

Background Information

Bank of the West is subject to various government regulations. Therefore, as a condition of employment, among other things, you will be fingerprinted and reviewed for criminal convictions. Bank of the West will consider for employment all qualified applicants, including those with criminal histories, pursuant to applicable federal, state and local law and regulations, including but not limited to the City of Los Angeles Fair Chance Initiative for Hiring Ordinance and the San Francisco Fair Chance Ordinance.

In accordance with Section 19 of the Federal Deposit Insurance Act and other applicable laws, convictions or diversion programs for crimes involving dishonesty, breach of trust, money laundering, or the illegal manufacture, sale, distribution of or trafficking in controlled substances may disqualify you from employment with Bank of the West. Bank of the West will evaluate other criminal convictions to determine suitability for employment.

PLEASE READ ALL INSTRUCTIONS BEFORE PROCEEDING

If you have been convicted of a crime, describe below the nature of the crime, the date and location of the conviction and the sentence. A "conviction" means a guilty plea, a plea of no contest, or nolo contendere, a verdict or any finding of guilt regardless of whether a sentence was imposed by the court. Please be aware that (subject to the instructions below) the definition of "crime" includes both felonies and misdemeanors, no matter how insignificant you consider the crime to be.

You must also identify any pre-trial or post-trial diversion or similar program you were referred to or entered in connection with a criminal offense involving dishonesty, a breach of trust, money laundering, or the illegal manufacture, sale, distribution of or trafficking in controlled substances if such program entry occurred on or after November 29, 1990.

Do not list or identify:

- any arrest or detention that did not result in a conviction; or
- information concerning referral to, entry into or participation in any pre-trial or post-trial diversion or similar program, **unless** the offense involved dishonesty, a breach of trust, money laundering, or the illegal manufacture, sale, distribution of or trafficking in controlled substances; or
- misdemeanor drug possession charges, including misdemeanor convictions or infractions which occurred more than two years ago under California Health and Safety Code Sections 11357 (b) or (c), 11364, 11365, 11550, or the statutory predecessors thereto (which concern limited marijuana and drug paraphernalia possession crimes), or any similar provision under other state or local laws regarding drug possession and use; or
- youthful offender judgments pursuant to any youth offender or first offender law, including any adjudication as a juvenile delinquent by a court having jurisdiction over minors or any other determination or adjudication in the juvenile justice system; or
- convictions which have been **completely** expunged, erased or sealed, such that no one, including law enforcement, can be permitted access to the record even by court order; or
- any conviction for which you received an absolute pardon, **unless** the conviction related to an offense involving dishonesty, a breach of trust, money laundering, or the illegal manufacture, sale, distribution of or trafficking in controlled substances.

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Before answering the criminal background questions below, and in addition to the above instructions, please read the following instructions if you reside in, or are applying for a position in, California (including San Francisco, CA), Colorado, Georgia, Massachusetts, Nevada, Pennsylvania (including Philadelphia, PA), Portland Oregon or Washington.

INSTRUCTIONS FOR ANSWERING CRIMINAL BACKGROUND QUESTIONS

California Applicants: Do **not** identify any misdemeanor conviction for which probation has been successfully completed or otherwise discharged and the case has been dismissed by a court, **unless** the offense involved dishonesty, breach of trust, money laundering, or the illegal manufacture, sale, distribution of or trafficking in controlled substances. **San Francisco, California Applicants:** Also, unless the offenses involve dishonesty, breach of trust, money laundering or the illegal manufacture, sale, distribution of or trafficking in controlled substances, do **not** identify any information relating to: (1) a conviction that has been judicially dismissed, expunged, voided, invalidated, or otherwise rendered inoperative (for example, under California Penal Code sections 1203.4, 1203.4a, or 1203.41); (2) a conviction for which more than seven years has passed since the date of sentencing; (3) an arrest that did not lead to a conviction and is not the subject of an active pending criminal investigation or trial; or (4) an offense other than a felony or misdemeanor, such as an infraction.

Colorado Applicants: Do **not** identify any information regarding a record of civil or military disobedience, **unless** the record resulted in a plea of guilty or a conviction by a court of competent jurisdiction or **unless** the record of disobedience involved dishonesty, breach of trust, money laundering, or the illegal manufacture, sale, distribution of or trafficking in controlled substances.

Georgia Applicants: Do **not** identify any verdict or plea of guilty or nolo contendere that was discharged by a court under Georgia's First Offender Act, **unless** the offense involved dishonesty, breach of trust, money laundering, or the illegal manufacture, sale, distribution of or

trafficking in controlled substances.

Massachusetts Applicants: Do **not** identify any first-time misdemeanor convictions for drunkenness, simple assault, speeding, minor traffic violations, affray or disturbance of the peace. Do **not** identify any misdemeanors that occurred more than five years ago, **unless** the offense involved dishonesty, a breach of trust, money laundering or the illegal manufacture, sale, distribution of or trafficking in controlled substances.

Nevada Applicants: Do **not** identify any misdemeanor convictions that occurred more than seven years ago, **unless** the offense resulted in imprisonment and/or involved dishonesty, a breach of trust, money laundering, or the illegal manufacture, sale, distribution of or trafficking in controlled substances.

Pennsylvania Applicants: Do **not** identify any convictions for summary offenses, **unless** the offense involved dishonesty, breach of trust, money laundering, or the illegal manufacture, sale, distribution of or trafficking in controlled substances. **Philadelphia, Pennsylvania Applicants:** Do **not** identify convictions that are older than 7 years excluding any period of time when you were incarcerated, **unless** the offense involved dishonesty, a breach of trust, money laundering, or the illegal manufacture, sale, distribution of or trafficking in controlled substances.

Portland, Oregon Applicants: Do **not** identify charges that have been resolved through the completion of a diversion or deferral of judgment program for offenses not involving physical harm or attempted physical harm to a person **unless** the offense involved dishonesty, a breach of trust, money laundering, or the illegal manufacture, sale, distribution of or trafficking in controlled substances.

Washington Applicants: Do **not** identify any conviction or pretrial diversion program entered more than ten years ago and for which no period of incarceration took place within the last ten years, **unless** the offense involved dishonesty, a breach of trust, money laundering, or the illegal manufacture, sale, distribution of or trafficking in controlled substances.

✳️Have you ever been convicted of any crime?

If yes, please explain.

✳️Have you ever entered a pre-trial diversion program regarding offenses involving dishonesty, breach of trust, money laundering, or the illegal manufacture, sale, distribution of or trafficking in controlled substances on or after November 29th, 1990? .

If yes, please explain.