

COMMERCIAL INVESTIGATIONS LLC

CI TIMES



VETTING ILLEGAL ALIENS

With Congress set to approve sweeping immigration reform, employers are already taking actions to combat the growth of illegal aliens in the United States. A major deterrent of illegal immigration is ensuring individuals who enter the United States illegally or who overstay their lawful status will not be able to obtain employment. Part of the proposed legislation includes enforcing sanctions on employers who hire illegal immigrants and requiring employers to verify the immigration status of new employees. Employers are increasingly turning to background investigations to rule out illegal aliens from their prospective workforce.

One of the primary reasons employers conduct background investigations is to ensure that criminals are not allowed to work in positions where they could cause injury to clients, employees or the business. Improper entry into the United States by an alien is a federal crime. Many times this improper entry is facilitated by the use of fraudulent documents. Rose Miller, Managing Director of DR Human Resources, LLC, part of The DR Group, advises her clients to perform background checks on all their hires. Rose states, "Employers know that they must acquire Form I-9 documentation during the hiring process. They generally maintain copies of the new employee's social security card and driver license in a separate file, which is compliant with I-9 documentation requirements. However, there is no way for the employer to know if these documents have been stolen or acquired illegally. One of the easiest ways of uncovering this kind of fraud is to perform a background check as a part of the hiring process."

President Bush, in his address to the nation concerning immigration on May 15,

2006, called for employer accountability and proposed the use of a biometric tamper-proof ID card for legal foreign workers: "Comprehensive immigration reform must include a tamper-resistant identification card for every legal foreign worker so businesses can verify the legal status of their employees. This card should use biometric technology, such as digital fingerprints, to make it tamper-proof. This would leave employers with no excuse for violating the law, and it would help us enforce the law." (<http://www.whitehouse.gov/infocus/immigration>)

Commercial Investigations LLC is a licensed private investigative agency and national background screening company located in the Capital Region. Rose Miller utilizes Commercial Investigations services for all executive and employee searches performed for both clients and The DR Group. Rose comments, "Commercial Investigations has helped me provide the best recruiting services for my clients. We have uncovered a multitude of problems by use of the background checks. We have uncovered non-existent education degrees, revoked licenses for candidates who will drive a company vehicle and fraudulent social security numbers."

Commercial Investigations LLC uncovered a fraudulent documentation ring through the routine pre-employment background investigations process, which includes a Social Security Number inquiry validating the number and listing the names and addresses associated with the number. When the job applicant was confronted with the results of his background investigations, he eventually admitted that he was an illegal alien. Commercial Investigations uncovered the fraudulent documentation ring in the Washington

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CIWARE CLIENT CLUE

JOB DESCRIPTIONS

Employers who conduct background investigations should include the requirement for an acceptable background in their job descriptions. Just as a certain level of education may be required for an applicant to hold a particular position, an acceptable background should be a requirement for any position on which the employer conducts a background investigation.

The inclusion of an acceptable background in the job description is another way to inform applicants that a thorough background investigation is part of the hiring process. This will eliminate undesirables and foster truthfulness from applicants.

To review appropriate job description wording, please contact a CI representative.

DUE DILIGENCE: NOT ALL BACKGROUND CHECKS ARE CREATED EQUAL

This month we meet up with Due Diligence as he attempts to volunteer and work in the same hospital that denied him his former job because of a controlled substance conviction.

Due Diligence has decided to volunteer during the summer for Quick Fix Hospital. Due is now working for Clean Sweep providing janitorial services to Quick Fix Hospital. Due is a former employee in the administrative offices at Quick Fix. Due left the hospital after he was sentenced to spend 60 days in jail for possession of a controlled substance. Due reapplied at the hospital but his conviction was revealed on his background investigation report from CI and he was denied his former position. Due was able to obtain employment at Clean Sweep despite the fact that they also ran a background check—a “national crim” search through a company they found online called Cheap Check.

The new hospital Volunteer Staffing Director did not realize Due was a former employee of the hospital. Due applied to volunteer in the recovery and detox center.

The Volunteer Staffing Office at Quick Fix hospital use CI's Protection Plus™ to screen potential volunteers. Protection Plus™ (see Inquiry Spotlight, page 3) includes results from both a Multistate Criminal inquiry and a SSN & Address Information inquiry. The Volunteer Staffing Office has a policy of checking all names (aliases/maiden names). Since criminal records are searched by date of birth and name, each name an applicant has used should be checked individually.

CI's Multistate Criminal inquiry contains over 260 million criminal records. A majority of the records are department of corrections data for higher level felonies. However, when CI and other court researchers pull county court records, they are added to the database. CI did a complete criminal history search for Due's report when he sought reemployment with the hospital. County court records and the New York Statewide inquiry records were searched for each of Due's residences; CI also searched Due's alias, Bad Diligence (discovered from his SSN & Address Information inquiry). The record for Due's criminal possession of a controlled substance was found under the name Bad Diligence. This was a Class A Misdemeanor and this conviction would not be found by

just searching the NYS Department of Correctional Services. The record is also not included in Cheap Check's national crim file—it was only discovered through CI's Multistate inquiry because the database is constantly updated with additional records that are pulled during court searches.

Due's controlled substance conviction would not have been uncovered because Clean Sweep was unaware that their search did not include the SSN & Address Information inquiry, and thus, all names used by the applicant. Because Cheap Check did not run the SSN & Address Information Inquiry it did not discover Due's alias—Bad Diligence. Cheap Check's “national crim” file has about 160 million records compared to CI's 260 million.

The Volunteer Staffing Office denied Due's application because of the results revealed by CI in its report. Due did not indicate on his Volunteer Consent Form that he had been convicted of a misdemeanor. Subsequently, the Volunteer Staffing Office realized that due was working in the hospital—although he was employed by Clean Sweep. Through discussions with the HR staff, Due's path was uncovered and the administration offices contacted Clean Sweep regarding their background investigations policy.

CI helped clarify the discrepancies in both results and policies for Quick Fix Hospital and Clean Sweep. But it was too late for Clean Sweep and for Due. The hospital was Clean Sweep's largest client, however, they were unwilling to take on the cost of re-screening all the employees with access to the building. They were also reluctant to put a new policy in place that was on par with the hospital's, even though the more complete background investigation would cost less per applicant than they would pay an employee for one day on the job.

Quick Fix realized that they need to revisit their vendor's employee background check requirements. They need to be specific with what inquiries those background checks need to include as well as requiring all names and jurisdictions be covered for a specific time frame.

Stay tuned and find out in the next issue where Due goes from here.

TO BE CONTINUED.....



MEET DUE DILIGENCE

Last “Scene” from Due

We learned in the last edition of CI Times that Due is now working for Clean Sweep providing janitorial services to Quick Fix Hospital. Due now has unsupervised and after-hours access to the same hospital that denied him employment because of a possession of a controlled substance conviction.

Due had to leave his position at the hospital to serve a 60 day jail sentence for a controlled substance conviction. He told the HR staff that he had family issues to attend to. After serving his sentence, Due applied to get his same position back at Quick Fix Hospital which had been filled by a temporary employee. In light of his controlled substance conviction, Quick Fix did not rehire Due because of the potential for access to prescription medication at the hospital.

To see Due's results, view his Reports at www.commercialinvestigationllc.com/duespage. Read previous issues of Volume 3 to see the full details of Due's life in 2006 at www.commercialinvestigationllc.com/Newsletter.

Next Episode: See how Clean Sweep handles losing their largest client and how Due handles losing another job.

Disclaimer: This information is based on actual fictional characters and real events. Only the names, locations and events have changed. These changes are for the sole purpose of protecting the identity of the actual fictional characters. Any resemblance to any other fictional characters and actual made-up events is purely coincidental.

(Vetting Illegal Aliens—Continued from page 1)

DC, Maryland and Virginia area. Since the year 2000 over 20 individuals obtained fraudulent Social Security cards through the ring. All 20 cards contained the same Social Security Number. The Social Security Number used was a valid number issued by the Social Security Administration.

The growing public concern over illegal immigration has led federal law enforcement officials to tighten enforcement of immigration laws by imposing criminal charges against those who employ illegal aliens. Employers are realizing that what once resulted in a slap on the wrist can now lead to criminal convictions. When Immigration and Customs Enforcement officials evaluate suspected illegal immigration activity they rely on employee background investigations. Employers can eliminate such an evaluation by implementing their own background investigations policy which will alleviate any illegal immigrations signals from being sent to government officials.

In addition to the use of pre-employment background investigations, employers are reviewing their current workforce. Commercial

Investigations LLC assists employers with the review of their workforce, including a review of their employment processes and documentation. Documentation verification systems are important to control and eliminate the abuse of the Social Security system and its documents. Currently there is no requirement for verification of the documents.

Commercial Investigations LLC urges all employers to implement background investigations, review their hiring process and ensure proper documentation. Employers are one of the most reasonable resources available to combat the growing illegal alien problem in the United States. Employers are limited by discrimination laws as to what questions they can ask a prospective employee. However, proper background investigations are a cost-effective and viable, legal way to learn more about your prospective employees and avoid facing Immigration and Customs Enforcement officials.

To learn more about BACKGROUND INVESTIGATIONS, contact a CI representative today.

COMMERCIAL INVESTIGATIONS LLC

A LICENSED PRIVATE INVESTIGATIVE AGENCY

Dedicated to providing innovative Private Investigative solutions to its clients and working with them to develop tailored services that meet their needs.

Services provided include:

BACKGROUND INVESTIGATIONS

CI provides accurate, timely, cost-effective and fully compliant reports delivered with exceptional client service.

CONSULTING SERVICES

CI assists you in implementing a compliant background investigation process as well as providing assistance in implementing in-house procedures.

COMPETITIVE INTELLIGENCE

CI assists you in gaining a competitive edge with discrete, thorough and valuable intelligence.

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∞ INQUIRY SPOTLIGHT ∞

PROTECTION PLUS™

PROTECTION PLUS™ is a timely and cost effective inquiry which identifies adverse information about volunteers or employees of nonprofit organizations. PROTECTION PLUS™ combines the results from both a SSN & ADDRESS INFORMATION inquiry and a MULTI-STATE CRIMINAL inquiry.

CI's SSN & ADDRESS INFORMATION inquiry is a powerful investigative tool that verifies the validity of a subject's Social Security Number, reveals various names (aliases) associated with the SSN and provides information on prior addresses and movement patterns, including the approximate dates of residence at each identified address.

CI's MULTISTATE CRIMINAL inquiry is a powerful high-speed multi-jurisdictional search of state and county criminal record databases, including sex offender data, that quickly returns offender information in a condensed, easy to comprehend format. CI's MULTI-STATE CRIMINAL inquiry efficiently searches over 260 million criminal records from multiple sources within numerous jurisdictions.

To learn how to add this inquiry to your BACKGROUND INVESTIGATIONS, or for further information, please contact a CI representative.

This publication is designed to provide accurate and authoritative information with respect to the subject matters covered. It is distributed with the understanding that CI is not engaged in rendering accounting or legal services.