



ALABAMA LAW ENFORCEMENT AGENCY

Frequently Asked Questions (FAQ)



The **Alabama Background Check (ABC) System** is administered, and under the authority of, the **Alabama Law Enforcement Agency (ALEA)**, Alabama's official criminal history repository agency.

The secure online ABC System allows qualifying businesses to subscribe so that they may access Alabama criminal records information on current and prospective employees and/or volunteers utilizing the official State of Alabama criminal history records maintained by the ALEA. As the Alabama state agency which connects local, state and federal law enforcement agencies to the National Crime Information Center (NCIC) administered by the Federal Bureau of Investigation (FBI), ALEA store, retrieve, analyze, and disseminate vital information relating to certain crimes, criminals, and criminal activity.

How do I know if my company or business qualifies to be an ABC Subscriber?

The rules established by the Alabama Justice Information (AJI) Commission defines that to subscribe, your company must be meet one of the following definitions to be eligible to be considered as an Alabama Background Check (ABC) system subscriber:

1. An 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 or more in any calendar quarter during the current or preceding calendar year. **(Non-Farm Business Employer)**
2. An employer who has paid domestic worker(s) in a private household, college club, fraternity or sorority house a total of \$1,000 or more in cash wages in any calendar quarter during the current or preceding calendar year. **(Household Domestic Employer)**
3. An 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 in cash wages to agricultural workers during any calendar quarter of the current or preceding calendar year. **(Agricultural Employer)**
4. Any state or federal agency, or political subdivision of a state (county or municipality agency, subdivision, etc.). **(Governmental Employer)**

Non-profit entities meeting one of the above definitions may also qualify to subscribe to the Alabama Background Check (ABC) system.

If my company or business qualifies, on whom can ABC background checks be conducted?

ABC Criminal background checks can only be conducted by approved Subscribers through the Alabama Background Check (ABC) system *on employees, potential employees, or volunteers (whether compensated or not) who meet one of the following definitions:*

An **EMPLOYEE** (defined as a person who worked full-time or part-time in any period for the employer, *whether financially compensated, volunteered or for the purpose of government or educational benefit*) who has provided the ABC System Subscriber/employer with a signed ABC criminal history report waiver providing them with the "right to know" and obtain the individual's Alabama criminal history record information through the Alabama Background Check (ABC) system.

A **PROSPECTIVE EMPLOYEE** (defined as any person who has made application to work full-time or part-time for any period for the employer, *whether financially compensated, volunteered, or for the purpose of government or educational benefit*) who has provided the ABC System Subscriber/employer with a signed an ABC criminal history report waiver providing them with the "right to know" and obtain the individual's Alabama criminal history record information through the Alabama Background Check (ABC) system.

What are the costs for an ABC System subscription and the individual background checks conducted through the system?

There is a per-check usage fee for each Alabama Background Check inquiry submitted online, regardless of the results returned. Effective January 1, 2015, this fee is \$15 per background check submitted (regardless of the results returned).

The Alabama Background Check program also requires an annual subscription fee of only \$95 (*effective 01-01-2013*) to access the Alabama Background Check system via Alabama's eGovernment subscriber services operated through Alabama Interactive, Inc. A valid credit card to be utilized for the subscription and per-check fee is required at the time of subscription for all non-governmental employers. Governmental entities wishing to request non-credit card billing should make this request in writing to ALEA via e-mail at background@alea.gov

My company meets one of the employer definitions, and wishes to subscribe to the Alabama Background Check (ABC) system. Where do I submit my subscription request?

You can subscribe for the Alabama Background Check program by using the SUBSCRIBE NOW link online at <http://background.alabama.gov>

Once initiated, the process must be completed within 60 days. If the subscriber does not submit all required documents within 60 days, the subscriber will have to restart the process again.



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Is there a way to conduct background checks through the Alabama Background Check System without paying the annual Subscriber fee? How can individuals request a copy of their own Alabama Criminal History Record Information?

While the Alabama Background Check System is a subscription-based service, this option is not available through the ABC system. However, under Alabama law, individuals may request a copy of their own Alabama criminal history record information through a procedure established by the Alabama Justice Information Commission. The procedure, form and requirements for an individual to request his/her own Alabama Criminal History Record Information is available at <http://www.alea.gov/Home/wfContent.aspx?PLH1=plhACJIC-CriminalHistory>. The cost is \$25 per request, and the payment is required in the form of a cashier's check or money order made payable to the *Criminal Records and Identification Unit*. Upon receipt of his/her own criminal history record information, it is at the discretion of the individual to whom he/she provides a copy of his/her own criminal history.

Can the ABC System be utilized by our company to check Alabama criminal background checks for professional licensing purposes, or for employment purposes on the behalf of another company?

No, not under current ALEA authority and/or rules. Alabama law does not currently provide ALEA with the authority to conduct criminal background checks for professional licensing purposes, and only active ABC System subscriber entities may request access for another entity to conduct background checks on their behalf as their "Third Party User". If you have questions, please contact ALEA by calling 334-517-2450.

What are my options on how to conduct an Alabama background check if I do not meet one of the ABC System employer definitions?

Individuals may request their own Alabama criminal history from ALEA by utilizing the procedure and forms available for download at <http://www.alea.gov/Home/wfContent.aspx?PLH1=plhACJIC-CriminalHistory>. Alabama law does not permit you, however, to request another person's Alabama Criminal History Record Information on his/her behalf through this procedure.

What is the challenge procedure if there is an allegation of an error on an ABC System background check report?

If there is an allegation of an error on an Alabama Background Check (ABC) System report, ALEA will provide the subject of the report with the opportunity to challenge the information through the procedure established by the Alabama Justice Information Commission. There will be no additional charge for ABC challenges filed with ALEA within one year of the date of the original ABC Report was generated.

What type of monitoring and penalties apply regarding misuse of the ABC System?

Any person who willingly requests, obtains, or seeks to obtain criminal offender record information under false pretenses is subject to felony criminal penalties. The Alabama Background Check (ABC) system transactions are monitored and logged by the Alabama Law Enforcement Agency (ALEA) to ensure that its use is authorized, to facilitate protection against unauthorized use, and to verify security procedures and operational security.

Information regarding allegations of potential misuse of information systems provided or managed by ALEA must be reported, in writing, to:

Alabama Law Enforcement Agency
Alabama State Bureau of Investigation
Criminal Justice Services Division
ATTN: Investigative Compliance Unit
P.O. Box 1511 | Montgomery, AL 36102-1511
(or through email to ICU@alea.gov)

Any unauthorized or improper use of the Alabama Law Enforcement Agency systems will be aggressively prosecuted. Please note anonymous complaints are not accepted. For questions, please contact the ALEA Criminal Justice Services Division at 334-517-2466.

The Alabama Background Check (ABC) System is provided by the Alabama Law Enforcement Agency (ALEA) under the agency authority defined in Sections 41-9-590 through 41-9-649 of the Code of Alabama, 1975 and in accordance with the rules promulgated by the statewide Alabama Justice Information Commission.

NEED MORE INFORMATION ABOUT ALEA OR HAVE ADDITIONAL QUESTIONS ABOUT THE ALABAMA BACKGROUND CHECK PROGRAM?

Visit www.alea.gov, call us at 1-866-406-8022 or 334-517-2450 Monday - Friday from 8:00 a.m. until 5:00 p.m. (CST) or E-mail us at background@alea.gov.