

Background Check Buyer Beware

Buyer BEWARE when ordering a background check. "Instant nationwide" searches are often useless.

Background checks have become a necessary part of doing business. When hiring a nanny for their children, for example. And, what business wouldn't want to check the background of a person hired to manage their bank accounts, run a cash register or handle inventory?

SURPRISING TRUTH: An instant "National Database" with all criminal records does not exist. Right now you are probably sure that I am crazy. "Why just last night on Law & Order they got the bad guy's record . . ." There you are talking about NCIC, the National Crime Information Center or otherwise known as the FBI files. While the FBI maintains the best and most accurate records (yet still sorely lacking in information about criminals), unfortunately, you can't get them, unless you are a federally insured bank, a defense department contractor, a nuclear power plant, a branch of the government itself or some other such entity.

Some people are convinced that the government has databases with all of our personal information from criminal history to credit and health information. If that were true, why does it take the government four months and spend \$2400 to conduct a background check? Don't believe me? Look here: <http://www.opm.gov/extra/investigate/FIN-2002/fin02-01Attach1.asp>

SURPRISING TRUTH: The companies that sell Nationwide information advertise that they search everywhere, or at least that's what they want you to believe. Using the word Nationwide is designed to make you think that they check everywhere.

So if there's no such thing as an instant Nationwide Database what are these companies selling?

The companies that collect and sell these database records, and the hundreds of companies that re-sell this information do not emphasize the weaknesses of their systems. This is why they emphasize the words "instant" and "Nationwide" in their promotions. Many (mostly the uninformed) seem to buy the cheap and instant. Can you imagine a website that advertised "Slow And Expensive Limited Area Background Checks"? In fact to get accurate records in most of the Country it still requires the subject records being searched in each county the subject has lived when an adult or juvenile.

These "Instant Database" companies get records where they can get them for free; usually from a state's Department of Corrections, which means you are only getting information on a subject if he/she has been convicted of a felony and sentenced to prison. You do not get many of the arrests and convictions, misdemeanors and felonies and the courts final disposition of the case - guilty or not guilty plus the sentence.

If you are getting only felony convictions, you are getting only a small piece of the pie. For example; a person could be arrested twice for having drug paraphernalia or drug possession; domestic violence assault or vehicular prowling or shoplifting. If the records you are getting only include felony convictions, you would have no record of that person's real criminal behavior.

The other problem that these Instant Nationwide background checks have is that in many areas of the country they get no information at all because the states or the county superior courts or district courts don't furnish them with free records.

Here is another example: Suppose you are a subject who has lived in San Francisco, Las Vegas, Salt Lake City, Boston, Atlanta or New Orleans (just to name a few) and you want to do a criminal background check. You go online and type in "background check" in Yahoo or Google and right away you see the ads for the "Instant Nationwide" background checks. You choose one of the websites that offers instant records, you pay your \$19.95 or \$49.95 and you provide the information on the person you want to check-out. Instantly the website tells you that there is no record found based on the info that you have provided. You feel great! You go ahead and tell the nanny that she can start tomorrow because she has passed the background check. Here comes the big kick in the gut. . . What the website didn't tell you is that their database records did not even search any of those areas the person actually lived (due to the fact that they were unable to procure criminal information from the Counties the subject lived). You just paid \$19.95 or \$49.95 and got NOTHING, ZERO, ZIP, NADA on your subject!

BUYERS BEWARE! Know your Background Check companies procedures and what criminal databases they access.

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Criminal Record Comparison**Applicant 1, G.R. 42-year old male:**

Orca Information	Instant Database #1	Instant Database #2	Washington State Patrol
7/28/09 Protection Order Violation Felony-Domestic Violence related, ACTIVE CASE (returned from Warrant on 7/29/09)	No records found	No records found	2/11/94 Assault 4th Degree, Guilty*
8/19/09 Protection Order Violation Felony-Domestic Violence related, ACTIVE CASE (returned from Warrant on 8/20/09)			4/6/94 Driving with No Valid License*
6/11/09 Assault 4th Degree-Domestic Violence related AMENDED to Disorderly Conduct, Guilty			6/11/09 Disorderly Conduct, Guilty
6/18/09 Protection Order Violation-Domestic Violence related, Guilty			7/10/09 Domestic Violence Court Order Violation, Guilty
7/10/09 No Contact Order Violation-Domestic Violence related, Guilty			7/23/09 Assault 4th Degree, Status Not Received
7/23/09 Felony Violation No Contact Order-Domestic Violence related, Bound Over			7/20/09 Domestic Violence Court Order Violation, Status Not Received
7/23/09 Assault-Domestic Violence related, Bound Over			
8/16/09 Probable Cause Hearing for Felony Violation of No Contact Order-Domestic Violence related, Bound Over			
8/16/09 Probable Cause Hearing for Assault-Domestic Violence related, Bound Over			
8/16/09 Probable Cause Hearing for Interfering-Domestic Violence related, Bound Over			

**Due to the age of these records they would not be included in a records search done by a private screening company to maintain compliance with Washington State Consumer Reporting Laws.*

Applicant 2, E.H. 72-year old male:

Orca Information	Instant Database #1	Instant Database #2	Washington State Patrol
7/3/04 Unlawful Issuance of Bank Checks, ACTIVE WARRANT	No Records Found	No Records Found	No Records Found
10/14/02 Unlawful Issuance of Bank Checks, ACTIVE WARRANT			

Applicant 3, F.J. 47-year old male:

Orca Information	Instant Database #1	Instant Database #2	Washington State Patrol
5/14/09 Child Molestation 2nd Degree-Domestic Violence related, ACTIVE CASE	9/19/03 DUI amended to Negligent Driving, Guilty	1/3/03 Assault 2nd Degree amended to Assault 4th Degree, Guilty	5/14/09 Child Molestation 2nd Degree, Status Not Received
9/17/03 Driving Under the Influence amended to Negligent Driving 2nd Degree, Committed	6/20/03 Assault 4th Degree, No Finding	9/19/03 DUI, amended to Negligent Driving 2nd Degree, Guilty	12/31/02 Assault 4th Degree, Guilty
12/31/02 Assault 2nd Degree amended to Assault 4th Degree, Guilty			