



Amongst the plethora of great reasons to background screen your applicants and employees, one typically stands out above the rest: determining whether or not an individual has a criminal record. Hiring or employing someone that has the capability of endangering their peers or your business' reputation should be a concern for all employers. However, criminal records aren't always as cut and dry as it may seem, there are many variables to consider- and we're here to communicate what may or may not show up on a criminal search.

Classifications

The most common classifications you'll see returned on a criminal record is a felony or misdemeanor, which can vary in severity or "level." There are several additional classifications that a court may have documentation on, but are not reportable on a pre-employment, consumer background check. Non-reportable classifications include:

- Infractions
- Traffic Violations
- Ordinance Violations
- General Violations
- Summaries



Dispositions

Defined as “the final settlement of a matter,” criminal dispositions are case resolutions as determined by a judge in a court of law. Many employers are surprised to hear that criminal cases aren’t always disposed as just innocent or guilty, in fact, there are many different outcomes, some of which can be communicated to employers and some cannot. Reportable dispositions include:

- Forfeiture (both standard and bail)
- Guilty
- True
- Conviction
- Judgment
- Guilty in Absentia

Timelines

Time plays a major factor when it comes to criminal reporting. Criminal offenses, if deemed the proper classification and disposition, must fall within their state’s regulations in order to be communicated to a potential employer. With the majority of the 50 states setting a uniform regulation of a 7 year timeline for criminal reporting from the date of final disposition, the background screening industry has deemed that scope their standard as well. Of note, cases that involve a probationary sentence are not fully disposed of until probation is complete, which extends the criminal reporting timeline (although there is the occasional exception).

Offender Identification

Now that we’ve reviewed the three major qualifiers for reporting a criminal offense, how do we determine that the offense belongs to your applicant or employee? Our team of field researchers validates any potential cases using a minimum of two unique identifiers, typically the individual’s name and date of birth, with the social security number as a third for common names. Finally, our Quality Control Specialists confirm that the offense meets all of the above requirements before delivering the results for you to review and make a hiring decision.

Our staff here at Backgrounds Online use transparency as a tool every day in order to successfully communicate between departments and ultimately deliver what we consider the best FCRA compliant background check on the market. If you have questions about our process or how to direct your applicants/ employees to find out more information about Backgrounds Online- contact us today, we’d love to hear from you.

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