
Criminal Background Screening Overview

PART III

Criminal background screening ideally encompasses all information about a person's interactions with the law that a company is entitled to consider in making employment decisions. Unfortunately, the limited availability and questionable accuracy of some public record information makes this goal difficult, if not impossible, to reach.

Sources of Information for Criminal Background Screening

A comprehensive criminal history check involves accessing numerous sources of information. Contrary to popular belief, there currently is no one-stop comprehensive source (that is, an all-inclusive national database) for criminal background information.

It is essential, therefore, for employers to work closely with their CRAs to devise an appropriate background screening procedure that efficiently accomplishes the goals of accurate, comprehensive, consistent, timely and legal reporting.

The types of records available and methods of retrieving data vary depending on the source of the criminal records. The following are the various access points for criminal history information:

- County courthouses
- State repositories
- Federal Integrated Automated Fingerprint Identification System (IAFIS) system
- Federal records center
- Proprietary databases

Searching Strategies

There are a couple of strategies that employers should use to ensure that the criminal background checks they order and purchase are as complete, accurate and thorough as possible within legal bounds:

- **Notice** - Employers must give notice to and obtain authorization from the individual as required by the FCRA and state laws.
- **Where to search** - A comprehensive background search will include a search for records in several different locations, as described in this Technical Update.
- **How to handle incomplete records** - Due to the limitations inherent in the system, it is possible or even likely that some of the records received from various sources will be incomplete and/or inaccurate.

What This Means For Counties

Criminal background screening for employment purposes should not be undertaken lightly. As valuable as it has proven to be, background screening is a process that implicates a broad variety of privacy and safety concerns. Ideally, counties who seek criminal history information want to be able to make informed decisions about whether an individual, if employed, will contribute to a safe and productive workplace or may cause some harm to person or property.

For more information, contact CTSI at 303-861-0507.