



OJJDP FACT SHEET

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Guidelines for Screening Care Providers

by Kay McKinney

More than 94 million children, elderly Americans, and individuals with disabilities—the most vulnerable members of our society—depend on someone else to look after them. They may be cared for by family members, friends, paid professionals, or volunteers from youth or service organizations. Unfortunately, some care providers abuse the very people they are supposed to be helping. The most sensational cases often make the evening news, inspiring public demands for better screening of those who work with and care for these vulnerable persons.

Screening those who care for children and other at-risk individuals is a critical first step to detecting abusers before they can inflict harm on their victims. While checking criminal records of potential workers is one method of screening individuals, several other practices can weed out potentially abusive workers and volunteers. These practices range from basic screening to more complex procedures, including psychological and drug testing.

Levels of Screening

Basic screening generally consists of requiring potential employees or volunteers to complete a comprehensive application form and submit a signed statement, conducting a thorough personal interview that examines an applicant's past employment or volunteer experience and explores other indicators of potential problem behavior, and performing personal and professional reference checks. It also may be necessary to confirm an applicant's education.

More extensive background checks are sometimes required. These frequently include examining local, State, and Federal criminal records; abuse and sex offender registries; and motor vehicle records. Special cases may warrant even further screening, including alcohol, drug, and psychological testing; checking an applicant's psychiatric history; and visiting an applicant's home.

Guidelines for Screening

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) has published *Guidelines for the Screening of Persons Working With Children, the Elderly, and Individuals With Disabilities in Need of Support (Guidelines for Screening)*. The publication offers practical steps that States, communities, and service organizations can take to assess their screening needs and to determine whom to screen and how. *Guidelines for Screening* was prepared by the American Bar Association (ABA) and is based on an earlier OJJDP research study, conducted by ABA, which examined the effectiveness of various screening methods.

Guidelines for Screening does not recommend requiring criminal record checks for all care providers. Instead, it stresses the importance of tailoring screening procedures to meet the particular needs of each client. Screening methods suitable for a juvenile mentoring program, for example, are not necessarily the most effective means for screening nursing home attendants.

Three-Step Approach

Guidelines for Screening recommends using a three-step approach to determine the level of screening that should be used for specific situations.

The first step is to assess the setting in which the care is provided, the amount of contact an employee or volunteer will have with the individual receiving care, and the vulnerability of the individual receiving care. Questions to be considered include: Will others be present during contact between the care provider and the client? If so, are they adults or children? Will the care provider be closely monitored or supervised? What is the nature of the contact—coaching a sports team or providing nursing care? Will the contact occur in a private or public area? How often will the care provider meet with the client? Answers to these types of questions will begin to indicate the degree of screening that is in order.

The second step is to evaluate the diverse contingencies that could affect screening decisions. Several factors may affect an organization's ability to conduct a particular type of screening. Availability of desired information is one such factor. Some States, for instance, do not allow access to data from criminal records. Hiring needs may similarly limit the time available to complete screening. Liability concerns also should be kept in mind. State or local laws may afford applicants certain legal rights, and existing case law may allow employers to be sued if a client is injured by an employee or volunteer who was not screened adequately.

The third step is to analyze and select the appropriate level of screening. Information acquired from the previous two steps should be analyzed to determine whether methods beyond basic screening should be used.

Limits of Screening

Guidelines for Screening cautions readers that while appropriate screening methods can reduce the incidence of abuse by care providers, they will not eliminate the problem. All screening procedures have limitations; their use does not guarantee that individuals who pass through screening will not abuse those in their care. The need for vigilance in protecting those at risk of

abuse is constant. Relatives and friends of individuals receiving care need to be aware of the potential for abuse, and organizations and agencies should monitor the care providers for whom they are responsible. Families also need to talk to children and other family members about what is—and what is not—acceptable behavior from care and service providers.

For Further Information

Copies of *Guidelines for the Screening of Persons Working With Children, the Elderly, and Individuals With Disabilities in Need of Support* are available from OJJDP's Juvenile Justice Clearinghouse, 800-638-8736. This publication was prepared in response to the 1994 Crime Law, which amended the National Child Protection Act of 1993 and directed the U.S. Department of Justice to develop screening guidelines.

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