

# **1999 - 2000 Ventura County Grand Jury Report**

## **County Pre-employment Background Checks**



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## Background

During the federal probe of mental health billing, it was discovered that a key manager's County application failed to disclose a prior felony conviction and falsely claimed a graduate degree that the manager did not possess.

When this deception was reported, County personnel disclosed that, as a matter of policy, the County does not normally conduct background checks on prospective employees. One reason given was the high cost involved. As a consequence, the Grand Jury decided to investigate the ramifications of this policy.

## Methodology

In the course of this investigation, the Grand Jury:

- Interviewed Director of Human Resources to determine current policies regarding pre-employment background checks.
- Interviewed Sheriff's Department managers and supervisors to determine procedures for conducting background checks.
- Checked legal sources to determine the legality and limitations on pre-employment checks.
- Reviewed internet sites to determine the availability, scope and costs of background checks.
- Selected a vendor at random through the internet and contracted for a search of a real individual's background.

## Findings

- F-1 Government Code section 1031 mandates that all peace officer candidates undergo thorough background checks, but there is no such requirement for non-sworn personnel. Currently, all County sworn personnel and Sheriff's Department non-sworn personnel undergo vigorous pre-employ-

ment background checks performed by the Sheriff's Department. Non-sworn personnel in other County departments and agencies do not undergo background checks unless specifically requested by the hiring department.

- F-2 When requested to do so by the hiring department, and if time and workload permit, the Sheriff's Department will conduct a background investigation. Usually, the Sheriff's Department conducts the investigation if the position involves a department head or chief deputy.
- F-3 Due to the relatively small number of such background checks conducted by the Sheriff's Department each year for other County departments and agencies, the Sheriff's Department does not charge for this service.
- F-4 Should that workload increase, the Sheriff's Department reserves the right to begin charging for this service.
- F-5 If the Sheriff's Department is unable or unavailable to accommodate the hiring agency's request for a background investigation, the Sheriff's Department provides the requesting department with a list of outside contractors, who are usually retired law enforcement personnel, available to perform background checks for a fee.
- F-6 The independent contractors typically charge a flat rate of \$850 for a standard background check of non-sworn personnel. The charge for sworn personnel is \$950. Those charges usually include an applicant interview to verify personal information and family history and a check of education, employment, residences, driving history, criminal history, drug history, military record, references, neighbors, credit history, and a second applicant interview to address discrepancies or concerns.
- F-7 There are no County guidelines for pre-employment background checks. The hiring department determines the scope and range of each background investigation to be conducted.
- F-8 The Grand Jury has been informed that a human resources background investigation policy guideline is currently in preparation and that it will be presented to the Board of Supervisors for approval.
- F-9 Research on the internet yielded a list of dozens of companies that provide background checks for \$100 or less, de-

pending on the scope of investigation. Ordinarily, results are reported by the internet companies within 3-5 days.

- F-10 In order to establish the credibility of the service provided by these internet sources, the Grand Jury contracted for a real-person check with one of the companies listed on the internet. For a total fee of \$110, the Grand Jury received a report on the individual that included:
- a. Validity of social security number.
  - b. Education history, including schools, dates attended and degrees awarded.
  - c. Reference check of prior employment, including dates of employment, position, and eligibility for rehire.
  - d. Record of workers' compensation claims, if any.
  - e. DMV search, indicating validity and class of drivers' license and record of violations.
  - f. A 10-year criminal record search in the County of residence (can be expanded to include other counties, at additional charge).

The individual investigated verified the results as accurate.

## Conclusions

- C-1 Ventura County departments, other than law enforcement departments, do not usually request background checks on most, if not all, of their personnel prior to hire because of the high cost involved (typically, several hundred dollars each).
- C-2 Sheriff's Department personnel may be available to conduct background checks of County department heads and chief deputies at no cost to the hiring department, but there is no formal, written Sheriff's Department policy in place governing this procedure.
- C-3 Both of the previously mentioned, former County manager's flaws could have been uncovered by a rapid, relatively low cost, pre-employment check done routinely by many hiring organizations for management and professional positions.

## Recommendations

- R-1 The County should complete its planned policy for conducting pre-employment background checks as quickly as possible.

- R-2 At a minimum, the policy should include background checks on all prospective management and professional employees, including those persons who are being considered for promotion into those positions. These checks should include identity verification, education (and degrees earned), work history, criminal search and DMV search and can be conducted by outside agencies for about \$100 per employee.
- R-3 Job announcements and application forms should state that all prospective County employees are subject to a thorough background investigation and will be required to sign a waiver to that effect.

### **Responses Required**

CAO (all recommendations)

Human Resources Division (all recommendations)

Sheriff's Department (all recommendations)