

Background Checks – Authorized Environment



Kerry Breen, BCCU Chief

kerry.breen@dshs.wa.gov

360.902.7823

Washington State Department of Social and Health Services

Background Check Central Unit

Transforming Lives

- DSHS created the Background Check Central Unit (BCCU) in 2000 by consolidating five existing background check units.
- The BCCU provides the most wide-ranging and comprehensive background check information to ensure authorized service providers and DSHS programs are positioned to make the most informed hiring decisions and are able to deliver the best care to vulnerable adults, juveniles, and children.

Why are our background checks the most comprehensive?

BCCU's central data system searches, stores, and sends background check information from several sources including:

- Applicant Self-Disclosure - Current and previous background check self-disclosures
- Department of Corrections (DOC) - Conviction information
- Federal Bureau of Investigation (FBI) - National conviction information, arrest and pending charges, and national sex offender registry
- Negative Actions –
 - Aging and Long-Term Support Administration (AL TSA)/Resident and Client Protection Program, AL TSA/Adult Protective Services
 - Children's Administration/Child Protective Services
 - Department of Health (DOH) including, out-of-state service provider and professional license status
- Washington State Courts and other state court systems
- Washington State Patrol (WSP) - WA State conviction information, arrest and pending charges of less than 12 months, DOC activity, and Registered sex offender status
- Western Identification Network (WIN) - State police records from Alaska, Idaho, Montana, Nevada, Oregon, Utah, and Wyoming

Name and Date of Birth vs Fingerprint-based Background Checks

The type of background check is mandated by the applicable laws and rules specific to the program requesting the check.

- BCCU conducts over 330,000 background checks annually, including approximately 125,000 fingerprint-based checks for DSHS.
- BCCU averages less than a 5-day turnaround time for a name and date of birth background check.
- BCCU answers over 23,000 incoming phone calls, while maintaining an average hold time of 3 minutes.

Additional Information Needed

- In October 2015, BCCU began issuing Additional Information Needed Notifications to allow the opportunity to explain an unknown crime or negative action reported by any of the sources BCCU researches by providing an Affidavit or Court Documents.
- This information is frequently used to clarify or to provide context to the crime. Although each additional information request is different, some of the common requests are:
 - **For Theft, Larceny, Shoplifting, & Embezzlement charges:** What property/services/items were stolen? What was the dollar value of the goods stolen?
 - **For Assault, Domestic Violence, & Battery charges:** Who was the victim(s)? What injuries did the victim sustain? What weapon(s), if any, were used?
 - **For Burglary, Residential Burglary, & Robbery charges:** What type of structure was burglarized? Were any weapons used? Did any assaults occur during the crime or while leaving the crime?
 - **For Drug related charges:** Explanation of circumstances including actions that led to the arrest, the nature of the substance, the purpose of the possession (personal use, sales, delivery, cultivation, manufacture).
- BCCU has processed over **3,100** Additional Information Packets since October 2015.



FSA

[Background Checks](#)

[Capital Programs](#)

[Department Budget](#)

[Duty Station Report](#)

[Procurements and Contracting](#)

[Electronic Forms](#)

[Finance Services](#)

[Language Testing & Certification](#)

[Leased Facilities](#)

[Ordering Forms](#)

[Record Schedules](#)

[Tort Claims](#)

Applicant Resources

Understanding, Updating & Correcting Background Check Information

The BCCU mission is to transform the lives of Washington State’s vulnerable populations, and those who serve them. This means we must make sure our clients receive the highest quality of care, while also assisting applicants with obtaining, understanding, and - if needed- correcting their criminal history information. While the BCCU cannot control the reporting of criminal history information, nor can we directly change or update the information that is reported, we may assist applicants with the possible next steps.

Please note that the information provided on this website is offered only as a public service to you and does not constitute the provision of legal advice. This information should not be used as a substitute for obtaining legal advice from an attorney licensed or authorized to practice in your jurisdiction. You should always consult a suitably qualified attorney regarding any specific legal problem or matter. The following questions and answers are to help you understand the background check notification letter, and to generally assist you with pursuing any needed corrections/updates to your criminal history information:

- Where and how can I obtain my Criminal History Records?
- I think there is an error, how do I correct my Background Check Records?
- What information does BCCU find and how does BCCU use the information?
- The facility/program/my job told me I have something on my background check results and told me to call BCCU. What is it?
- I sent in Court Documents and an Applicant Affidavit. When will it be processed? When will my record be updated?
- I have been convicted of and/or have a pending charge; should I disclose it?
- Do I have to disclose old convictions and/or negative actions?
- I have/had my driver’s license suspended. Should I answer yes to question 13 on the background authorization form?
- I marked question(s) 11A/11B/12/13/14 in error. How can I fix this?

What is a Rap sheet? How do I read it?

What is a conviction?

What is a degree? What crimes require a degree or RCW subsection? What if a degree or subsection is not listed?

What does disposition mean? What are common dispositions for criminal history?

How can I get my criminal history information removed?

Why am I disqualified?

Why did I receive a Disqualifying Notification for my background check if I already provided clarifying documentation?

My conviction/charge is from a long time ago, why is it still showing up?

What do I do if I have a deferral, diversion, or pending crime on my criminal history?

Why is there no disposition for a crime on my criminal record?

BCCU is asking for additional information in order to complete my background check, what information do I need to provide?

How should I answer the self-disclosure questions on the Background Check Authorization Form? What if I do not know the date of my conviction(s)?

I received an Additional Information Needed Notification and Packet. Now what?

The Washington State Courts is reporting incorrect or incomplete criminal history about me, what can I do to correct it?

Why do I have to disclose old convictions and/or negative actions?

I received a Review Required Notification, a Disqualify Notification, or an Additional Information Needed Notification; will I be able to work?

EEOC Guidelines – Background Checks

What Employers Need to Know

In relying on criminal history in making employment decisions, the U.S. Equal Employment Opportunity Commission (EEOC) advises employers to consider:

- (1) the nature and gravity of the offense or conduct;
- (2) the time that has passed since the offense, conduct and/or completion of the sentence; and
- (3) the nature of the job held or sought.

The EEOC's guidance further underscores the importance of an "individualized assessment" prior to excluding an applicant based on a criminal record, but also refers to permitting exclusions involving specific criminal conduct (i.e. "targeted exclusions") that are "narrowly tailored to identify criminal conduct with a demonstrably tight nexus to the position in question."

Numerous questions remain unanswered despite issuance of the EEOC's 2014 Guidance, including:

- (1) the level of specificity required in developing defensible policies and procedures;
- (2) whether an employer can develop general across-the-board exclusions of candidates based on certain offenses; and
- (3) what factors an employer needs to consider in setting time frames for potentially excluding applicants based on certain offenses.

Save the Date



March 2018

The new Background Check System (BCS) will provide the Department's authorized program staff and licensed providers with a tool to efficiently submit background checks to the Department's Background Check Central Unit (BCCU) and to receive background check results using a secure internet connection.

Learn more about BCS and Pre-Registration
www.dshs.wa.gov/bcs



What's changing?

Web-Based System: Internal and external users will submit background check requests and receive results using a computer and internet connection. Eliminating mailed and faxed background check requests and results will reduce delays caused by technical issues or the postal service.

Online Applicant Form: Applicants will enter their own information into an online form, reducing processing delays.

Quick Return: BCS will automatically process results for approximately 75 percent of incoming name/date of birth and interim fingerprint background checks within the same day.

Status Checks: BCS allows users to confirm the status of their background check requests online, eliminating unnecessary duplicate submissions, and notifies users when the background check is complete or needs further action.

How do I get prepared for BCS?

- Have a computer with an internet connection.** BCS will work best with Google Chrome, but other web browsers can be used.
- Attend trainings.** Your oversight program and BCCU will be offering online and in-person trainings on the new system starting in January and February of 2018.
- Identify your primary account administrator and have them pre-register for BCS.** The primary account administrator will be responsible for password resets and adding, closing and monitoring user accounts for your employees allowed to access BCS. <https://www.dshs.wa.gov/pre-reg>
- Visit the BCS project website for the most up-to-date information.** <https://www.dshs.wa.gov/bcs>



BCS Facts

- Entities will be able to view the status of background checks they submitted online.
- Entities will be able to access previous background checks run through BCS under their account.
- On average, 75 percent of background check results will be returned the same day the request is submitted.
- BCS will allow BCCU staff to update and streamline procedures.
- BCS will allow applicants to provide their online applicant form to multiple entities.
- Applicants who have information on their background check will have a copy mailed directly to them.

BCCU Facts

- Completes 330,000 background checks, 110,000 of which are fingerprint-based, each year.
- Provides a comprehensive search of several sources for criminal history and negative actions.
- Serves more than 4,500 entities that are authorized under DSHS and the Department of Early Learning.

BCCU MISSION

Transform the lives of Washington State's vulnerable populations and those who serve them by assessing risk through accurate and timely background checks.

Transforming Lives