

Background screening reports and criminal records

What's included:

- *A closer look: Background screening reports*
- *Reentry Tool: Background screening report checklist*
- *A closer look: Obtaining your criminal records*
- *A closer look: Disputing errors in your criminal records*

What to do:

Since background screening reports are used by employers and include information from criminal records, it's important to make sure that criminal records and background screening reports are accurate and up-to-date.

- To learn an individual's rights, with respect to background screening reports, see *A closer look: Background screening reports*.
- To help your client review background screening reports and dispute errors see *Reentry Tool: Background screening report checklist*.
- To obtain criminal record information see *A closer look: Obtaining your criminal records*.
- To determine where to submit challenges if errors are found on criminal records, see *A closer look: Disputing errors in your criminal records*.

What to say:

"Employers often use background screening reports as part of the hiring process. These reports include information from public records, including criminal records. Employers must inform you and receive your consent before they obtain a background screening report. This tool will help you identify errors in your background screening report."

To access a dynamic and fillable version of this tool, visit: www.consumerfinance.gov/practitioner-resources/your-money-your-goals/companion-guides.



Background screening report checklist

Highlight the information you think may or may not be correct on your background screening report as you compare it with this checklist. If you find errors, file a dispute with the background screening company.

Possible errors on a background screening report

The record or report does not include correct identifying information.

Check if the any of following are incorrect:

Full name Social Security information Addresses Case or docket numbers

If you do not have your case or docket number, you may need to seek assistance from your attorney or Legal Aid or obtain your records from the court.

The report includes information you believe to be expunged or sealed.

Expunged or sealed records are those that have been removed from public view. States have different laws on expungement and you should check the laws of your state to determine if they may apply to your records or seek assistance from an attorney or other organization. See next page for links to legal assistance sites.

The report includes incomplete records.

The report lists single charges multiple times.

The report includes information that has been or should have been expunged or not reported under state or federal law.

The report includes arrests or other negative information that occurred more than seven years ago (except for convictions, which can stay on permanently in most states).

Some states may limit further the types or time frame for criminal history information.

Possible errors on a background screening report

The report misclassifies misdemeanors as felonies.

The report includes a charge or conviction that is not yours - you were not charged or convicted of such an offense.

Get help from your attorney, Legal Aid, a pro bono (volunteer) or other attorney, or organization to check and correct your record.

To find a legal aid organization near you, visit consumerfinance.gov/askcfpb/1549 and lsc.gov/what-legal-aid/find-legal-aid.

This tool is included in the Consumer Financial Protection Bureau's *Your Money, Your Goals: Focus on Reentry* companion guide. The CFPB has prepared this material as a resource for the public. This material is provided for educational and information purposes only. It is not a replacement for the guidance or advice of an accountant, certified financial advisor, attorney, or otherwise qualified professional. The CFPB is not responsible for the advice or actions of the individuals or entities from which you received the CFPB educational materials. The CFPB's educational efforts are limited to the materials that CFPB has prepared.