Common Misconceptions Surrounding Background Checks

Presented By: Craig Kessler
President of backgroundchecks.com
Why conduct background checks?
Thousands of youth victimization cases occur in environments that exist to promote confidence and trust. Why?

- Over 60% of children are victims of violence in some way each year.
- One half of youths surveyed were assaulted at least once in the last year and more than 1 in 10 were injured as a result.
- Two of every 1,000 children are sexually assaulted.
- Sexual offense recidivism rates range from 14% to 20% within a five year follow up period, jumping 39% to 52% when tracked beyond 5 years.

Sources: National Survey of Children’s Exposure to Violence (NatSCEV)
Crimes Against Children Research Center
National Crime Victimization Survey
REGISTERED SEX OFFENDERS IN THE UNITED STATES PER 100,000 POPULATION
Including the District of Columbia and Territories of American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and St. Croix, St. John and St. Thomas, VI
Total: 747,408 (Per 100,000 Population - 238)

Number of Registered Sex Offenders (Per 100,000 Population)
199 or fewer (20)
200 to 299 (26)
300 or more (11)

Geographic areas that do not include in their totals offenders who have been deported, incarcerated or have moved to another area (19).

Source:
State or Territory Sex Offender Registries
States and PR: U.S. Census Bureau, July 2010 Estimates
Territories: Central Intelligence Agency, World Fact Book, July 2011 Estimates
National Center for Missing & Exploited Children (NCMEC), Alexandria, VA
Environmental Systems Research Institute (ESRI), Inc., Redlands, CA
Mapping software donated to NCMEC by ESRI

Prepared by the Special Analysis Unit
November 4, 2011
Registered Sex Offenders per USYSA Region

Region I: 110,357
Region II: 167,625
Region III: 211,577
Region IV: 212,857

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Common Misconceptions
1. ‘Our local police department does our background checks. We don’t need to pay for another check.’

2. ‘All I need is a SSN or a drivers license number in order to find all crimes associated with an individual.’

3. ‘All background check companies check the same information. We have chosen the cheapest alternative.’

4. ‘International background checks are inexpensive and easy to obtain.’

Why are these statements false?
My local police department runs our checks. I should not have to pay for another check.

Why is this statement false?

- Police departments only store arrest records. Arrest records do not constitute as an accurate representation of one’s criminal record.
- Police departments send their arrest records to the county courthouse where the record becomes a ‘pending conviction’ and the trial date is set.
- Criminal convictions are stored at the county courthouse.
- In most cases, your local police department will only provide arrest records from your town. Surrounding towns, states, and sex offender registries will not be included.
Our club needs only a drivers license number or SSN to find all criminal activity associated with an individual.

Why is this statement false?

- “No single source exists that provides complete and up-to-date information about a person’s criminal history.”
- Public records are filed by First Name, Last Name and Date of Birth at the courthouses.
- 100% proof positive confirmation can only be obtained by fingerprint match.
- Currently, the FBI maintains criminal history records on more than 48 million different individuals, with many of the individuals having multiple entries of separate encounters with the criminal justice system.

Source-The Attorney General’s Report on Criminal History Background Checks
All background check companies check the same information. We have chosen the cheapest alternative.

Why is this statement false?

• There are many rogue database and background screening providers who sell outdated criminal information

• A good national criminal database provider identifies sources that provide bulk criminal data, obtains and updates that information regularly.

• Ask Who, What, Where, When and How Much.
All background check companies check the same information. We have chosen the cheapest alternative.

**WHO?**
Ask for at least three references and CALL THEM
Ask for company history and facts

**WHAT?**
Make sure that you know what you are buying
Compare apples to apples with other screening companies

**WHERE?**
Ask for a source list and determine the company’s strengths and weaknesses

**WHEN?**
Ask how often their records are updated
For real-time searches at the courthouse, ask about turnaround time

**HOW MUCH?**
Don’t let price be the determining factor. Budgets are important but safety is crucial to the success of the program

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International background checks are inexpensive and easy to obtain.

Why is this statement false?

• Many countries don’t make their criminal records available to anyone. (Ireland, Hong Kong and Spain are good examples)

• In many countries the only way to get a REAL criminal history report is to have the “applicant” get it himself or herself. (Japan, France and Germany are good examples)

• Most reputable background screening companies charge $40-$250 per report depending on the country.

• Results are returned within 10-15 business days.
Strategies for Success
How do I design an effective program and control costs?

Access millions of records at once with a National Criminal Database (county, state, and territory sex offender registries)

- Access to over 430 million criminal records
- Dedicated team to maintain, update and expand capability
- Ongoing Monitoring Capability
- Every available National government watch list & databases including OFAC
- Source sex offender data (49 states & all territories) should be included
- FCRA compliance

“...commercial databases offer the advantage to users who cannot access FBI data of broadening the scope of records searched beyond the jurisdictions of past residence.”

Source:
U.S. Department of Justice
Office of the Attorney General
REPORT ON CRIMINAL HISTORY BACKGROUND CHECKS
## How do I design an effective program and control costs?

<table>
<thead>
<tr>
<th>Screening Type</th>
<th>Recommended</th>
<th>Available if needed</th>
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<tbody>
<tr>
<td>National Criminal Search</td>
<td><em>MUST HAVE</em></td>
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<tr>
<td>National Sex Offender Search</td>
<td><em>MUST HAVE</em></td>
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<td>Identification Verification</td>
<td>Highly Recommended</td>
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<td>County Criminal Search</td>
<td>Highly Recommended</td>
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<td>Name and Address History and SSN Validation</td>
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<tr>
<td>Ongoing Criminal Monitoring</td>
<td>Highly Recommended</td>
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<tr>
<td>International Search</td>
<td>When Necessary</td>
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<tr>
<td>Statewide Criminal Search</td>
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<td>Reference Check</td>
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All are important but which are NECESSARY to supporting your goals?
How often should I reassess my program?

- Annually
- Availability of annual statistical information
- Ad hoc assessments should be available if incident occurs
- Vendor should have risk management/ compliance department with a real legislative pulse to guide you
- Information on best practices among peer organizations helps
Questions?