

COMMERCIAL INVESTIGATIONS LLC

CI TIMES



SWF SEEKS BACKGROUND CHECK: ONLINE DATING & BACKGROUND SCREENING

Recently, there have been many discussions in the media regarding the major online dating sites. Proposed legislation in several states is being considered to require background screening for users of Internet dating sites or at least have sites state whether they conduct background screening.

At the same time, major dating sites such as Match.com and Yahoo Personals have faced lawsuits about possible baiting activities that mislead subscribers to keep them hooked. This has fueled discussion about whether this unregulated industry needs regulation. Talk of increased government regulation always seems to bring about a heated debate.

There would likely be many unintended consequences of increased regulation on the \$500 million a year online dating industry. Some of the legislation has been brought about and supported by True.com (one of the top 5 dating sites). True.com does screen its users. The proposed legislation would have an effect on all sites as any local or state regulations would be difficult to apply regionally online. According to Corante.com, The International Association of Dating Websites (IADW) does not support the proposed legislation to require background checks for dating sites or to require disclosure. True.com is a member of IADW however.

Many argue that screening users provides a false sense of security and others question the level and accuracy of the background checks being conducted. There is also the issue of international users or those who have recently moved to the U.S. whose backgrounds are both difficult or expensive to screen. Also, performing a criminal check alone does not solve the problem of someone misrepresenting their height, weight or income. Online dating may not be the correct place to increase regulations regarding background screening. However, here are some facts to consider when venturing out for a night online:

According to the Bureau of Justice Statistics:

- ◆ Almost 60% of convicted sex offenders in the United States are either on pro-

bation or parole

- ◆ 6.5 million adults, or 3.2% of the U.S. population, were either on probation, in jail or on parole at the end of 2000
- ◆ 67% of criminals released in 1994 were re-arrested for at least one serious crime within the next three years

CI asked Kim Millett, Director of Compatible Connections of Albany, for her perspective:

“For a time, our business felt the pinch from the growth of internet dating. Over the last few years, we see more and more people who are uncomfortable with the fact that there is no personal touch, screening or quality control with on-line dating. To the best of our knowledge, the industry standard for dating services does not include complete background checks. People who use Compatible Connections find comfort in our screening and matching processes that we have worked to perfect over the last decade.

Millet also offered some safety tips for dating in general:

“Use common sense and caution as you start to get involved with a person. On your first few dates meet at a public place and take separate cars. Tell a friend or family member where you are going and what time you will be home. Recognize and acknowledge your comfort level, and that of the person you are meeting. Do not disclose too much personal information on the first date, such as your last name or work place. As your relationship develops, you should learn these things first hand, be introduced to friends and family, as well as learning where one another lives. Try to use good judgment, take calculated risks and stay positive!”

Whether your inviting someone into your place of business or your home, its important to use every legal and ethical method possible to protect yourself. It’s equally important to be educated about the information you are basing your decisions on.

To learn more about BACKGROUND INVESTIGATIONS, contact a CI representative today.

INSIDE THIS ISSUE:

SWF SEEKS BACKGROUND CHECK: ONLINE DATING & BACKGROUND SCREENING	1
CIWARE CLIENT CLUE: OPTIMIZATION	1
DUE DILIGENCE: UNTIL METH DO US PART	2
MEET DUE DILIGENCE IN 2006	2
COMPLIANCE CORNER: THE SEVEN YEAR “RULE”	3
INQUIRY SPOTLIGHT: NY STATEWIDE CRIMINAL RECORD	3

CIWARE CLIENT CLUE

OPTIMIZATION

By optimizing CIWARE, you can decrease your entry time and take advantage of built-in features designed to improve input accuracy. This will result in receiving the most timely, accurate and beneficial BACKGROUND INVESTIGATIONS results available.

For initial optimization, make sure your PC is running Microsoft Internet Explorer version 6.0 or higher. To further enhance your experience, allow pop ups in CIWARE by setting your pop up blocker to always allow pop ups on the CIWARE site.

For assistance with these and other Ciware features, please contact a CI representative.

DUE DILIGENCE: UNTIL METH DO US PART

We meet up this month with Mr. Due Diligence as he finds himself attempting to “get his old job back.” So where has Due been? “Family Issues?” That’s broad enough to cover any gap of employment, right? The bigger the gap, the bigger the issue? And you don’t want to pry, its personal. Your personnel's problems are personal even when they are your personnel, right?

Due left the administrative offices of Quick Fix Hospital just about two months ago. Due had worked for the hospital for three years. Two years ago they implemented background investigations into their hiring process. The policy stated that background investigations must be run on all new hires. This includes returning employees. Although there were no known serious problems with Due’s performance and he gave two weeks notice before leaving, HR stuck to its policy when Due applied to return to his old position.

Human Resources did have some concerns regarding Due’s recent performance. He had missed work because of headaches and seemed to be more stressed. He had increased anxiety and always seemed to be picking at his face. He also had lost a significant amount of weight. These are all symptoms of using Methamphetamines. Methamphetamines in a legal form are prescribed by physicians to treat ADD and obesity. Some legal forms are used to make illicit street Meth.

Due also hung around Five Finger Pharmacy which was located in Quick Fix Hospital. One of Due’s friends who worked at the Pharmacy was a technician named Crystal Glass. Due always referred to her as the “Glass Chef.”

Disclaimer: This information is based on actual fictional characters and real events. Only the names, locations and events have changed. These changes are for the sole purpose of protecting the identity of the real fictional characters. Any resemblance to any other fictional characters and actual made-up events is purely coincidental.

Despite these concerns, HR accepted Due’s application to return and requested that COMMERCIAL INVESTIGATIONS perform an employment BACKGROUND INVESTIGATION on him. Upon reviewing the results of Due’s BACKGROUND INVESTIGATION, it was revealed that Due spent the last 60 days in jail as part of his sentence for a controlled substance conviction. It also revealed that Due had other prior convictions, which may have prevented him from being hired three years ago, if the hospital had a BACKGROUND INVESTIGATIONS policy at that time.

CI’s BACKGROUND INVESTIGATIONS report on Due included:

- ◆ a SSN & Address Verification, and
- ◆ a 7 Year Criminal History—all names, all jurisdictions, felonies & misdemeanors (See COMPLIANCE CORNER & INQUIRY SPOTLIGHT, Page 3).

Due’s recent controlled substance conviction was in a NY county in which he never resided according to his SSN & Address Verification. Because the NY Statewide Search includes all NY counties, the conviction was uncovered. However, it was only discovered because CI ran a second statewide under an alias (Bad Diligence) found on the SSN & Address Verification. The NY Statewide Search is based on an exact name and date of birth match. Thus it was important to run all aliases for a complete criminal history.

Looks like Due might have to “tweak” his employment search. We’re pretty sure he will cook something up.

TO BE CONTINUED.....



MEET DUE DILIGENCE IN 2006

2006 will be an interesting year for Due. Stay tuned to CI TIMES throughout 2006 and you’ll be able to see what Due is up to. We will follow Due through specific circumstances as they relate to BACKGROUND INVESTIGATIONS concerning his criminal record, credit, tenant and work history.

- ◆ Would You Hire Due?
- ◆ Would You Rent to Due?
- ◆ Would You Date Due?
- ◆ Would You Use Due as a Vendor?
- ◆ Would You Consider Due as a Client?
- ◆ Would You Allow Due to Be a Volunteer in Your Organization?

Next Episode: Follow Due as he continues his search for employment.

COMPLIANCE CORNER

THE SEVEN YEAR "RULE"

Seven years could be considered the standard or "rule" when it comes to criminal record history searches for employment background investigations. This standard originated due to the former version of the Federal Fair Credit Reporting Act and its imposed limit of reporting criminal conviction information for only seven years.

The standard is also reflected in many state laws. The Federal limit was amended a few years ago to allow for the reporting of criminal record information as far back as available. Many states mimic the Federal laws and regulations. However, some states still have their own imposed limit.

Because of the lack of a nationwide standard, the seven year rule has held up over Federal law. Be aware that the seven year limit runs from the time that a subject completed his or her sentence and not from the date of conviction.

At a minimum, employers should consider doing criminal record searches in those counties in which a subject has resided for the past seven years. Depending on the position being filled, the employer's industry and the employer's aversion to risk, consideration should also be given to conducting criminal record searches in additional counties where a subject has worked and been educated.

Although it has been said that seven years is the "rule", it should really be the minimum time frame considered by all employers when implementing their background investigations policies. COMMERCIAL INVESTIGATIONS conducts a minimum of seven years criminal history search; however, our "standard" is a ten year criminal history search where available and appropriate.

Please contact a CI representative to obtain further guidance and for a review of your BACKGROUND INVESTIGATIONS policy.

COMMERCIAL INVESTIGATIONS LLC

A LICENSED PRIVATE INVESTIGATIVE AGENCY

Dedicated to providing innovative Private Investigative solutions to its clients and working with them to develop tailored services that meet their needs.

Services provided include:

BACKGROUND INVESTIGATIONS

CI provides accurate, timely, cost effective and fully compliant reports delivered with exceptional client service.

CONSULTING SERVICES

CI assists you in implementing a compliant background investigation process as well as providing assistance in implementing in-house procedures.

COMPETITIVE INTELLIGENCE

CI assists you in gaining a competitive edge with discrete, thorough and valuable intelli-

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∞ INQUIRY SPOTLIGHT ∞

NEW YORK STATEWIDE CRIMINAL RECORD

CI's New York Statewide Criminal Record inquiry consists of information from the New York State Office of Court Administration (OCA).

The inquiry results include data from all 62 NY counties pertaining to misdemeanor and felony convictions and open/pending cases originating from city and county courts. Some town and village criminal disposition data is also included. Since January 2003 approximately 20% of all NY town and village Courts have been reporting disposition data to OCA. All NY City and County courts are required to report criminal disposition data to the NYS Office of Court Administration. Cases are updated within New York City approximately every 24 hours and outside NY City at least once a week.

OCA results returned are based upon an exact name and date of birth (DOB) match. The OCA charges \$52 per name and DOB submitted. In most cases, New York Statewide Criminal Record inquiry results are relayed to CI clients within four to six hours.

Under New York State law, violations and infractions are not crimes. Also under New York State law, and covered by Federal EEOC guidelines, employers can not inquire into an applicant's arrest history. Therefore, all OCA results are reviewed by at least two CI Investigators and information that is illegal for client's to obtain is not relayed to them. Thus, ensuring compliance with New York State law and EEOC guidelines.

To add CI's NY Statewide Criminal Record inquiry to your BACKGROUND INVESTIGATIONS, contact a CI representative.

This publication is designed to provide accurate and authoritative information with respect to the subject matters covered. It is distributed with the understanding that CI is not engaged in rendering accounting or legal services.