



Alabama Background Check (ABC) System FREQUENTLY ASKED QUESTIONS

What is the ALABAMA BACKGROUND CHECK (ABC) System?

Through the ALABAMA BACKGROUND CHECK (ABC) System, “employers” may be provided with the Alabama criminal records of “employees” or “prospective employees” who provide them with the “right to know” through a signed waiver authorizing the search. This system is administered by the Alabama Criminal Justice Information Center (ACJIC), working in partnership with the Alabama Administrative Office of Courts (AOC) and the Alabama Department of Public Safety (DPS).

What does an ABC System Criminal History Record check include?

The first portion of the record will provide the provided personal descriptors regarding the subject of record (i.e., name, date of birthday, and the last four digits of the individual’s social security, and/or driver license number). There may be a list of cases for which the subject was fingerprinted and case information provided. Each case is divided into two segments: **Arrest Segment** - arrest date, law enforcement agency, and the charge at the time of arrest.

Court* Segment – state court date, name of court, court file number, charge at the time of filing, the disposition charge and court action.

The criminal history record available through the Alabama Background Check (ABC) system includes personal descriptors regarding persons age eighteen and older. The record is compiled from information provided by Alabama law enforcement, prosecutors, and courts, and includes felony and misdemeanor arrests, charges and convictions, as well as Alabama court records for the last seven years and court cases currently pending.

ALABAMA BACKGROUND CHECK (ABC) System searches do not include a search of any other state or national criminal record system (including the sex offender databases), search warrants, divorce cases, civil cases, or driving records.

**Records from non-reporting municipal or city court may not be included in the data checked by the ALABAMA BACKGROUND CHECK (ABC) system.*

Can I obtain specific information about cases returned on my employee’s ABC report?

Details on a specific state court criminal case may be accessed for an additional fee through the AOC website www.AlacourtACCESS.com. You may also use this service to check for possible civil court cases related to your employee.

What does it cost to use the ALABAMA BACKGROUND CHECK (ABC) System?

Each search submitted through the ALABAMA BACKGROUND CHECK (ABC) System is available at a cost of \$15, regardless of the results returned. Subscriber employers must submit a valid credit card at the time of application. Governmental agencies wishing to discuss non-credit card billing options should contact ALABAMA BACKGROUND CHECK (ABC) by e-mail at background@alacop.gov. There is also an annual subscription fee of \$95 which is assessed by Alabama Interactive, Inc. to manage the Alabama eGovernment Subscriber Services.

Who can the ALABAMA BACKGROUND CHECK (ABC) System criminal record checks be conducted on?

Approved Subscribers may use the system to check Alabama criminal records check requests on **Employees and/or Prospective employees**, provided the individual has provided the Subscriber (Employer) with the “Right to Know” in the form of a signed Criminal History Record (CHR) report waiver.

Who can subscribe to use the ALABAMA BACKGROUND CHECK (ABC) System?

Only “employers” meeting one of the following categories may apply to become a Subscriber through the Alabama Background Check (ABC) Criminal Background Check system:

- i. A **Non-Farm Business Employer** is any employer who has had in employment one or more workers on some day in 20 or more different weeks, whether or not consecutive, during the current or preceding calendar year, or who has paid wages of \$1,500.00 or more in any calendar quarter during the current or preceding calendar year.
- ii. A **Household Domestic Employer** is any employer who has paid domestic workers in a private household, college club, fraternity or sorority house a total of \$1,000.00 or more in cash wages in any calendar quarter during the current or preceding calendar year.
- iii. An **Agricultural Employer** is any employer who has had in employment 10 or more agricultural workers on the same day in 20 or more different weeks during the current or preceding calendar year or who has paid a total of \$20,000.00 in cash wages to agricultural workers during any calendar quarter of the current or preceding calendar year.
- iv. A **Government Employer** is any state or federal agency or political subdivision of a state.

How are employees or prospective employees defined by the ALABAMA BACKGROUND CHECK (ABC) System?

Under the ALABAMA BACKGROUND CHECK (ABC) System, an “employee” is defined as any person who worked full-time or part-time for any period, whether financially compensated, volunteered, or for the purpose of government or educational benefit for an employer. Subsequently, the ALABAMA BACKGROUND CHECK (ABC) System defines a “prospective employee” as any person who has made application to work full-time or part-time for any period, whether financially compensated, volunteered, or for the purpose of government or educational benefit to an employer.

What information is needed to perform an ALABAMA BACKGROUND CHECK (ABC) System search?

You will need:

- (1) A signed ALABAMA BACKGROUND CHECK (ABC) System Criminal History Record (CHR) report waiver from the person on whom the check will be conducted;
- (2) The employee/prospective employee’s full name (First, middle, last), sex, race, and
- (3) At least two of the following three numeric identifiers for this individual: date of birth, Social Security number, and/or Alabama driver license number.

My company will not be the actual employer, but wishes to provide background check services for clients who will be the employer. Can we use this system?

If you are not actually the entity who employs are seeks to employ the individual on whom the check will be conducted, you could not be approved to use the ABC

System unless an active ABC System Subscriber requests access for you as their "Third Party User" and you meet certain requirements.

"Third Party" access to the ABC System is only allowable when:

- (1) The ABC System Subscriber has a valid subscription agreement in place with ACJIC;
- (2) The ABC System Subscriber has outsourced its personnel recruiting and screening activities to another business entity making it necessary for someone else to view CHR Reports;
- (3) When the Employer (Subscriber) has provided ACJIC with documentation stating that the third party acts only on the Subscriber's behalf in conducting employment recruitment and screening services; and
- (4) When ACJIC has a signed and approved Alabama Background Check (ABC) Criminal Background Check system "Memorandum of

All ALABAMA BACKGROUND CHECK (ABC) System transactions are monitored and logged by the Alabama Criminal Justice Information Center (ACJIC). ACJIC information systems may be monitored for all lawful purposes, including ensuring that their use is authorized, for management of the system, to facilitate protection against unauthorized access, and to verify security procedures, survivability, and operational security. Any unauthorized or improper use of this and other ACJIC systems will be aggressively prosecuted.

Can I obtain my personal criminal background records through the ALABAMA BACKGROUND CHECK (ABC) System?

No. If you wish for your personal criminal history to be checked, please visit the website of the Alabama Criminal Justice Information (ACJIC) at www.acjic.alabama.gov. You should then click on the "Citizens" link for more information on how to check your own criminal history.

Agreement for Third Party Users of the Criminal History Sales System".

All Third Party Users will be required to:

- (1) Provide the name of the particular Subscriber agency or entity holding the original Subscriber Agreement with ACJIC when requesting any CHR Report through the Alabama Background Check (ABC) Criminal Background Check system;
- (2) Have a copy of the waiver signed by the employee or prospective employee of the Subscriber or entity on whose behalf the search is conducted, prior to conducting a search; and
- (3) Retain the waivers for employees and prospective employees submitted by the Third Party User on the behalf of the Subscriber for a criminal background check via the Alabama Background Check (ABC) Criminal Background Check system for a period of three years.

How is the ABC System monitored, and what is the penalty for misuse?

How complete and accurate are these records?

The ALABAMA BACKGROUND CHECK (ABC) System provides the most complete records that are available concerning Alabama criminal records. It is important to note, however, that even though a person was arrested for a crime, the final disposition may not yet be recorded through the state's court or judicial process. As criminal record keeping systems are very complex, complicated applications and errors or omission may be made in compiling these records. If you feel that an error or omission has been made, please contact the Alabama Criminal Justice Information Center 1-866-406-8022

What can be done if the person claims the ALABAMA BACKGROUND CHECK (ABC) System records are incorrect or does not pertain to them?

Common names, aliases, reporting/entry errors or the defendant's use of names other than his/her own could result in a response for the name searched. If there is an alleged error on the ALABAMA BACKGROUND CHECK (ABC) System report, we will provide the person to refute the information by undergoing a complimentary fingerprint-based criminal history search conducted by Alabama Department of Public Safety, as fingerprint patterns are unique to each person.

The ALABAMA BACKGROUND CHECK (ABC) System is provided under the authority of the Alabama Criminal Justice Information Center in partnership with the Alabama Administrative Office of Courts and the Alabama Department of Public Safety



The **Alabama Criminal Justice Information Center (ACJIC)** is the Alabama state agency responsible for gathering and providing critical information for law enforcement and the criminal justice community. ACJIC is connected nationally to the FBI's National Crime Information Center, as well as to all 50 states via the National Law Enforcement Telecommunication System (Nlets). For more information, visit www.acjic.alabama.gov



The **Alabama Department of Public Safety (ADPS)** is a full-fledged, statewide law enforcement agency comprising six divisions: Administrative, Alabama Bureau of Investigation, Driver License, Highway Patrol, Protective Services, and Service. The department's employees are committed to preserving the safety of Alabamians and visitors to our state, and they do so through a variety of enforcement, licensing, and educational programs. For more information, visit www.dps.alabama.gov



The **Alabama Administrative Office of Courts (AOC)** was created in 1977 to oversee the administration of daily operations of Alabama's state courts, resulting in a unified state judiciary system. Included in the Alabama Administrative Office of Courts are: the Alabama Supreme Court; the Alabama Court of Civil Appeals; the Alabama Court of Criminal Appeals, 41 Alabama Circuit Courts; 68 Alabama Probate Courts; 258 Alabama Municipal Courts; and 67 Alabama District Courts. The Alabama Administrative Office of Courts is overseen by an Administrative Director of Courts appointed by the Chief Justice of the Alabama Supreme Court. For more

information, visit www.alacourt.gov

How to Contact Us

You may contact the Alabama Criminal Justice Information Center (ACJIC) regarding the Alabama Background Check program by:

Phone: 1-866-740-4762 or (334) 517-2470

E-mail: background@alacop.gov

Mail: Alabama Criminal Justice Information Center - 201 South Union Street, Suite 300 – Montgomery, Alabama 36130

ATTN: Alabama Background Check System

Our hours of operation are 8:00 a.m. - 5:00 p.m. (CST), Monday through Friday.