



Pierce County Coordinated Transportation Coalition

Background Checks Project Update

Friday, August 3, 2007



Agenda

- Purpose of the Project
- General Information
 - Types of Background Checks & About the Different Types
- What Is
 - Overall Observations & Findings to Date
 - Diagrams of Current Processes
- Potential Future State
 - Process
 - Standards
- Next Steps & Recommendations



Purpose of the Project (Goals)

- Increased timeliness of information
- Reduction in duplicative efforts/costs
- Enhanced accuracy of information



General Information

- Background Check Types: Information Received
- Background Check Types: Details
- Who Uses Which Type Pre-employment
- Who Uses Which Type Post-employment



Background Check Types: Information Received

	FBI w/Fingerprints	WA Criminal History with or without Fingerprints #	WA Child & Adult Abuse Information with and without Fingerprints #	WA State Drivers Abstract	CDL Information	National Driver Registry
International, Federal, State & Local Criminal History *	<input checked="" type="checkbox"/>	---	---	---	---	---
Washington State Felony **	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	---	---	---
Washington State Gross Misdemeanor **	---	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	---	---	---
Registered as Sex or Kidnap Offender	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	---	---	---
Washington State Driving Convictions, Violations, & Collisions	---	---	---	<input checked="" type="checkbox"/>	---	---
Washington State Driving Suspensions, Revocations & Disqualifications	---	---	---	<input checked="" type="checkbox"/>	---	---
Verification of CDL for any State	---	---	---	---	<input checked="" type="checkbox"/>	---
National Information of Driving Suspensions, Revocations & Disqualifications ***	---	---	---	---	---	<input checked="" type="checkbox"/>
Arrests for Crimes against Persons	---	---	<input checked="" type="checkbox"/>	---	---	---

* including property crimes, serious traffic violations (such as DUI, DWI, vehicular manslaughter, hit and run), sex crimes, drug crimes, violent crimes, and crimes against public order. Excludes arrests and court actions for nonserious offenses such as drunkenness, vagrancy, disturbing the peace, curfew violations, false fire alarms, non specific charges of suspicions or investigation, and traffic violations.

** for convictions and adverse dispositions information includes formal criminal charges, indictments, sentences, detentions, correctional supervision requirements while arrest without conviction information is available only for pending arrest offenses under one year old without disposition. Does not contain information on civil adjudications, administrative findings, disciplinary board findings, arrests more than a year old or arrests without a conviction.

*** does not contain information more than three years old, details regarding violations or violations that are considered minor.

without fingerprints a confirmation of personal identity is not possible and there is a slight possibility records returned may not actually be for the subject.



Background Check Types: Details

	FBI w/Fingerprints (state law must authorize)	WA Criminal History with or without Fingerprints	WA Child & Adult Abuse Information with or without Fingerprints	WA State Drivers Abstract	CDL Information	National Driver Registry
Who Owns the Information	US Department of Justice	Washington State Patrol	Washington State Patrol	Washington State Department of Licensing	US DOT Federal Motor Carrier Safety Administration	US DOT National Highway Traffic Safety Administration
Who Can Request						
Individuals (Subject)	yes	yes	yes	yes	yes	yes
Governmental Officials	yes without subject consent	yes without subject consent	yes, without subject consent	yes	yes	yes
Employers	yes with consent of subject	yes must notify subject	Licensed agents of the state and government entities that educate, train, treat, supervise, or provide recreation to developmentally disabled people, vulnerable adults or children under age 16	yes, prospective or current employers with consent of subject	yes	yes, with the consent of the subject
Who Receives Results	Subject or WSP	the requestor	the requestor	subject or employer	the state	the requestor
Cost				\$10 after 8-1-07		
Subject	\$18	\$30	---	\$5	n/a	\$5
Governmental Officials	varies	\$30 w/fingerprints \$10 w/o fingerprints if done online or \$35 w/o fingerprints if by mail	\$30 w/fingerprints \$10 w/o fingerprints if done online or \$35 w/o fingerprints if by mail	\$5	n/a states access database	state can access data base
Employers	\$22	\$30	---	\$5	n/a	\$5
Nonprofit	\$22		no fee	\$5	n/a	\$5
Additional Fees	---	\$5 for notarized letter	\$5 for notarized letter	---	n/a	---
Shared	no	only conviction information	no other than to the subject	only the subject may share results	the state may share with employers of CDL drivers	employers must share results with driver
Timeframe	6-8 weeks	online immediately 7-14 days for written requests	online immediately 1 to 8 weeks for written requests	2 weeks	can be immediate	can be immediate ⁶



Who Uses Which Type Pre-Employment

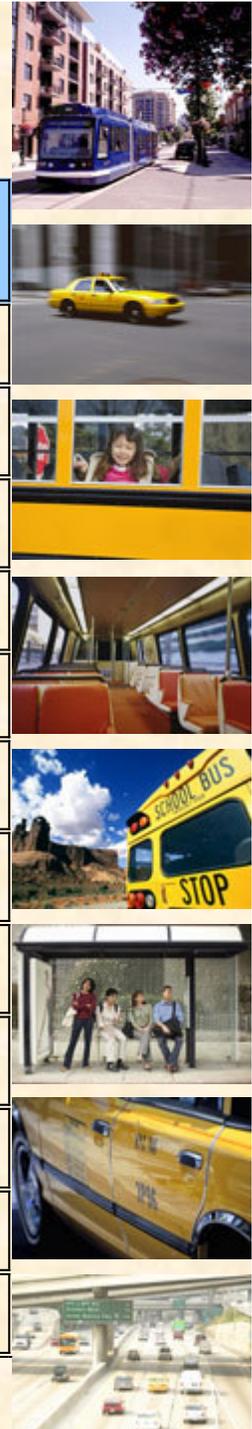
	FBI w/Fingerprints	WA Criminal History with or without Fingerprints	WA Child & Adult Abuse Information with or without Fingerprints	WA State Drivers Abstract	CDL Information	National Driver Registry	Private Company Conducts Background Checks
DSHS – Division of Employment and Assistance Programs	<input checked="" type="checkbox"/>	---	<input checked="" type="checkbox"/> without fingerprints	---	---	---	---
DSHS – Medical Assistance Administration	---	<input checked="" type="checkbox"/> without fingerprints	---	---	---	---	---
OSPI	<input checked="" type="checkbox"/>	---	<input checked="" type="checkbox"/> with fingerprints	<input checked="" type="checkbox"/>	---	---	---
Paratransit Services Inc. for McKinney Vento Contract	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> with fingerprints	---	<input checked="" type="checkbox"/>	---	---	---
PSESD	---	<input checked="" type="checkbox"/> with fingerprints	---	---	---	---	---
School Districts	<input checked="" type="checkbox"/>	---	<input checked="" type="checkbox"/> with fingerprints	<input checked="" type="checkbox"/>	---	---	---
Department of Licensing	---	---	---	---	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	---
Pierce Transit	---	<input checked="" type="checkbox"/> without fingerprints	---	<input checked="" type="checkbox"/>	---	---	<input checked="" type="checkbox"/>
DSHS Aging and Long Term Care	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	---	---	---	---	---
Pierce County Aging and Adult Services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	---	---	---	---	---
Veterans Administration^	---	---	---	---	---	---	---

^ Defers to Contractor



Who Uses Which Type Post-Employment

	FBI w/Fingerprints	WA Criminal History without Fingerprints	WA Child & Adult Abuse Information with or without Fingerprints	WA State Drivers Abstract	CDL Information	National Driver Registry	Private Company Conducts Background Checks	Employees Self Declare
DSHS – Division of Employment and Assistance Programs	---	<input checked="" type="checkbox"/>	---	---	---	---	---	---
DSHS – Medical Assistance Administration	---	<input checked="" type="checkbox"/>	---	---	---	---	---	---
OSPI	---	---	---	<input checked="" type="checkbox"/>	---	---	---	<input checked="" type="checkbox"/>
Paratransit Services Inc. for McKinney Vento Contract	---	<input checked="" type="checkbox"/>	---	<input checked="" type="checkbox"/>	---	---	---	---
Paratransit Services Inc. for MAA and other contacts	---	<input checked="" type="checkbox"/>	---	<input checked="" type="checkbox"/>	---	---	---	---
PSESD	---	---	---	---	---	---	---	---
School Districts	---	---	---	<input checked="" type="checkbox"/>	---	---	---	<input checked="" type="checkbox"/>
Department of Licensing	---	---	---	---	upon license renewal	upon license renewal	---	---
Pierce Transit	---	---	---	---	---	---	---	---
DSHS Aging and Long Term Care ^^	---	<input checked="" type="checkbox"/>	---	---	---	---	---	---
Pierce County Aging and Adult Services ^^	---	<input checked="" type="checkbox"/>	---	---	---	---	---	---
Veterans Administration	---	---	---	---	---	---	---	---



^^ May conduct Post-employment background checks if staff deem it necessary.

What Is



What Is

- Current State Diagrams
- Overall Observations
- Specific Findings
- How What Is Impacts the Goals



Pierce County Transit Process

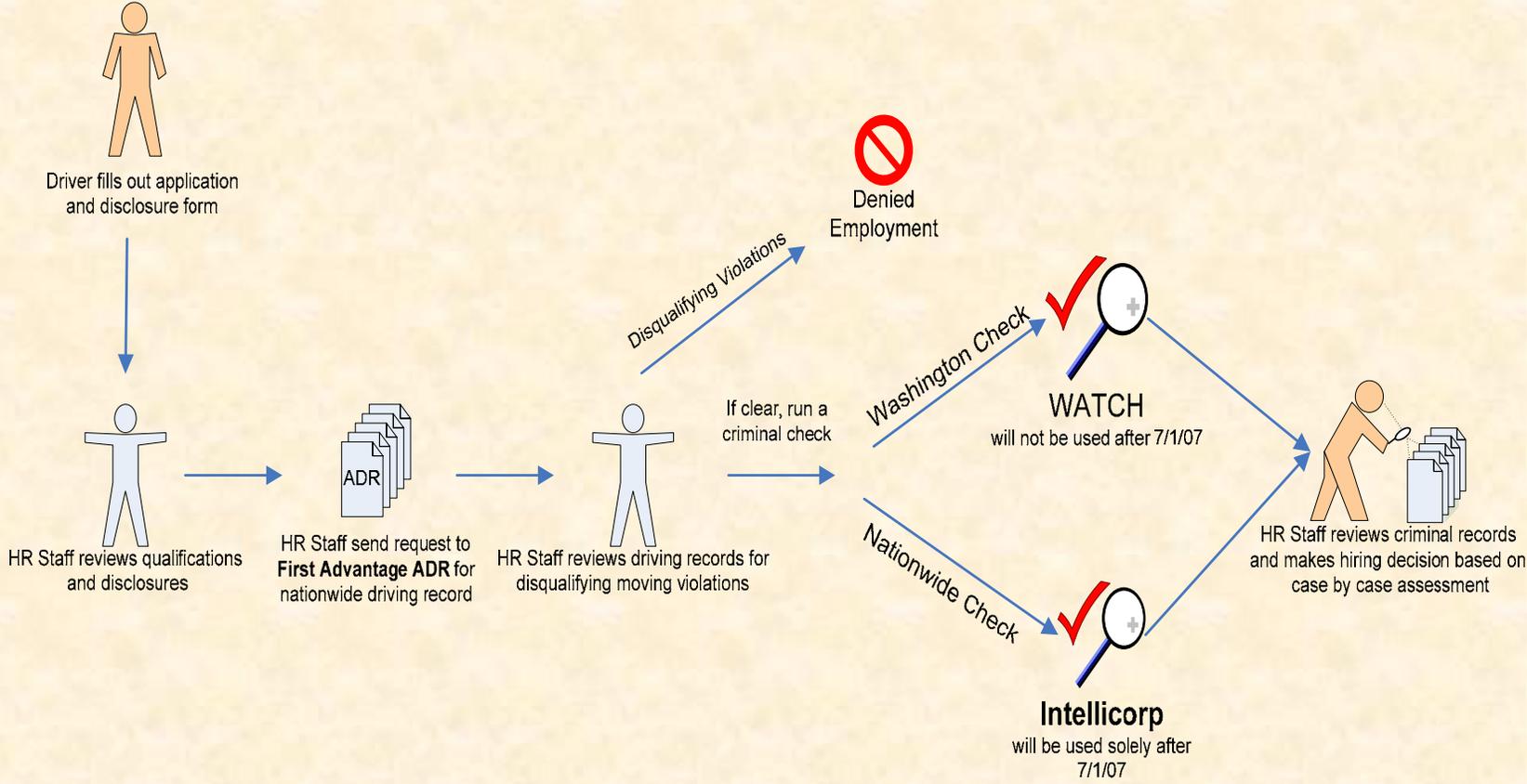


Diagram of Aging and Disability Services Administration Process

as of July 1, 2007

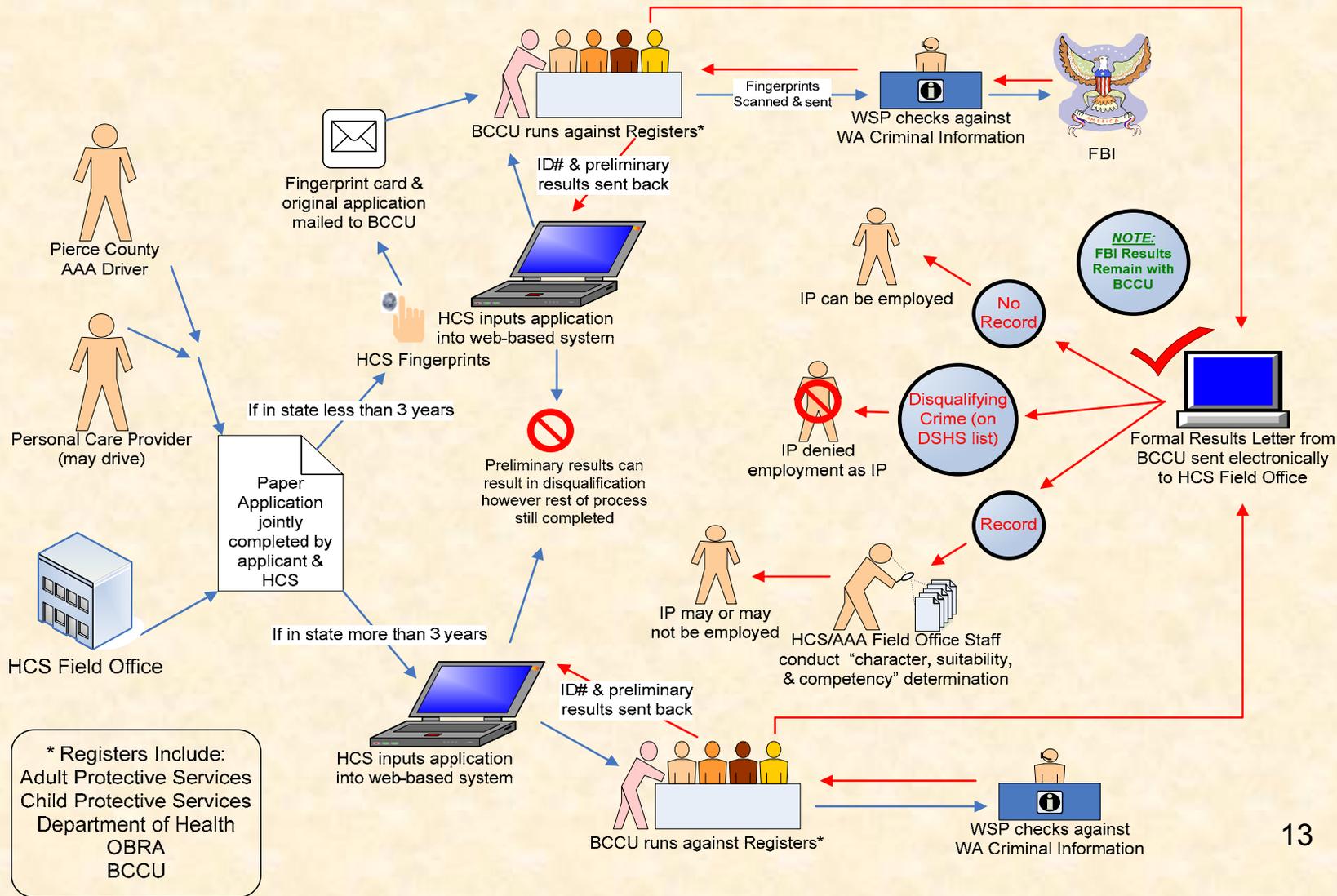
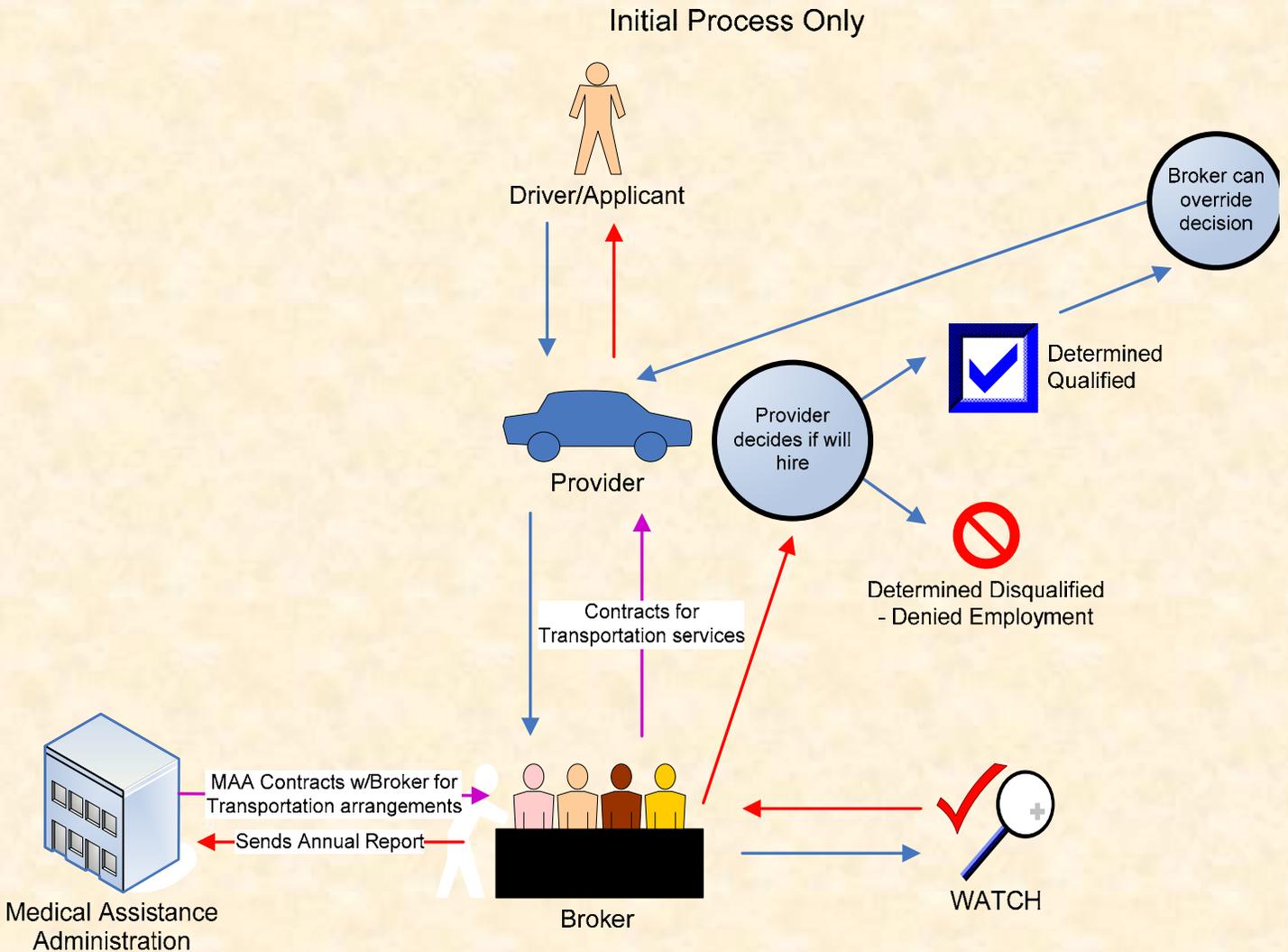
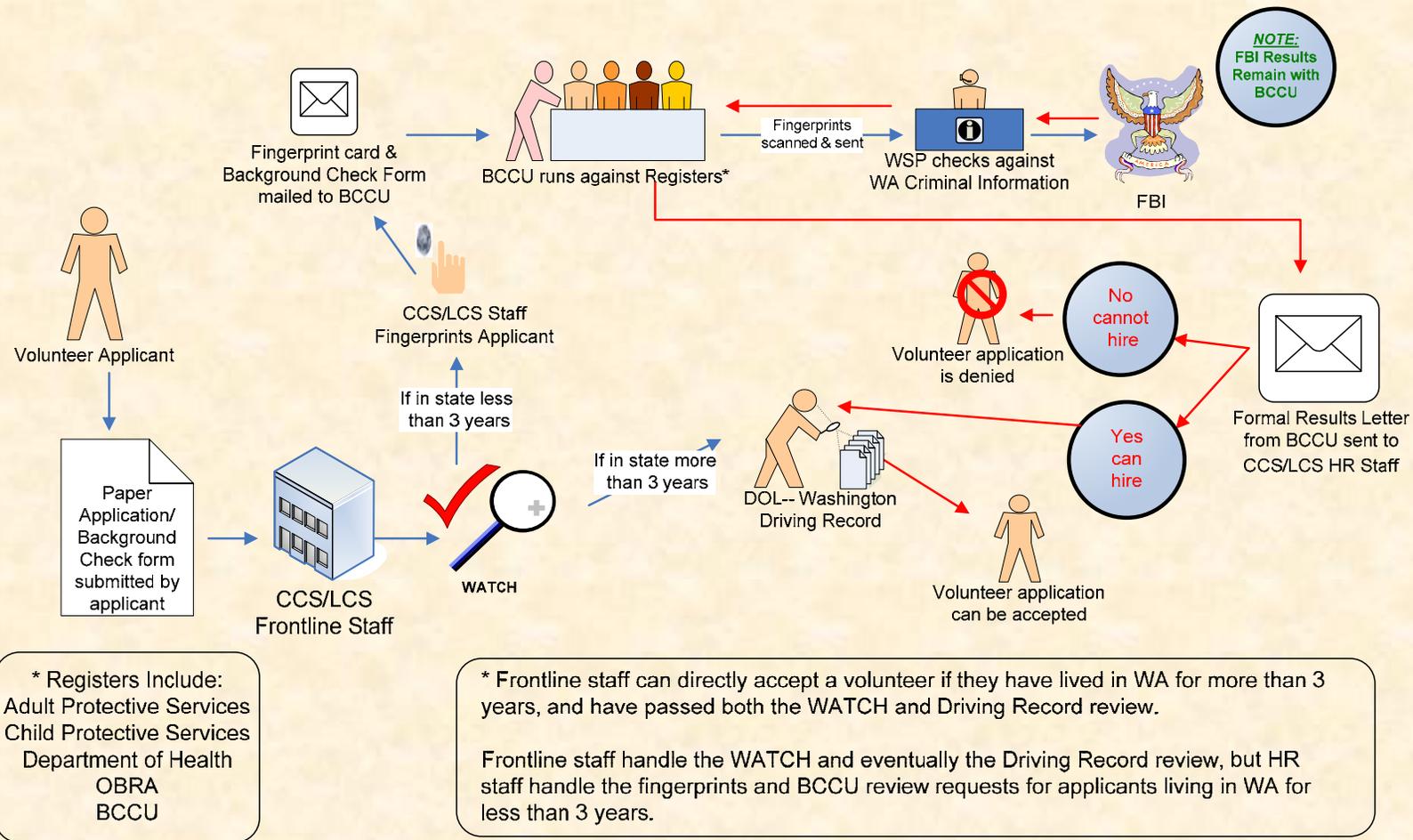


Diagram of Medicaid Process



Volunteer Driver Process



Overall Observations

- The process of conducting background checks:
 - Varies widely by entity
 - Is often not well defined
 - Is duplicative in its efforts and results are not shared
 - Is often not timely (can be up to 18 months)
 - Is driven by liability concerns
 - Can be unreliable and inaccurate
 - Leaves final decisions to be subjectively decided



Overall Observations cont.

- Consistency is Lacking
 - How background checks are conducted
 - Which types of checks are conducted
 - What types of information is gathered
 - What is considered a disqualifier
 - How the results are interpreted
 - Who makes the decision
 - How often follow up checks occur (note: post employment checks are often not required)



Overall Observations cont.

- Liability is a Key Issue
 - As a result there are huge grey areas
 - Decision making is pushed to the lowest level
 - Decision makers rely on individual judgment and common sense
- Duplication
 - Because information isn't shared, multiple background checks may be conducted on the same driver
 - See Liability Issue above



Overall Observations cont.

- DSHS and OSPI have systems in place
 - However not all providers have access to the systems
- Funders and Purchasing Agents have different requirements
 - Therefore providers and brokers must be able to appropriately match drivers to the requirements for each type of passenger and funder
 - Risk of errors are increased



Specific Findings

- School process does not check against the social services registers such as:
 - Child Protective Services
 - Adult Protective Services
 - Department of Health
 - OBRA
 - BCCU



Specific Findings

- DSHS process does not require disqualification for traffic offenses and does not check for:
 - Suspensions
 - Revocations
 - Collisions
 - Driving Convictions & Violations



Specific Findings

- The diversity of organizations involved with their own missions and directives results in divergent conclusions.
 - Example: Information Sharing
 - Some organizations perceive to be critical and desirable.
 - Others believe it is not an optimal goal and express concerns with confidentiality of data amongst others.



How “What Is” Impacts the Goals

- Safety of passengers
- Timeliness of information
- Reduction of duplicative efforts and costs
- Accuracy of information



Potential Future State



Potential Future State

- Process
 - Five Options Originally Presented

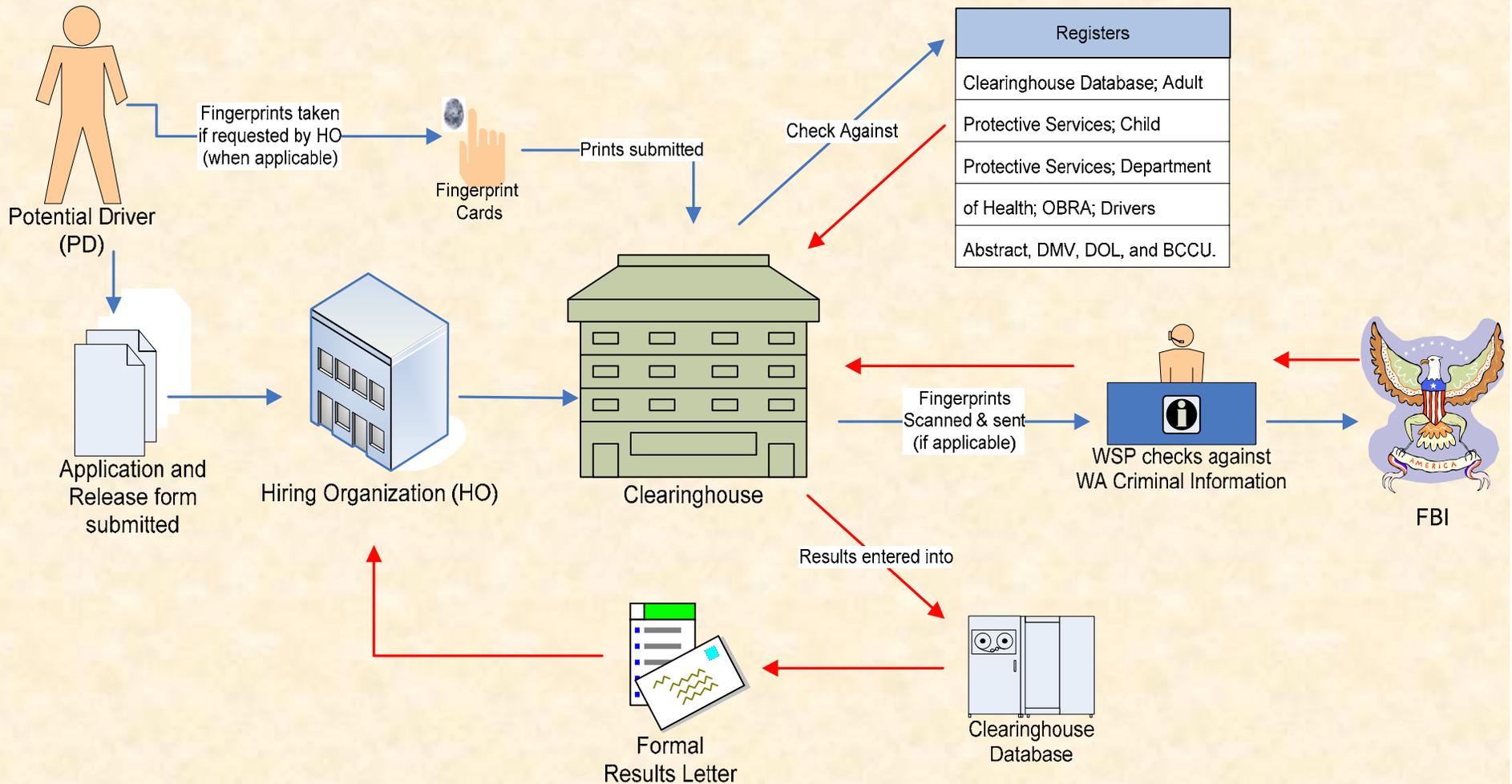
	Option 1	Option 2	Option 3	Option 4	Option 5	Other
	Leverage OSPI & BCCU Processes	Clearing-house	WSP as Clearing-house	Local Clearing-house	Information Sharing	
Education		2	1			
Social Services	1	1, 1, 1, 1	2, 2, 2, 2, 2			
Transit		1, 2	1	1, 2, 2		
Transportation Providers		1, 1	1	1		
Other		1, 1	2, 2			

- Top two choices will be discussed today
 - Statewide Centralized Clearinghouse
 - WSP as Statewide Centralized Clearinghouse
- Executive session revealed some have desire to attempt information sharing

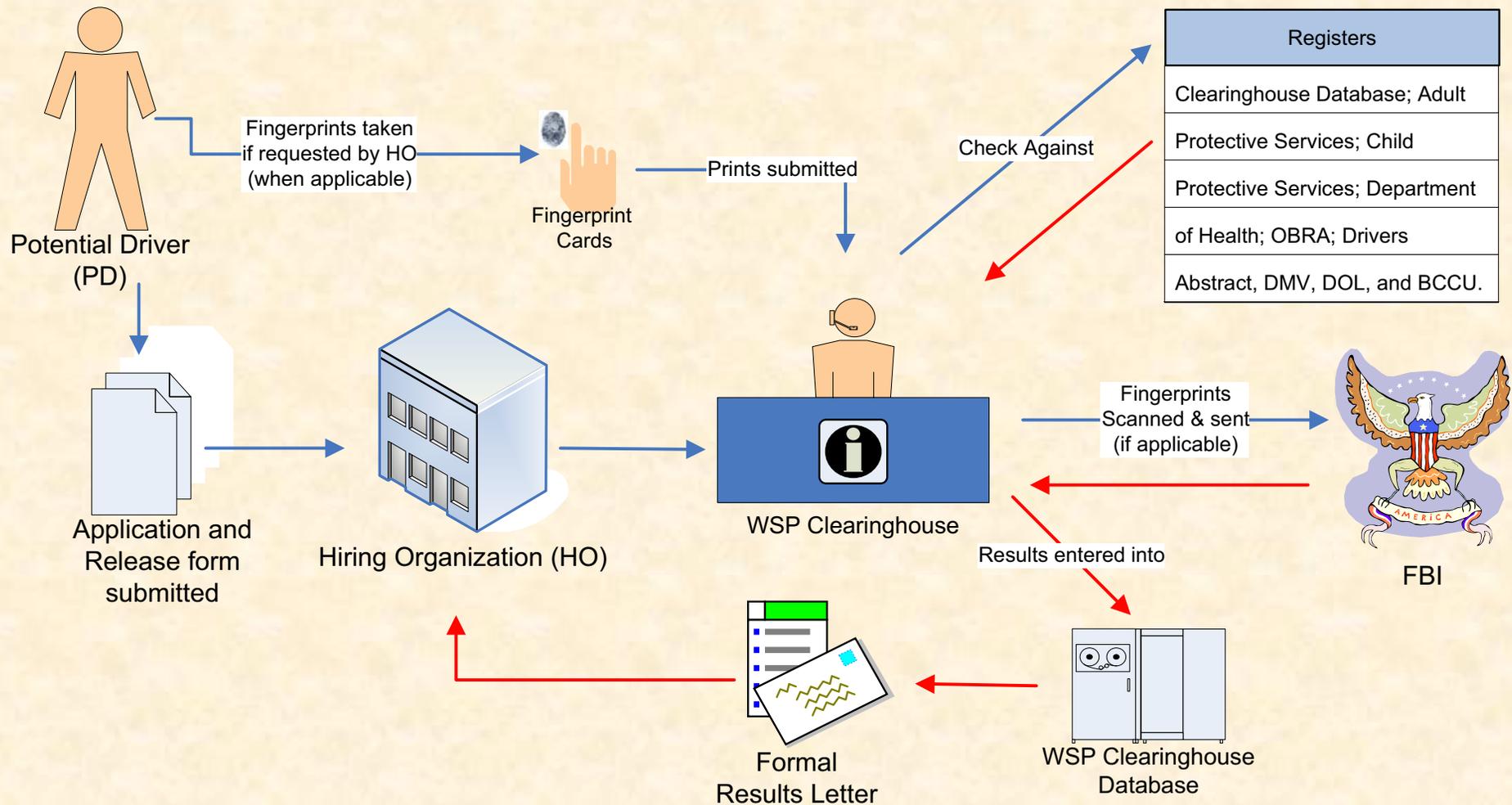
- Standards
 - Findings
 - Tiers
 - Disqualifying Standards
 - Concerns



Statewide Centralized Clearinghouse



WSP as Statewide Clearinghouse



Findings Tiered Standards

- Response is evenly split between:
 - A tiered approach is good, but there should be only 2 or 3 tiers.
 - More stringent standards should be applied to drivers of the more vulnerable populations.
 - There should not be tiers.
 - Drivers should meet one set of standards regardless of the population they drive.



Disqualifying Standards

Opinions fell into four general categories:

1. Use the highest level of standards.
2. Adopt common standards by tiers.
3. Adopt standards for each tier to use as guidelines, but allow flexibility.
4. Allow each organization to use its existing disqualifying lists.



Concerns with Common Standards

- Ability to
 - find adequate qualified drivers
 - to reach consensus on common standards
 - maintain flexibility
 - modify standards in the future if common set adopted
 - having sufficient staffing of centralized entity to process all requests in a timely manner
 - affordability
 - liability



How “Proposed Future State” May Impact the Goals

- Timeliness of information
- Reduction of duplicative efforts and costs
- Accuracy of information



Next Steps

- PCCTC Steering Committee Meeting



Potential ACCT Action Steps

- Clearly articulate why there should be a change – what does staying with the status quo cost?
- Identify the legal and policy changes needed to share background check information between providers and agencies.
- Conduct a cost/benefit study of the statewide clearinghouse concept: how much would it cost to implement such a thing, and what savings would be incurred with the improved efficiencies.
- Continue the conversation and planning next steps with the State Patrol, DSHS/BCCU/MAA, and OSPI/ESDs/School Districts. These are the main systems that could be coordinated and improved upon. In other words, make sure the transportation side of the background checks is represented in the care taking conversations.

