



Searching for Criminal Records

Debunking the Myths

Myth

Enter a name and Social Security number into a computer and instantly see all criminal records for the named individual anywhere in the country! If you're good, you might also see parking tickets, overdue library books, web sites frequented and a list of videos recently rented.

It must be true; I've seen it on TV!

It works well on the cop shows but it isn't reality. Yes, law enforcement does often have access to information not readily available to the private sector, but even they can't get the extent of information and as quickly as it is portrayed on TV.

So where should I look?

Criminal conviction records start in the courts and that is the best place to look for the most accurate and up to date records. But, if there isn't a single source (there isn't) to look to for criminal records, where should you start? We suggest Social Security Tracker or Previous Address Social Security Tracker. This report provides all names & addresses associated with a given Social Security number. With it, you'll not only know where to start looking, you'll also know what name(s) to look under. Just because your applicant is calling herself Mary Jones now, doesn't mean she always has. Failing to search for criminal records under a maiden name or alias could cause you to miss serious conviction records!

Should I search at the county, state or federal level?

The short answer is YES! Each court system keeps its own records and looking in one won't necessarily provide an indication of a record in another court. There are benefits to searching all three but even then, if your applicant has a criminal record, you are not guaranteed to find it. The industry standard has been, at a minimum, to search at the county level in all jurisdictions where the applicant has lived (this is where the Social Security Tracker report is helpful) or worked for the last seven years.

Does searching at the state level uncover all records in that state?

Unfortunately, not always. Some states are better than others at gathering the data from the county courts and entering it into a central repository. Often, there is a gap from the time of a conviction until it appears in the repository. Not all states have central repositories and when they do, obtaining the information is sometimes prohibited or restricted.

Is searching the federal records the same as a national search?

No. Federal courts are divided into districts and include only criminal records prosecuted at the federal level. A county or statewide criminal history search would not turn up a record for Martha Stewart because she was prosecuted in federal court.

How does a database search differ from a "real time search"?

Searching actual court records is a hands-on process. A researcher examines the records of the court to determine if your applicant has a record there. A database search is only as good as the data contained within it. Statewide criminal history searches are one example of a database search. They are dependent on the county courts supplying the information to them in a timely manner.

Continue »

...Continued

If I use a National Criminal Database Search, am I assured of finding all records, anywhere in the country?

Absolutely not! No one can promise this. Even the FBI's National Crime Information Center (NCIC) database cannot promise that (it isn't open to the public anyway). Some companies refer to their proprietary databases as "national" in scope because they contain records from all 50 states. However, no database contains all records from all states. The Safer Places, Inc. database contains millions of records and we highly recommend every background investigation include this search. It compares your applicant's info with data from Departments of Corrections, Administrative Offices of the Courts, sex offender registries, Departments of Public Safety, police arrest records, traffic courts and more from around the country. It is the industry's most comprehensive criminal search service! However, we caution that it should not be the only search you do.

Many clients use this search as a supplemental search or as a preliminary search. Results are instant and therefore can be a good indicator when a quick decision is required. A database search may also find a record in a jurisdiction where you may not have thought to look because the applicant never maintained an address there.

Bottom line, how many searches do I need to do if I want to be sure I find any criminal record an applicant may have?

This may be difficult for some background check companies to admit, but at Safer Places, Inc., we want you to know that you could do every search that we offer and still miss a record. There simply is not a central database that accesses every criminal record. And there are so many courts (thousands) in this country alone that you'd go broke trying to search them all, not to mention the possibility of someone having a criminal record in another country (yes, we search internationally too).

I want to be smart about whom I hire but I have a budget. What should I do?

There are many reasons for conducting a thorough pre-employment background check: reduce turnover, reduce employee theft, avoid negligent hiring lawsuits, reduce workplace violence, protect your customers, and protect your company's reputation to name a few. The level of background check (and how much you spend) should be reflective of the potential harm that could be caused by hiring someone with a propensity to violence, theft or other undesirable traits.

Searching for criminal records (county, state, federal, proprietary database) is only one of the tools available to you in accomplishing your goal of creating a safer work environment. Checking driving records, previous employer references, drug testing, verifying professional licenses and college degrees claimed all provide insight into an applicant's character.

We recommend that you discuss the level of screening that is prudent for the positions you are hiring for with your Human Resources professional, your attorney and with a professional background screening company. A Safer Places, Inc. screening professional would be happy to discuss your screening as well as your budget requirements with you. Please call us today.