiver, the Executive Council will not include its recommendation on the next General Council Meeting Agenda. You may, however, file a timely appeal to the General Council or the Executive Council's decision will be final.

Decisions of the General Council shall be final. If the General Council grants a waiver, they will do so by legislative resolution.

Please note, a Criminal Background Waiver granted by the General Council DOES NOT guarantee that an occupational gaming license will be issued by the Gaming Commission. Additionally, a Criminal Background Waiver granted DOES NOT guarantee employment with the Tribe's gaming enterprises or its Gaming Commission.