

Understanding Criminal Background Checks Part 1



You may already be ordering criminal searches with every background check, but are you including everything you should? Do you know what to look for in a completed report and understand what might disqualify an applicant?

Recommended Criminal Searches

Backgrounds Online offers a variety of criminal searches, including county, state, national database, federal and sex offender registry. While each have their own benefits, running a combination often casts a wider net and may reveal information you feel important to consider based on the position you're filling.

A comprehensive background check package helps you conduct due diligence and potentially avoid claims of negligence. This adds a layer of protection against hiring a candidate that does not meet your standards.



When Might A Criminal Record Disqualify Someone?

Generally, when reviewing criminal offenses, we bucket them into a few key categories. Each bucket contains both serious charges and lesser offenses. These buckets consist of:

Violent Crimes

Murder/manslaughter, assault, battery, domestic violence, robbery and weapons related charges are some of the most common violent crimes we see.

Sexual Crimes

Rape, prostitution, sexual abuse and a variety of other charges that require a person to register as an offender fall into this category.

Illegal Drugs

This includes manufacturing, selling or possessing large quantities of illegal drugs. There are several lower-level offenses in this bucket that you may wish to evaluate if they are relevant to the position.

Crimes Against Children

Kidnapping, abuse and neglect are frequent charges for this category. If your candidate will be working with children, these charges are likely something you'll want to consider.

Non-violent Crimes

Embezzlement, identity theft and fraud are among the most common non-violent offenses. Often times, these types of serious cases are handled within a Federal court and may be applicable to where you're placing a candidate.

Motor Vehicle Offenses

These range from vehicular manslaughter to hit and run and the all-too-frequent DUI. If your candidate will operate a vehicle on company time, researching their driving record could yield information you need to know.

When A Report Includes Convictions

If a pre-employment background check returns convictions, organizations should have an internal process on how they'll proceed. Some states have laws that require employers to assess each conviction and determine if it is relevant to the position being sought. The Equal Employment Opportunity Commission (EEOC) suggests considering the following:

- The nature and seriousness of the offense/crime;
- The time that has passed since the criminal offense or completion of the sentence; and
- The nature of the job.



Document Your Policies

Every employer should have written policies that cover how they handle background screening and reviewing convictions. These policies may reference various categories of offenses and explain specific procedures for each one.

A few states have laws that determine when a background check should be run. Typically, this is after an initial interview is conducted and sometimes it may only occur once a conditional offer is extended. Your hiring documentation can also define when background checks will be ordered and which employees will be allowed to access the results. We recommend having your policies reviewed by legal counsel before they are finalized.

Custom Screening Packages

The team at Backgrounds Online can help you customize background check packages for any type of position. We'll consider your specific needs, industry requirements and applicable laws. If you'd like assistance or have questions, we are here to help you Monday through Friday from 5am to 6pm PT.