

The Devil Is In the Details

Not All Background Checks Are Equal

As tempting as it may be to cut corners to save money, being fiscally responsible requires long-term thinking. For example, saving a few dollars on background screening by using only database searches, rather than primary source verification, can easily result in substantial fines and a tarnished reputation in the future.

Consider the case of the Arizona convicted sex offender who slipped through the cracks. A story published in the *The Arizona Republic* demonstrates how risky database information provided by federal and state governments on sex offenders can be.

The article reports the story of a 67-year-old Surprise, Arizona man who passed a background check upon hire and officiated roughly 70 games before he was arrested on suspicion of sexually abusing two runaway children. Authorities said the suspect had a criminal history dating back to 1973 with records in New York, Texas, Kentucky, and Alabama that included six sex-crime violations.

Although the Arizona Interscholastic Association—the governing body over high-school sports in the state—conducted a background check, the check was based solely on the results found in a database search.

The risk of depending on database searches is that they may contain both “false negatives,” a situation in which there is no criminal match with a criminal being checked, and “false positives,” a situation in which there is a criminal match with the person being checked, but upon further examination it’s discovered that it’s not the same person.

Any positive matches, sometimes referred to as “hits,” must be verified by reviewing the actual court records from a courthouse.

While criminal records database searches provide value because they cover a much larger geographical area than traditional searches, which are run at the county level, they are fraught with problems, including incomplete records, name variations, and untimely information. In addition, databased searches can make employers vulnerable to a number of legal pitfalls, especially when it comes to confirming if the record is current and accurate and if it even belongs to the applicant.

While database searches are useful as secondary tool, the best value in the long term is conducting a search that includes primary source county court level searches carried out by a professional background check company or a private investigator.



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