

Dating online may get more personal

Bills urge Web sites to do background checks

By David Colker

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Dating has always been a delicate dance of information swapping: What to reveal when?

Now some lawmakers want to regulate it by requiring online dating services to conduct background checks on their clients.

The push runs counter to the prevailing sentiment about privacy. After high-profile breaches at information brokers ChoicePoint Inc. and Reed Elsevier's LexisNexis, state and federal legislators called for tighter control of personal information, with less, not more, disclosure.

Most online dating sites, including IAC/InterActiveCorp's Match.com and Yahoo Inc.'s Yahoo Personals, oppose background-check bills in key statehouses around the country. But competitor True.com supports them--and, in fact, is bankrolling the campaign.

True's founder and chief executive, Herb Vest, said every online dating service should check backgrounds, as True does.

"The primary motivation is to protect people from criminal predation online," Vest said. "I can't imagine anyone with a hatful of brains being against that."

Vest said he spent \$200,000 last year on lobbyists around the country. Although opponents charge that his goal is to gain publicity for his site, the legislation has met with at least some success in four states.

The Michigan House of Representatives late last year passed legislation based on a model bill written by True; it wasn't approved by the state's Senate but was reintroduced in both chambers this year. Similar measures are being considered in Florida, Texas and Ohio.

"This is one of those feel-good kind of legislations that politicians can get behind," said analyst Charlene Li of Forrester Research Inc.

Privacy advocates are alarmed.

"The notion that we should be requiring yet another industry to do background checks is

chilling," said Barry Steinhart, director of the American Civil Liberties Union's Technology and Liberty Program.

Raising the stakes for both sides is that a law in any one state could effectively create a national standard because of the difficulties in applying different local standards to Internet commerce.

Internet daters are divided. John Knowlton, 52, who teaches journalism at a community college in Auburn, Wash., said he was uncomfortable with government taking a role in the matter. And he found it unfair that online dating was being singled out.

"Every day, thousands of personal ads appear in print," Knowlton said. "Why wouldn't they be subjected to the same thing?"

Elana Luber, 35, a Los Angeles-area lawyer, is generally in favor of background checks, saying: "Who wouldn't want to have people screened for something so basic as whether or not they're a criminal?"

The bills generally would mandate that online dating services find out whether clients have been convicted of felonies and post that information, or ban convicted felons. The legislation also would allow sites to forgo checks if they posted prominent messages saying they don't conduct them.

In promoting mandatory background checks, Vest cites incidents of violence and fraud he says people suffered at the hands of ne'er-do-wells they met on the Internet. But he acknowledges that it's not clear whether a search of criminal records would have prevented any of those incidents.

The background-check service that True uses is Memphis-based Rapsheets Criminal Records, owned by ChoicePoint. The service's coverage is spotty in some states.

"We think we do a good job in covering the country," said Camille Gamble, director of marketing at Rapsheets. "But no non-government database can be 100 percent."

Background checks could eat into the bottom lines of dating services or increase the costs to clients. Most are privately held or owned by corporations that don't break out the results. The big exceptions: Match.com and Udate.com, which are part of Barry Diller's IAC.

Last year IAC's online dating sites generated \$198 million in revenue for the company, according to a Securities and Exchange Commission filing. That was up \$12.7 million, or 7 percent, from 2003. About 8.4 million people were paid subscribers of dating sites in 2004, according to Jupiter Research.

Match.com has about 1 million paid subscribers, said spokeswoman Kristin Kelly. She defended the safety of the sites, saying that clients get to know one another online before they mutually decide to meet:

"We are not a chat room; we are an online community where you get the chance to communicate

with someone as long as you want without letting them even know your real name."

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Top dating sites

Number of unique visitors to top Internet dating sites in March (in millions)

Yahoo Personals: 5.93

Match.com sites: 3.96

Spark Networks: 3.37

EHarmony.com: 2.73

True.com: 2.54

IMatchup sites: 2.54

Love@AOL: 1.72

Tickle personals: 1.37

HotMatchup.com: 1.13

DateCam.com: 0.94

Source: ComScore Media Metrix

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