

## All.Net Analyst Report and Newsletter

### Welcome to our Analyst Report and Newsletter

#### Social media background checks

This should clearly be obvious by now. And yet the US Military apparently doesn't apparently bother to check social media for things like White Nationalism, support for North Korea, Russia, and China, and so forth. This based on a recent report regarding several military members who were found out through other means and it turns out were members of such fora, not even concealing their identities.

#### Background checks?

It seems that much of the the global community continues to be unable or unwilling to check on workers and potential workers. And I am guilty as much as many others. In several of my businesses I don't bother to do background checks before starting to work with people. I would like to say that this is the result of a sound risk management approach, but in truth, little analysis was performed before accepting these risks.

#### Some should – but should all?

To be clear, we have detailed background checks on many folks in many of the businesses I run. For example, some of the companies use workers in trusted positions who have clearances even though they are not working on classified projects. But on the other hand, I look at hundreds of startups in a given month, and we did more in-depth work with something like 25 new companies in the last quarter, none of which we did background checks on, and most of whom didn't report doing background checks on their workers.

#### Some guidance?

I think we could need guidance on the situations in which what sort of background checks should be used in which cases. And we have some in our standards of practice:

- **IF** workers are not given access to any internal resources, their background is irrelevant to the tasks they perform, and no legal, regulatory, or business reasons exist to do such checks **OR** there are legal, regulatory, or contractual restraints on doing background checks, **THEN** do not do background checks on workers,
- **OTHERWISE IF** there are a relatively small number of key workers in whom a high degree of trust is placed in that they can do a great deal of harm, **THEN** check backgrounds for key workers,
- **OTHERWISE IF** new workers have no regulatory or other legal or contractual limits prevent such checks, **THEN** check backgrounds on new workers,
- **OTHERWISE** check all other worker backgrounds.
- **IF** no legal or contractual prohibition is in place against periodic updates, **THEN** perform periodic updates to background checks with periods dictated by criticality of job function and level of trust in the individual required.

But that's a bit too simple and will necessarily soon be updated (in the live version we have updated it considerably, but there is more progress needed).

#### Social media?

While the problem is clearly wired in general, social media is increasingly complex across the board. Here are some of the issues to consider:

- **Where should we look?**
  - Social media is a vast arena. It's not like asking neighbors about behaviors or checking at work for performance or checking credit ratings for debt or failures to pay. There are thousands of social media mechanisms in the world, people use aliases and multiple identities and conceal themselves, and we don't generally have access to really know what media they use or if others share their accounts. This means, among other things:
    - We have to ask them to list their social media accounts so we can look.
      - We trust them to tell us what we need to know to see if we can trust them?
    - Not all of their posts are globally available, so we may still not have access.
      - We need them to trust us by granting private access in order to trust them?
    - Some of this media allows deletion.
      - Do we require that we see the things they deleted to keep us from seeing it?
- **What are we looking for?**
  - Imagine we have a copy of every interaction between a candidate and everyone else for their whole life. What then are we seeking to understand from this?
    - **Eligibility:** If there are specific requirements, such as having a government clearance, being certified in a regulated field requiring such, etc. you can look for evidence of eligibility and evidence of loss of same. If you find the further, not the latter, and have done a reasonably thorough search, you are probably being reasonable and prudent in that regard.
    - **Suitability:** Even if they are eligible, they may not be a good match for the work. For example, if they are too tall to fit in the capsule being sent into space, they are unsuitable (they literally cannot fit the suit that can fit in the capsule), while they may be more or less suitable because of relevant experience or lack thereof.
      - As an aside, we probably cannot send a black person in as an undercover agent trying to join a white supremacist group... although this has been done successfully in the past... a white male showed up for most of the physical aspects of the infiltration.
    - **Anything else?** I don't know what else you might be looking for... perhaps a personality fit? Can you legally decide to not hire someone you don't like? What if all the people you don't like happen to be taller than 6 feet? Male? Asian? What if we don't like the way they communicate in social media? And can we tell if they are expressing a fantasy or actually feel the way they claim to feel in a posting? And from how long ago? And in what context?
      - I think it depends on the job. I have decided to hire short, athletic, good looking women for penetration testing involving physical access to facilities in the southern US. Tall makes it harder to hide or go through ductwork, non-athletic makes it harder to get into and out of the ductwork, not good looking

makes it harder to get other workers to want you in their workspace, and female is less likely to be suspected by the male dominated executive and management folk. It's a matter of being the right fit to the job, not a matter of discrimination. I don't care about any of these things if you are doing computer penetrations, because they are not important to the job. And the criteria would be different if you were doing penetration testing against physical facilities in Africa or India than in different parts of the US or China.

- **What do we do if/when we find it?**

- Adjudication is something complicated and requiring substantial prior thought.
  - What is a sound basis for decision-making and how do you systematize it?
    - There are some simple things. For example, if you are in child care, you might want to avoid people who have been convicted of child molestation. Certainly prudent and reasonable to check for criminal records in this regard.
    - There are some less simple things. For example, if you are in child care and they have been convicted of computer crime, why is this disqualifying?
    - How do I tell based on social media? You cannot. The fact that my photograph is of a short, athletic, good looking women doesn't mean I am any such thing. Social media only gets you so far. Finding inconsistencies between social media and real world information should be an indicator, but of what?
  - How do you prevent discrimination in the process?
    - The criteria you use and thus the things you look for should not violate laws or the general philosophy of the company. So you need a way to adjudicate that ignores these things or compensates for things it cannot ignore.
  - Active measures?
    - In social media, you can interact with potential and current workers to try to determine their behavior based on your behavior. This introduces a whole new area of deception and counter-deception into the adjudication process.

### **What about small businesses?**

All of this complexity says to me that it is infeasible for a small business, or a micro-business, to do this well or at all. And if you do it poorly, you open yourself up to liability. You are liable for doing something but liable if you do the wrong thing, and there is no good guidance on the right thing, at least for small and micro businesses.

### **Conclusions**

As a basic principal, I think the world has changed, and what background checks should be carried out on whom and why is something that needs to be examined in more depth. I invite you (all) to let me know what you think the basic decisions and basis for those decisions are, so we can update the standards of practice in this regard. We welcome your comments.