Understanding Criminal Background Searches:
Data Sources, Data Quality, and Matching Logic.

A whitepaper about selecting the appropriate type of search, interpreting results, and setting reasonable expectations to enhance your tenant-screening process.

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Criminal background searches are an essential part of the tenant-screening process for nearly all property managers and required by HUD regulations for housing authorities. With the majority of court systems maintaining electronic criminal databases, completing a criminal background check on an applicant through a third-party provider can be quick and easy. Unfortunately, quality results can be difficult to obtain for those who aren't familiar with the process.

Did you know?

- There is no single standard or requirement regarding what data is included in records or how jurisdictions maintain and report their criminal data.

- Records are matched based on name and date of birth <u>only</u>, not social security numbers (SSN).

- County, state, and federal-level searches each offer different advantages and drawbacks based on screening needs.

This white paper explains the impact these facts have on results and the intricacies of criminal records to help you determine which background searches are the best fit for your organization.

Data Sources

Unfortunately, there is no single source through which property managers can obtain criminal court records. While the Federal Bureau of Investigation (FBI) and law enforcement agencies have access to a national criminal computer database known as the National Crime Information Center (NCIC), most private organizations, like many third-party data providers, do not have access to this database. So, what options remain?

Because criminal cases are prosecuted in county, state or federal courts, court records can be retrieved from these jurisdictions. However, with several thousand county, state and federal courthouses in the United States, property managers should evaluate each option to ensure they're selecting the most appropriate search for their communities and tenant profile.

If you use a vendor to complete searches, they should be able to help you determine what works best for you depending on your location, tenant profile, and screening objectives.

County
On average, single county searches provide you with the most detail and reasonably quick turnaround , ranging from instant results to results available in 24-72 hours. While detailed and timely, county searches do have limitations. If your applicant has lived in several locations, it may be cost prohibitive to conduct searches in each county. Some providers offer address verification as a separate product, which can help to refine the search area.

State
Statewide criminal court record searches return all available misdemeanor and felony information from all reporting counties within the state. Please note that there is no guarantee state databases will contain records for all counties or that the information will be up to date. Certain states provide extensive criminal court record information, while others are more limited in their reporting capabilities, only returning demographic information and disposition date.

Availability of statewide searches varies from instant to 24-72 hours. These are particularly useful if your applicant has lived in several locations within a particular state.

Federal
The federal court system is completely separate from the county/state system. Federal searches do not return any county or state criminal data. The majority of cases in federal courts involve serious drug violations, such as interstate drug trafficking. Other crimes reported at this level include immigration law violations, financial fraud, bank robbery and crimes against the government. Many vendors offer automated access to the Public Access to Court Electronic Records (PACER) system.

National Search
Many criminal screening vendors offer a national search that returns all data available at the state level for every US state and Washington, DC. These reports offer the convenience of a combined, single report with all available state-level data which often includes national sex offender results.

Data Quality

While conducting criminal background checks on potential tenants is essential to maintaining safety and/or complying with HUD requirements, criminal records are not without their flaws. Human error, court delays, processing lags, and staffing shortages all impact the quality of criminal court records. It is possible there will be factual errors, missing information, and other mistakes within a criminal court record. Unfortunately, criminal searches are an inexact science.

To help your organization receive the greatest benefit from your criminal background searches, it is important to understand these limitations and set reasonable expectations regarding results. While many jurisdictions provide quality data, the information available to you in your area or the county or state in which an applicant used to live may be limited or incomplete. It is important to thoroughly review results and understand all details of the report before making a decision regarding the applicant's suitability.

A qualified screening provider can help your organization receive the best results possible. Besides helping you to determine which search option is most appropriate for your needs, many have quality-control measures in place to filter out duplicate results or obvious errors before the report is returned to you.

You can also help ensure better results by being thorough in your application process. The more information you can provide about an applicant the more precise the results will be. Because criminal records match on the applicant's name and date of birth, not SSN, it is essential to include the applicant's middle name/initial if available. If a middle name or initial isn't provided, please be aware that you may receive false positives or multiple records that may or may not be that of your applicant.

Conclusion

Criminal reports are an essential part of the screening process and can provide important information regarding your applicants. However, many property managers are frustrated by too many records, inconsistent results, outdated court records, and the inexact matching logic inherent in criminal searches. While there are challenges, understanding the process and training your staff to carefully examine results will help you reduce frustration and improve results.