

**Alabama Medical Cannabis Commission
Instructions for State Background Check (ALEA)**

IMPORTANT – READ CAREFULLY! These instructions are for an AMCC-licensed business's associated individuals (i.e., Registered Agents) applying for a State Background Check from the Alabama Law Enforcement Agency (ALEA). The individual requesting the background check is responsible for all fees associated with the background check and responsible for ensuring that the background check results are received by the associated business licensee. At the time of agent registration, the business licensee, must verify that the background check results have been received by the licensee, will be maintained by the licensee, and made available for inspection by AMCC.

The application for the State Background Check, conducted by ALEA, may be submitted in person or by mail.

In-Person Requests:

- Complete the enclosed Application to Review Alabama Criminal History Record Information form (ALEA CJIS Form 46) – see instructions below (**) and Appendix B of the application form for detailed instructions
- Return the completed form to ALEA Criminal Records and Identification Unit at 301 S. Ripley Street, Montgomery, AL 36104 (Adams Avenue side entrance)

Requests by Mail:

- Complete the enclosed Application to Review Alabama Criminal History Record Information form (ALEA CJIS Form 46) – see instructions below (**) and Appendix B of the application form for additional instructions
- Return the completed form and fingerprint card to:

Alabama Law Enforcement Agency
Criminal Records and Identification Unit
ATTN: Background Checks
P.O. Box 1511
Montgomery, Alabama 36102-1511

**** When completing the background check application form, include the following information:**

- Work Information
 - **Employer Name:** Name of associated business licensee
 - **Employer Phone:** Phone number of associated business licensee
 - **Job Role/Classification:** Individual's role with associated business licensee (e.g., owner, shareholder, director, board member, employee, contractor)
- The background check results should be sent directly to the individual or to the associated business licensee. Background check results should only be sent to AMCC if the individual or licensee is requested to do so by AMCC.

ALABAMA LAW ENFORCEMENT AGENCY
STATE BUREAU OF INVESTIGATION
CRIMINAL JUSTICE INFORMATION SERVICES DIVISION



**APPLICATION TO REVIEW/CHALLENGE
ALABAMA CRIMINAL HISTORY RECORD**

**ALABAMA LAW ENFORCEMENT AGENCY/SBI CRIMINAL JUSTICE INFORMATION SERVICES DIVISION
APPLICATION TO REVIEW ALABAMA CRIMINAL HISTORY RECORD INFORMATION**



PERSONAL INFORMATION

Full Name (First, Middle, Last, Suffix): _____ Sex/Gender: _____ Male Female

Aliases/Nickname: _____

Applicant Current Address: _____

City: _____ State: _____ Zip Code: _____ SSN: _____

Date of Birth: _____ (MM/DD/YYYY) Driver's License Number: _____ Issuing State: _____

Race: White Black Asian Indian Other (please specify) _____

Home Phone: (_____) _____ Mobile Phone: (_____) _____ Work Phone: (_____) _____

WORK INFORMATION

Employer Name: _____ Employer Phone: (_____) _____

Contractor Name: _____ Contractor Phone: (_____) _____

State Agency: _____ Agency Phone: (_____) _____

Work Email Address: _____

Job Role/Classification: _____ Supervisor Name: _____

Included with my Release are the following items:

- Completed Application signed by applicant and two witnesses **OR** notarized.
- The required copy of my valid photo identification.
- A classifiable copy of my own fingerprints taken by an authorized law enforcement agency as required.
- If applying for state employment/licensure/certification, reference that agency's fee requirements for a background check.**
- PERSONAL REQUESTS ONLY:** The required \$25.00 administrative fee (must be in the form of a money order or Cashier's check made payable to the ALEA, Criminal Records and Identification Unit).

AFFIDAVIT FOR RELEASE INFORMATION

I hereby authorize the Alabama Law Enforcement Agency to release any and all criminal history information to:

Name & Address of Requesting Agency or Authorized Agent*

I, the above referenced individual, hereby request to release any and all criminal history record information (CHRI) maintained by both the Alabama Law Enforcement Agency, the Federal Bureau of Investigation, and any information relating to my past record and character whether it be financial, academic, military, employment, judicial, or personal reference. I hereby release all parties contributing such information from any charges or liability whatsoever because of furnishing said information. By signing below and submitting this application, I hereby verify that the information listed in my application and in the attached documentation is correct. I also acknowledge that I understand that, in accordance with Section 41-9-601 of the Code of Alabama 1975, that any person who willfully requests, obtains or seeks to obtain criminal offender record information under false pretenses, or who willfully communicates or seeks to communicate criminal offender record information to any agency or person without authorization, may be guilty of a felony, and shall be fined not less than \$5,000 nor more than \$10,000 or imprisoned in the state penitentiary for not more than five years or both. § 41-9-601, Code of Ala. (1975). Furthermore, as set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34 I have the right to challenge or appeal any portion of my state and/or federal CHRI that I believe to be inaccurate (see "Appendix A" for contact information).

Applicant Signature _____ Date _____

Name of Witness _____ Name of Witness _____

Address of Witness _____ Address of Witness _____

City, State and Zip _____ City, State and Zip _____

Sworn to and subscribed before me this _____ day of _____, 20____.

Notary Signature _____ My Commission Expires _____, 20____.

FOR ALEA OFFICIAL USE ONLY: TCN: _____	SID: AL _____	Billed: _____ Paid: _____ No Charge: _____
Received By (Initials): _____ /Date: _____ / _____ / _____	Processed By (initials): _____ /Date: _____ / _____ / _____	Check#: _____
Walk-in/Hand Delivered <input type="checkbox"/> Mailed <input type="checkbox"/>	Status: _____ Initials: _____ Date: _____ / _____	Background Check Qty: Total: \$ _____
		Certified Letter Qty: Total: \$ _____

**ALABAMA LAW ENFORCEMENT AGENCY/SBI CRIMINAL JUSTICE INFORMATION SERVICES DIVISION
APPLICATION TO CHALLENGE (Do not complete this form for Expungements)**

Alabama Criminal History Record Information



Appendix A

An individual may Challenge or Appeal any portion of his or her own Criminal History Record Information (CHRI) maintained by the ALEA Criminal Records and Identification Unit that he or she believes to be **inaccurate**. To submit a challenge regarding criminal history record information (CHRI) provided by the Alabama Law Enforcement Agency, Criminal Records and Identification Unit. Please complete the steps described below and mail this form and all supporting documentation to:

ALEA Criminal Records and Identification Unit – P.O. Box 1511 – Montgomery, AL 36102-1511 – ATTN: Record Challenge.

Failure to properly complete the form or provide the appropriate documentation may cause a delay in processing your request.

I, _____, wish to challenge my Alabama CHRI provided to me by the Alabama Law Enforcement Agency Criminal Records and Identification Unit on ____/____/____.

- I understand that I must return this challenge form, along with the documentation required below, to the ALEA Criminal Records and Identification Unit no later than one year in order to challenge this information under this request. I further agree and understand that I must submit a new Request to Review or Challenge my criminal history record information in accordance with the procedure established by the Alabama Justice Information (AJI) Commission should I wish to challenge my Alabama criminal history after that date.
- I understand that I must provide below or ATTACH IN WRITING TO THIS FORM the following information regarding EACH arrest and/or disposition I am challenging before my challenge can be reviewed or processed by the ALEA Criminal Records and Identification Unit. I also understand that I should attach copies of the official documentation from the arresting agency or court (if applicable) to support each arrest or disposition being challenged.
- I understand that my challenge will be reviewed by an ALEA Criminal Records and Identification Unit official, along with the documentation provided. I also understand that my challenge may also be sent to the originating criminal justice agency with custody over the challenged information for their review, and that this process may take several weeks or longer to complete.

Please list the SPECIFIC charge, date, and Arresting Agency/Court for each arrest or disposition being challenged:

DATE	AGENCY	ARREST CHARGE/DISPOSITION CHALLENGED
1.		
2.		
3.		
4.		
5.		

Please also provide the following details:

A. The details related to why each specific arrest or disposition listed above is inaccurate:

B. The information believed to be correct information for each arrest or disposition being challenged:

C. The agency and/or court where I obtained what I believe to be the correct supporting information (if applicable) from is:

Signature: _____ Date: _____



Applicant Instructions

For completing the ALEA Application to Review Alabama Criminal History Record Information or to Challenge Alabama Criminal History Record Information

Appendix B

In order for your request to review, challenge or appeal your Alabama Criminal History Record Information to be processed by the Alabama Law Enforcement Agency (ALEA), **you must complete the ALEA Application to Review (SBI Form 46) or to Challenge Alabama Criminal History Record Information (SBI Form 46 Appendix A) in accordance with the following instructions:**

1. **Your application must include ONE COPY of at least one of the following forms of your own valid photo identification:**
 - a. A valid unexpired United States state-issued photo driver license or photo ID (non-driver) card;
 - b. A valid unexpired United States Citizenship and Immigration Service Document, which may include either:
 - i. Certificate of Naturalization N-550
 - ii. Replacement Certificate of Naturalization N-570
 - iii. Special Certificate of Naturalization N-578
 - iv. Certificate of Citizenship N-560
 - v. Replacement Certificate of Citizenship N-561
 - vi. Certificate of Citizenship (Posthumous) N-645, N-645A
 - c. A valid unexpired United States Passport; or
 - d. A valid unexpired Foreign Passport which meets the following requirements:
 - i. A foreign passport must contain a Valid United States Visa or I-94 to be used as a primary proof of identification; or
 - ii. A foreign passport, not issued in English, must be translated and accompanied by a Certificate of Accurate Translation. Passports are not acceptable if un-translated into English and/or expired.
2. **Your application must include the required \$25.00 administrative fee in the form of only a cashier's check or a money order made payable to the "Criminal Records & Identification Unit" (sorry – personal and/or business checks are not accepted).; and**
3. **Your application must include a classifiable set of your own fingerprints, taken by an authorized law enforcement agency with an FBI-issued Originating Agency Number (ORI).**
 - a. The fingerprints accompanying your application should be provided to ALEA on an official FBI-approved "Applicant" fingerprint card or a FBI-approved AFIS printout of an official "Applicant" fingerprint card (i.e., FBI blue card). This ensures positive identification and insures that the proper criminal record is reviewed.
 - b. Details for the fingerprinting agency may be found in APPENDIX C.
4. **Your completed request and all of the required documentation should be mailed to:**

Alabama Law Enforcement Agency
 Criminal Records and Identification Unit
 ATTN: Background Checks
 P.O. Box 1511
 Montgomery, Alabama 36102-1511
5. **If your application is to CHALLENGE any part of your CHRI maintained by ALEA, the application must include, at a minimum:**
 - a. A copy of the Alabama Criminal History Record being challenged;
 - b. The charge and DATE of each specific arrest or disposition being challenged;
 - c. The Name of the ARRESTING AGENCY OR COURT for each arrest or disposition being challenged;
 - d. A listing of each specific arrest or disposition being challenged;
 - e. The details related to why each specific arrest is inaccurate;
 - f. What the applicant believes to be the correct information for each arrest or disposition being challenged;
 - g. Where the applicant obtained what he/she believes to be the correct supporting information (if applicable); and
 - h. Official documentation from the arresting agency or court (if applicable) to support each arrest or disposition being challenged.
6. **Your completed request and all of the required documentation should be mailed to:**

Alabama Law Enforcement Agency
 Criminal Records and Identification Unit
 ATTN: Record Challenge
 P.O. Box 1511
 Montgomery, Alabama 36102-1511

Please allow a minimum of 4-5 weeks from the date the application is received by ALEA for ALEA to process your request for review. Requests to Challenge CHRI information do NOT fall under this timeframe, as they require additional research, contact and verification with the arresting agencies, etc. If you have any questions concerning this procedure, you may contact ALEA by calling 334-676-7700.



Instructions for Law Enforcement Official

Taking the applicant's fingerprints on FBI "Applicant" Fingerprint Card

FD-258 (Rev 12-10-07)

Appendix C

In accordance with Alabama law and the procedures established in Section 265-X-2 of the *Alabama Administrative Code*, individual citizens may request and may be provided with classifiable sets of their own fingerprints to accompany a request for his/her own Alabama Criminal History Record Information (CHRI) from the Alabama Law Enforcement Agency (ALEA).

One of the requirements for an individual to request their own criminal history record information is that the individual to provide ALEA with a classifiable set of his or her own fingerprints (taken by an authorized law enforcement agency with an FBI-issued ORI) with his or her application to Review or Challenge his or her own Alabama criminal history. This ensures positive identification and insures that the proper criminal record is reviewed and/or challenged.

1. The individual you are fingerprinting should provide proper identification to your agency upon request.
2. The individual's fingerprints should be taken by law enforcement on an FBI "Applicant" Fingerprint Card (i.e. blue card).

Please ensure that your agency's name and ORI, AND your name and telephone number, are included on the completed fingerprint card. A sample of the FBI "Applicant" Fingerprint Card FD-258 (Rev 12-10-07) for your reference purposes is provided below.

3. **Please return the completed fingerprint card to the applicant**, as it is the APPLICANT's responsibility to mail the completed CHRI Release Form (SBI Form 46), along with his/her own fingerprint card and the other required documents. See SBI Form 46 Appendix B for mailing instructions.
4. **If you have any questions**, please call ALEA CJIS at 334-676-7700. **To request blank FBI APPLICANT cards**, your law enforcement agency may contact the FBI Customer Service Group, CJIS Division Biometric Section at (304) 625-5590 or by e-mail at biometric.cjis@fbi.gov.



KAY IVEY
GOVERNOR

ALABAMA LAW ENFORCEMENT AGENCY

CRIMINAL JUSTICE INFORMATION SERVICES DIVISION
301 SOUTH RIPLEY STREET | P.O. BOX 1511 | MONTGOMERY, AL 36104
334.676.7700 | WWW.ALEA.GOV



HAL TAYLOR
SECRETARY

PRIVACY ACT STATEMENT OF 1974

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine Uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting, licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.



KAY IVEY
GOVERNOR

ALABAMA LAW ENFORCEMENT AGENCY

CRIMINAL JUSTICE INFORMATION SERVICES DIVISION
301 SOUTH RIPLEY STREET | P.O. BOX 1511 | MONTGOMERY, AL 36104
334.676.7700 | WWW.ALEA.GOV



HAL TAYLOR
SECRETARY

Applicant Notification and Record Challenge

Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. The procedure for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34. You can find additional information on the FBI website at <https://www.fbi.gov/about-us/cjis/background-checks>

Your fingerprints will be used to check the criminal history records of the State. You have the opportunity to complete or challenge the accuracy of the information contained in the State identification record. The procedure for obtaining a change, correction, or updating a State identification record are set forth in The Code of Alabama 1975, Section 41-9-643. You can find additional information on the FBI website at <https://www.alea.gov/online-services>.