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Pratt: Fingerprinting doesn't tell the whole story

OPINION

By Stuart K. Pratt - Special to the American-Statesman



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The Austin City Council is discussing the value of background checks for on-demand drivers, like those who drive for Lyft and Uber.

Some are demanding a fingerprint check for drivers derived from law enforcement databases. However, that's the wrong kind of background check. FBI and state law enforcement fingerprint data is incomplete and won't achieve the intended goal of public safety. A name-based criminal background check is more comprehensive and is better able to protect the public. It's also far more fair for applicants because consumers have rights under the Fair Credit Reporting Act which don't apply to a fingerprint check.

A 2011 audit of the Texas Department of Public Policy (DPS) survey showed that fully one-quarter of the state's counties fail to provide conviction data. It goes on to say "the 73.68 percent submission rate indicates that data in DPS's Computerized Criminal History System is not complete, and users may not receive a reliable result from criminal history background checks that are conducted based on the data in that system. DPS also should improve the timeliness and accuracy of the data in its Computerized Criminal History System."

The best background check is one conducted by a private company that that uses comprehensive information from public and private-sector databases. This is especially true when evaluating job candidates who will be employed in jobs where an employee works with a customer in an unsupervised one-on-one situation or it involves access to sensitive customer financial information, health care services for the elderly or child care for children. Getting it right every time is vital. Our private-sector background screening members do these

comprehensive background checks by reviewing court records across state lines, not just at the local or state level.

Mitigating risks is hard work. Approximately seven million Americans move from one state to another every year. And fingerprint checks are often done in only the state in which the individual resides. In a comparison of fingerprint-only background checks and name-based background checks, a Florida Department of Law Enforcement study determined that “name searches are the only practical option for determining criminal past for persons who will have access to potential victims.”

These results mirror those found nationally when it comes to using fingerprint data to the exclusion of information provided by private-sector background screening companies. The U.S. Department of Justice testified before Congress that the FBI’s voluntary fingerprint database contained only 75 percent of all crimes committed in the U.S. Even more important, while it contained arrest information, it did not include the final dispositions of more than half of those in the database.

When it comes to the safety of the American public, the Department of Homeland Security states they “often get more accurate data from the private sector” because “the processes by which government agencies manage data often makes it difficult to acquire and needs [a] great deal of labor intensity into making it usable and accessible to other entities.”

In a Consumer Data Industry Association’s survey of its members, millions of criminal history database searches conducted over the first three-quarters of 2014 found that only 0.3 percent of these transactions resulted in consumers exercising their right under law to dispute the accuracy of the data. This data tells the story in terms of the quality of the reports produced by the private-sector background screening industry.

When it comes to our safety, we want background checks that contain information from the best sources and is fair for applicants because it includes final dispositions and is regulated under the Fair Credit Reporting Act. Consider that when you are hiring a home health aide or putting your child on a school bus.

Stuart K. Pratt is the president and CEO of the Consumer Data Industry Association.

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