

From: Jim Tutton [mailto:jim@wtassns.com]
Sent: Tuesday, October 22, 2013 5:02 PM
To: Stillwell, Suzanne (UTC)
Cc: Pratt, David (UTC)
Subject: RE: TV-130079 HHGs and Common carrier rulemaking

Good Afternoon Suzanne –

I have received from Crown Moving Company, a Mayflower Agent, the attached “STEP-BY-STEP INSTRUCTIONS”, pages 6-12, page 14 from the list of state-by-state listing of State Requirements for Criminal Background Checks which shows the State of Washington, and Exhibit C, Qualification Standards Matrix, page 22. This information deals with whether or not the prospective employee is qualified for employment based upon a criminal background check.

The company doing the background checks I am told is ChoicePoint but when researching on the internet it appears they have been purchased by Lexis-Nexis.

I spoke with different local moving companies, agents of different major HHG Carrier Van Lines (United, Mayflower, Atlas for example) and it appears the van lines are all using the same company for criminal background checks.

My review of the information provided by Crown Moving Company shows the following –

1. The cost for each prospective employee Background Check is \$26.50 plus an additional \$9.00 for a review of Sex and Violent Offender Registries in Washington. This information is not included in the National Criminal Record File.
2. The Background Check provides a Social Security Verification.
3. The Background Check provides a National Criminal Record File search of the following –
 - a. Fugitive files and government watch lists
 - b. State and County criminal record repositories
 - c. ChoicePoint proprietary criminal records
 - d. Prison, Parole and release files from state department of corrections
 - e. Administrative Office of Courts
 - f. Other state agencies
4. County Criminal Check of Felonies and Related Misdemeanors – 2 counties of residence (Present & Previous)
5. The Background Check is valid for a three year period

There are other employee disqualifying criteria as well as you will find in reading through the attached information.

The Background Checks cover a minimum of 10 years, not 3 years, (to the extent records are available by law).

Therefore, I request the Commission

1. Allow the properly permitted HHG intrastate moving companies operating in Washington State under a valid signed Agency Agreement between themselves and their Van Line the opportunity to use the background check completed by the van line to meet the requirements of proposed WAC 480-15-555.
2. Include in proposed WAC 480-15-555 the requirement for a separate search of the Washington State's "Sex and Violent Offender Registry" files.

It is further noted that the Commission may want to review its use of the Washington State "Watch" for criminal background checks as administered by the Washington State Patrol because of the following –

“WASIS cannot guarantee the records you obtain through this site relate to the person on whom you are seeking information. Searches based on names, dates of birth, and other identifiers are not always accurate. The only way to positively link someone to a criminal record is through fingerprint verification.

The search will result in:

1. A candidate list of records that match or closely match the search criteria used.
2. A NO RECORD or NO EXACT MATCH FOUND response which means there is no conviction record in the WSP database that match the search criteria used.
3. A possible DUPLICATE MATCH indicating that there may be two or more exact name and date of birth matches for the search criteria used.”

The “WATCH” search may also not result in any information relating to sex offenses. Since this information is not in the National Criminal Record File, it may not be included in the WSP “WATCH”.

Jim Tutton, Exec. Dir.
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Have you checked out the new WMC web site at www.wcmcmovers.com ?

From: Jim Tutton
Sent: Wednesday, October 16, 2013 4:40 PM
To: 'Stillwell, Suzanne (UTC)'
Subject: RE: TV-130079 HHGs and Common carrier rulemaking

Good Afternoon Suzanne –

The request is in to the van lines. I should have a response as early as tomorrow or at least by Friday.

Jim Tutton, Exec. Dir.
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From: Stillwell, Suzanne (UTC) [<mailto:SStillwe@utc.wa.gov>]
Sent: Wednesday, October 16, 2013 10:14 AM
To: Jim Tutton
Cc: Elliott, Vicki (UTC); Stillwell, Suzanne (UTC)
Subject: TV-130079 HHGs and Common carrier rulemaking

Hi Jim. I'm wondering if you've had a chance to find out about the background check from the service provider your members use? Does it go back 5 years or more; similar to the WA state patrol's Watch Report? Once we receive your feedback and provide it to the commissioners, we can move forward with the adoption process. Thanks, Suzanne

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