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**Background Screening Terms & Disposition Glossary**

**A**

**Acquitted**- Means you have been found not guilty by a court of law in a criminal trial.

**Address History –** A list of addresses associated with an individual used to drive a variety of background screening services, such as selecting jurisdictions for a criminal record search.

**Adjudicated Guilty-Conviction** – The defendant has been found guilty of the charges.

**Adjudication** – The ability to automate a judgement based on background screening outcome. This judgment often results in ‘meets requirements’ or ‘does not meet requirements’ outcome.

**Adjudication Withheld-Non-conviction** – No final judgement is ruled on the case. The defendant is given probation or community service for which they have a specified amount of time to complete. If the defendant complies, the case may be dismissed, depending on the state. If they do not dismiss in that particular state, then the disposition remains adjudication withheld, and the case is closed. However, if the defendant does not comply, the case disposition maybe changed, and the defendant can be found guilty.

**Adverse Action –** A decision that adversely impacts the subject of a background report based all or in part on the results of the report. A negative action such as not hiring an applicant; not promoting or not retaining an employee.

**Applicant** – the subject of the inquiry, a job applicant or current employee who is the subject of an employment verification or reference.

**ARD Program-** This program (Accelerated Rehabilitation Disposition Program) is given to the defendant in place of adjudication. If the defendant completes the program, the case is closed.

**Authorization** – Obtaining written permission from the applicant/employee for the background investigation to be conducted.

**B**

**Background Report, Background Check, Background Screen, Background Investigation –** The collection of information about a consumer assembled by a CRA used to make an employment or tenancy decision.

**Bail / Bon Forfeiture-** The charges are dropped. Not enough evidence to convict.

**Ban-The-Box (BTB) –** Social movement focused on removing the “check box” from a job application that requests disclosure of criminal history.

**C**

**Capias Warrant**- A Capias Warrant is issued when a subject has a guilty judgment either through court appearance, plea, or arraignment in jail, then fails to pay a fine or complete some specified conditions within the required time period.

**Conditional Discharge-** The defendant has no finding of guilt. The court is discharging him/her from trial on special conditions that they must follow. If they do not abide by these conditions, the discharge may be revoked, and the finding may become guilty.

**Consent Decree- T**he defendant pleads guilty and is placed on the decree / probation for six months.

**Consent Form –** A clear and conspicuous, stand-alone document that must be provided to a consumer before a background report is initiated according to the FCRA and several state/local laws. The Consent Form discloses that a background report is being run and seeks authorization from the subject of the report (consumer, applicant, employee, tenant, etc.) in order to proceed.

**Consumer –** The subject of a background report, such as an employee, applicant, or tenant.

**Consumer Financial Protection Bureau (CFPB)** – An agency of the United States government responsible for consumer protection in the financial sector. The CFPB determines what can be conducted on a background check.

**Consumer Report –** As summarized per the FCRA: communication of information by a CRA to serve the purpose of establishing the consumer’s eligibility for credit or insurance, employment, or other authorized purposes. This can be a credit report as a stand-alone document as well as a background report that does or does not include credit.

**Consumer Reporting Agency (CRA) –** A company that collects and/or assembles consumer information for the purpose of furnishing a consumer report.

**Convicted-Conviction** – The defendant is found guilty of the charges.

**County Criminal Conviction Search** - A search for criminal convictions at the appropriate state (county) court adjudicating crimes against a state’s criminal code. This search will reveal all felony convictions as well as felony charges reduced to misdemeanor charges thus resulting in misdemeanor convictions. Courts are searched directly at the source via in person, the court’s Internet web site, or direct connection into the court’s index.

**County Misdemeanor Criminal Conviction Search** - A search conducted in a county repository (court) that combines misdemeanor records for all municipal courts located within a county. Courts are searched directly at the source via in person, the court’s Internet web site, or direct connection into the court’s index.

**Credit Bureau –** An organization that collects and maintains credit records and credit scores on a consumer. The three main credit bureaus are: Experian, TransUnion, and Equifax.

**Credit Report –** Collection of a consumer’s credit history, most often sourced from a major credit bureau. Only in specific scenarios may an employer use a credit report and/or credit score to make an employment decision.

**D**

**Dead Docket- T**here is not enough evidence that shows the defendant is guilty or innocent. The case is set aside. If not brought back up, case is closed.

**Diversion, Deferred Adjudication, Deferred Judgment** – The final judgment is delayed for a period of time. If “probably” is completed without incident, the charges are usually dropped, and the case is dismissed.

**Diploma Mill –** An organization, institution or otherwise that provides individuals with a degree that may be entirely fake/fraudulent or provides a diploma/degree with little or no requirements, often by an unaccredited institution.

**Disclosure** – The document and the process of informing an applicant/employee that he/she will be the subject of a background investigation.

**Dismissed**- Means the court or prosecutor has decided the charge should not go forward, terminating the case.

**Disparate Impact –** Employment policy or practice that results in discrimination rather than a consequence of the intent behind it.

**Disposed/Disposition** - The final settlement in the matter. Examples of disposed cases are those with a finding of guilt (conviction), innocence or acquittal.

**Dispute Process –** The process by which incorrect information is identified on a background report and brought to the attention of the CRA for the purpose of correcting the report. A dispute does not always result in amending the original report.

**DLN** – Driver’s License Number

**DOB (Date of Birth) –** Arguably, one of the most important pieces of information on a background report request next to full legal name. Most records (criminal, civil, employment, and education) are filed by name and DOB as opposed to other identifiers, such as SSN.

**E**

**End User –** The recipient of a background report procured by a CRA such as an employer or landlord.

**Equal Employment Opportunity Commission (EEOC) –** A Federal agency that is “responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee” based on protected class status.

**Estimate Time of Arrival (ETA) –** The approximate date a service or report is expected to be completed assuming no unforeseen delay.

**Expunge** – When a record of an offense is expunged it will not appear on a released criminal history. The record may be destroyed or sealed after a certain period of time. Records may be expunged in juvenile cases.

**F**

**Failure to Appear**- Occurs when a defendant or respondent does not come before a tribunal as directed in a summons. FTAs are also known as "bail jumping." In the United States, FTAs are punishable by fines, incarceration, or both when committed by a criminal defendant.

**Fair Credit Reporting Act (FCRA) –** Federal law established by President Richard Nixon on October 26, 1970, that governs how consumer reporting agencies and end users request, obtain, and use a consumer’s information.

**FCRA Summary of Rights –** A document summarizing the rights of the subject of a background report (the consumer) according to the FCRA.

**Federal Trade Commission (FTC) –** The government agency responsible for the administration of the FCRA. This agency has issued many non-binding opinions interpreting the FCRA.

**Federal Criminal Conviction Search** - A search for criminal convictions at the appropriate federal district court adjudicating crimes against the United States Code. Courts are searched directly at the source via in person, the court’s Internet web site, or direct connection into the court’s index.

**Felony** – A serious offense carrying a penalty of incarceration from one year to life in a state prison, to the death penalty.

**Final Adverse Action** – Referring to the document and the process when a negative employment decision is made, the applicant/employee receives notice of the final decision. \*Also referred to as ‘Second Notice.’

**Fugitive File**- No pending court date until the individual is picked up on the bench warrant.

**G**

**GSA** - General Services Administration

**Guilty in Absentia-** The jury has found the defendant guilty without them having appeared in court.

**H**

**Held to Answer**- A preliminary hearing is held to determine if there is sufficient evidence that the defendant committed the crime and should therefore be "held over" for trial. Once a defendant is "held to answer," meaning in custody to answer charges, the prosecuting agency files a document called the Information. The defendant will subsequently be arraigned on the Information at which time he or she will enter a plea and proceed to trial.

**I**

**Identifiers –** Personal information used to match a record (criminal, civil, medical registry, school transcript, etc.) to the subject of a background report, such as name, DOB, address, etc.

**Ignored-** The case never went to trial. It was ignored by the state.

**Individualized Assessment –** Taking into account additional information about the individual and criminal record before making an employment/hiring decision.

**Investigative Consumer Report –** A background report that acquires information on a consumer’s character, general reputation, personal characteristics, or mode of living and is obtained through personal interviews with neighbors, friends, associates or acquaintances.

**J**

**Judgement** – The final decision of the court regarding a claim or case.

**Jurisdiction** – The power of a court to question facts, pally law, make decisions and judgements.

**Juvenile** – Person under the age of 18.

**M**

**Misdemeanor Intervention Program-** A program designated only for misdemeanor offenses in which the defendant may comply to the conditions of the program in order to avoid conviction.

**Municipal Criminal Conviction Search** - A search conducted at the appropriate municipal court adjudicating crimes against a city code. Courts are searched directly at the source via in person, the court’s Internet web site, or direct connection into the court’s index.

**N**

**NAPBS** – National Association of Professional Background Screeners – a non-profit trade association founded in 2003 to represent the interest of companies offering employment and background screening.

**National Criminal Database Search** – A search of multi-geographical, aggregate criminal databases.

**No Charges Filed/Charges Dropped**- Means the prosecutor has declined to pursue the case.

**No Contest-** A plea by which a defendant in a criminal prosecution accepts conviction but does not plead or admit guilt.

**No Papered-** The paperwork was never sent to the court by the District Attorney and the case was never filed and never brought to trial.

**Nolle Prosse/Noelle Prosequi-** Latin for “Not Prosecuted.” This means there was not enough evidence to convict the defendant. The case is dropped.

**Nolo Contendre-** Latin for “No Contest.” The defendant has pled no contest to the charges against him or her, therefore the court finds them guilty.

**Non-Adjudication of Guilt-** Same as adjudication withheld.

**No File/Information**- The accused person is not charged, and the matter is dropped.

**O**

**OFAC –** Office of Foreign Asset Control

**OFAC Search** – A search of the most recent, master list of “Specially Designated Nations and Blocked Persons” that is made available by OFAC.

**OIG** – Office of Inspector General, Department of Health and Human Services

**OIG Sanction List** – A search of the Department of Health and Human Services, Office of the Inspector General (OIG) list of sanctioned and excluded parties.

**P**

**Partial Name Match** Only – Only a partial match of the subject’s name is established – with no additional matching identifiers also established, such as DOB, DLN, or SSN

**Pending**- Means the case is still being investigated or prosecuted.

**Permissible Purpose –** Under the FCRA, this is a legal purpose for obtaining a background report. Additional standards may apply for credit reports when used for employment or tenant purposes.

**PII** - **Personal Identifiable Information** – Information that potentially could be utilized to commit identity theft, including but not limited to name, address, Social Security Number, and date of birth.

**Prayer for Judgment- M**eans the state did not prosecute.

**Preliminary Adverse Action (’Pre-Adverse Action’)** – Referring to a document and the process when a negative employment decision is being considered, the applicant/employee receives notice, a copy of his/her background report and a Summary of Your Rights under the Fair Credit Reporting Act. \*Also referred to as ‘First Notice.’

**Pre-Trial Intervention/Diversion-** A program the defendant is placed in before going to trial. If the defendant complies prior to trial time, the trial will not be held for the charge and the defendant is not convicted.

**Process Other-** Defendant was not charged on this count due to being charged for another count.

**R**

**Refused/Rejected- The case never went to trial. The state rejected the hearing of the case.**

**Reportable** – Results can be legally reported to an End-User – the standard being whether the information complies with applicable law, such as the FCRA and state consumer reporting laws.

**Responsible-** The defendant is responsible for the payment of the fines or fees of the crime. They are not found in guilt, however, must pay what they are ordered. Often found on traffic tickets or minor violation.

**S**

**Sealed-** means the court has restricted access to all or some of the content of the record; however, the existence of the record will still be public record. For juveniles (but NOT adults), the sealed crime is, generally, treated as if it never occurred, unless it has been subsequently unsealed.

**Search Scope –** Defines a background screening service in terms of time, location, source and/or information retrieved. For example: 7-year, County Criminal Search, Convictions Only, in Denver, Colorado.

**Sexual Offender Database Search** – A search of any number of sexual offender databases or registries. Databases may be national, state or local in scope and provided by both private and public governmental entities.

**Social Security Number (SSN) –** 9-digit code assigned to a US Citizen, permanent resident, or temporary resident.

**SSN Trace –** Search of credit bureau files or other aggregate database files to authenticate the subject’s SSN and name. Search may show prior addresses and other names (including maiden/ alias/ aka) associated with the subject. This search may also uncover evidence of identity theft and/or deceased numbers.

**SSN Validation** - The Social Security Number Validation will validate the social security number by comparing the applicant’s SSN to the Social Security Administration’s formula for order of issuance.

**State Criminal Database Search** - A search of any number of criminal databases available in a particular state. Databases range from state department of corrections databases to proprietary criminal databases built by private entities.

**State Repository Criminal History Search** - A search of a state’s official criminal repository managed by a State Agency. Not available in all states.

**Stet Docket-** Will not prosecute at this time. Eligible to be re-opened for one year if a violation is committed during that time. After the one-year period and no violations have been committed, it cannot be re-opened and the case is closed.

**Stricken Off Leave-** If the case has been stricken off docket it has the ability to reinstate at a later date if deemed that the case can be prosecuted. This is often because the prosecutors run out of time to prosecute.

**Summary of Rights –** A summary of the consumer’s rights as it applies to background screening. Consumers must receive a copy of the FCRA Summary of Rights. Additional state and local summaries may be required.

**Suspended Sentence-** Means the court has delayed the sentencing for an offense pending the successful completion of a period of probation and/or successful completion of a treatment program. If the defendant does not break the law during that period, and fulfills the particular conditions of the probation, the judge usually reduces the degree of the offense or may dismiss the case entirely.  Until the sentence is reduced or dismissed, this will be treated as pending.
**T**

**Turnaround Time (TAT) –** The duration between placing an order and receiving the final results of a background report.

**U**

**User Certification –** Provision in the FCRA that states a CRA may only furnish a consumer report if the user has affirmed its compliance with the FCRA and applicable laws, including but not limited to only using the provided background report for a specified purpose.

**Unreportable** – Not reportable. See Reportable.

**User of Consumer Reports** – AN employer who, as part of an employment decision, considers the information in a background report.

**V**

**Vacated-** Means the court has withdrawn the guilty plea or set aside the guilty verdict, and for all purposes you may state you have never been convicted of that crime.

**Verified Watch List** – FCRA-Compliant domestic and global sanctions search that is a sub-set of the Patriot Act database sources, all of which can be verified with more than just a consumer’s name. Additional identifiers include DOB, SSN, and other pieces of PII.

**W**

**Waive preliminary hearing**- If you waive a preliminary hearing, you allow the prosecution to proceed on criminal charges against you without having to present its evidence.

**Waived-** This means the defendant has waived his / her right to trial and has pled guilty to the charges. In turn, the court accepts the plea of guilty.

**Warrant** – A written order for the arrest of a person. A judge can issue a warrant, based on probable cause, to search a specific location for evidence to be used in court.

**Wet Signature –** Hand-written signature (pen and paper).

**Withdrawn**-The court has decided, after evaluating the merits of a specific case, that there is no need to continue the trial and arrive at a conclusion of guilty or not guilty.

**Writ** – A formal judicial order requiring a person to do something.

\*This is not a full list of terms or dispositions. If you have questions pertaining to this list, please contact us at 800-795-0994 or connect@tiscreening.com.