

Proposed List of IHSS Exclusionary Crimes

Business and Professions Code

729 (Sexual exploitation by physicians, surgeons, psychotherapists, alcohol and drug counselors)

Penal Code

37 (Treason)

128 (Perjury resulting in the conviction of an innocent person)

136.1 (Felony intimidation of a witness and victims)

186.22 (Participation in criminal street gang)

187 (Murder)

191.5 (Gross vehicular manslaughter while intoxicated)

192 (Manslaughter; voluntary, involuntary, and vehicular)

203 (Mayhem)

205 (Aggravated mayhem)

206 (Torture)

207 (Kidnapping)

209 (Kidnapping for ransom, reward, or extortion, or to commit robbery or rape)

209.5 (Kidnapping during commission of carjacking)

210 (Extortion by posing as a kidnapper)

210.5 (False imprisonment for purposes of protection from arrest or use as shield)

211 (Robbery)

214 (Train robbery)

215 (Carjacking)

218 (Train derailling)

219 (Train wrecking)

220 (Assault with intent to commit mayhem, rape, sodomy or oral copulation)

222 (Administering stupefying drugs to assist in commission of felony)

243.4 (Sexual battery and attempted sexual battery)

245 (Assault with deadly weapon or force likely to produce great bodily injury)

261(a)(1)(2)(3)(4) or (6) (Rape and attempted rape)

262(a)(1) or (4) (Rape of spouse)

264.1 (Rape in concert and attempted)

265 (Abduction for marriage or defilement)

266 (Enticing minor into prostitution and attempted)

266c (Inducing sexual intercourse by fear or consent through fraud)

266h(b) (Pimping a minor)

266i(b) (Pandering a minor)

266j (Providing a minor under 16 for lewd or lascivious act)

267 (Abduction for prostitution and attempted)

269 (Aggravated assault of a child)

272 (Contributing to the delinquency of a minor and attempted)

273a(a) (Willfully causing or permitting any child to suffer under circumstances or conditions likely to produce great bodily harm or death)

273d (Willfully inflicting any cruel or inhuman corporal punishment or injury on a child)

273.5 (Willful infliction of corporal injury)

285 (Incest and attempted)

286 (Sodomy)

288 (Lewd or lascivious act upon a child under 14 and attempted)
288a (Oral copulation)
288.2 (Distributing lewd material to children and attempted)
288.3 (Contact with a minor to commit sexual offense)
288.4 (Meeting with minor for sexual purpose)
288.5 (Continuous sexual abuse of a child and attempted)
288.7 (Sexual conduct with a child 10 years or younger)
289 (Genital or anal penetration by foreign object and attempted)
289.5 (Sex offender fleeing from state with intent to avoid prosecution)
311.1 (Child-related pornography and attempted)
311.2(b)(c) or (d) (Child-related pornography and attempted)
311.3 (Sexual exploitation of child and attempted)
311.4 (Using minor to assist in making or distributing child pornography and attempted)
311.10 (Advertising or distributing child pornography and attempted)
311.11 (Possessing child pornography and attempted)
314.(1) or (2) (Lewd or obscene exposure of private parts and attempted)
347(a) (Poisoning or adulterating food, drink, medicine, pharmaceutical products, spring, well or reservoir)
368 (Elder or dependent adult abuse)
417(b) (Drawing, exhibiting, or using firearm or deadly weapon on the grounds of a day care center)
451(a) (Arson with great bodily injury)
459 (Burglary)
470 (Forgery)
475 (Forgery- possession or receipt of items; intent to defraud)
484 (Theft)
484b (Grand theft – diversion of funds)
484e (Theft of access cards or account information)
484f (Forgery; access cards; design, alteration or use)
484g (Fraudulent use of access cards or account information)
484h (Furnishing thing of value upon presentation of access card)
484i (Forgery- equipment to made counterfeit cards)
484j (Publication of access card, number or code with intent to defraud another)
487 (Grand theft)
488 (Petty theft)
496 (Receipt of stolen property)
503 (Embezzlement)
518 (Extortion/gang related)
647.6 (Annoy or molest a child under 18 and attempted)
653f(c) (Solicit another to commit rape, sodomy, and attempted)
666 (Petty theft with prior conviction of certain offenses)
667.5(c)(7) (Any felony punishable by death or imprisonment in the state prison for life without possibility of parole)
667.5(c)(8) (Felony with bodily injury or use of firearm)
11418(b)(1) or (b)(2) or (c) (Weapons of mass destruction)
12308, 12309, 12310 (Exploding or igniting or attempting to explode or ignite any destructive device or explosive with the intent to commit murder, causing bodily injury, or causing death)
12022.53 (Enhanced sentence for listed felonies where use of firearm)