



ALABAMA CRIMINAL JUSTICE INFORMATION CENTER

Requests to Review, Challenge or Appeal Criminal History Record Information

The **Alabama Criminal Justice Information Center (ACJIC) Commission** ("Commission") has established the following procedures regarding an individual's right to review and/or challenge any portion of his or her own criminal history record (CHRI) compiled by criminal justice agencies and maintained by ACJIC. These procedures and definitions are established in Section 265-X-2 of the Alabama Administrative Code.

According to the Alabama Administrative Code, Section 265-X-2.03 (entitled *Individual Access, Review and Challenge of Criminal History Record Information*), an individual about whom ACJIC maintains criminal history record information (CHRI) has the right to review such information and to challenge any portion of the CHRI he or she believes to be inaccurate or incomplete. The terms "criminal history record information", "criminal history information", "criminal histories", "criminal history record" or "CHRI" mean information compiled by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, information, or other formal criminal charges and any disposition arising therefrom, sentencing, correctional supervision, and release. It shall be understood not to include intelligence, analytical, and investigative reports and files, nor statistical records and reports in which individuals are not identified and from which their identities are not ascertainable.

ACJIC Procedure to Request, Review, Challenge or Appeal Criminal History Record Information (CHRI)

1. Request to Review CHRI.

To review CHRI maintained by the ACJIC, the subject of the CHRI must complete a form entitled "Request for Review of Criminal Records". This form may be obtained by writing to the Director of the Alabama Criminal Justice Information Center at its current mailing address in Montgomery, Alabama. All parts of the form, including a fully classifiable set of the applicant's fingerprints, must be completed. An administrative fee of \$25.00 must be returned to the ACJIC with the properly completed form. Personal checks are not acceptable. The \$25.00 fee should be in the form of a cashier's check or money order made payable to the State of Alabama.

2. Challenge of CHRI.

Should the applicant believe the CHRI maintained by the ACJIC is inaccurate or incomplete, he or she may challenge the inaccurate or incomplete CHRI by completing a form entitled "Criminal History Record Challenge" and returning it to the ACJIC. A copy of the form "Criminal History Record Challenge" will be provided to the applicant with a copy of his or her CHRI. For each item challenged, the applicant must state what he or she believes to be the correct information. If possible, the applicant should cite official documents to support the challenge and attach copies.

3. Review of Challenged CHRI.

The ACJIC Director shall designate an agency official to review any challenge to CHRI maintained by the ACJIC. All documentation concerning the challenged CHRI will be forwarded by the ACJIC to the agency originally having custody or control of the specific record(s) challenged. Should the agency originally having custody or control of the record determine the challenged CHRI to be inaccurate or incomplete, it shall purge, modify or supplement said CHRI, as appropriate, and notify the ACJIC. The ACJIC shall inform the individual filing the challenge to CHRI of the action taken by the reviewing agency. Should the challenged CHRI be purged, modified, or supplemented, any agency or individual receiving said CHRI from the ACJIC during the previous 90day period shall be forwarded a copy of the corrected record.

4. Administrative Appeal.

Should the agency having original custody or control of the challenged CHRI decline to purge, modify, or supplement the challenged record or should the individual believe the agency's decision to be otherwise unsatisfactory, he or she may appeal to the ACJIC Commission. The administrative appeal is perfected by notifying the ACJIC director, in writing, of the intent to appeal. The Commission will hear the appeal at its next regular meeting and the appellant may present any evidence or witnesses he or she desires. The agency of record will be permitted to substantiate its decision on the initial challenge. If the Commission rules to correct or otherwise modify the CHRI, the agency of record will be notified. The record maintained by the ACJIC will be corrected or modified in accordance with the Commission's decision and recipients of the record during the previous 90 days will be notified.

5. Appeal to Circuit Court.

Should the individual originally challenging CHRI maintained by the ACJIC believe the Commission's decision to be in error or should he otherwise be dissatisfied, he or she may appeal to the appropriate circuit court as specified in Code of Ala. 1975, §§41-9-645, et seq.

Statutory Authority: Code of Ala. 1975, § 41-9-594.

History: Filed July 10, 1989. Amended: Filed June 23, 1994; effective July 28, 1994. Amended: Filed April 20, 2006.



Request for Review of Criminal History Record Information

(page 1 of 2)

Notice to Applicant

Under Alabama law and U.S. Government regulations, you have the right to review your criminal record maintained by the Alabama Department of Public Safety and the Alabama Criminal Justice Information Center. A fee of \$25.00 (twenty five dollars) will be charged for each review in the form of a certified check or money order made payable to the State of Alabama must be included in each request for review. Sorry – Personal checks are not acceptable. Please MAIL your completed request form(s), with your fingerprints and the payment as required, to the address listed below. Requests for CRIMINAL HISTORY REVIEWS normally are processed within 5-10 business days of the date they are RECEIVED by ACJIC. This time frame does not apply to Criminal History Review, Challenges and/or Appeals when additional research or official documentation may be required.

You must complete this form and return it (with the required fee and your fingerprints) to:

Alabama Criminal Justice Information Center - P.O. Box 300660—Montgomery, Alabama 36130-0660 ATTN: Director

Instructions for Applicant

1. Complete all items in Part I. **Print, and use ink or ballpoint pen.**
2. Take this form to any law enforcement agency, and ask them to place your fingerprints in the space provided in Part II (on the reverse side of this form). This permits positive identification and insures that the proper criminal record is reviewed.
3. Mail the completed application to the address provided above. Be sure to include the required fee of \$25.00 in either **a certified check or money order made payable to the STATE OF ALABAMA.**
4. You will be contacted concerning the results of your request for review. If you have any questions concerning this procedure, you may contact the Alabama Criminal Justice Information Center by calling (334) 517-2400.

PART I: Must be completed by applicant. See reserves side for complete instructions.

Full Name: _____ (First) _____ (Middle) _____ (Last) _____ (Suffix)

Date of Birth: (Month/Date/Year) _____ / _____ / _____ Sex: Male Female

Race: White Black Asian Indian Other _____

Alias or Nickname(s): _____

Current Address: _____

City _____ State _____ Zip Code _____

Home Phone Number: (____) _____ Cell Phone Number: (____) _____

Work Phone Number: (____) _____ Extension _____

Your Social Security Number: _____ Your Date of Birth: _____

Will your records be reviewed by an attorney? No Yes. If yes, provide name and address of attorney: _____

Is the required \$25 fee, in the form of a money order or Certified Check payable to the STATE OF ALABAMA enclosed? Yes No

Signature of Applicant

Date

ACJIC Form 010.1 – Request for Review of Criminal Records Information Form – PAGE 1 of 2

Statutory Authority: Code of Ala. 1975, § 41-9-594.

History: Filed July 10, 1989. Amended: Filed June 23, 1994; effective July 28, 1994. Amended: Filed April 20, 2006.



Request for Review of Criminal History Record Information

(page 2 of 2)

PART II:

APPLICANT'S FINGER PRINTS- *Must be taken by law enforcement agency personnel. See Reverse side for complete instructions*

1. Right Thumb	2. Right Index	3. Right Middle	3. Right Ring	3. Right Little
3. Left Thumb	3. Left Index	3. Left Middle	3. Left Ring	3. Left Little

Instructions for Person Taking Fingerprints

1. Place fingerprints of applicant on bottom of form;
2. Place your name, agency and telephone number in the space provided below;
3. If you have any questions, call the Field Operations Division of the Alabama Criminal Justice Information Center at (334) 517-2600.
4. Return the completed form to the applicant.
5. It is THE APPLICANT'S responsibility to mail the completed form and fee to:
Alabama Criminal Justice Information Center, P.O. Box 300660, Montgomery, Alabama 36130-0660, ATTN: Director.

Name of Law Enforcement Agency taking fingerprints: _____

Name of Person taking fingerprints: _____

Phone (_____) _____

Date these prints were taken _____ **(Month/Date/Year)**



Criminal History Record Information CHALLENGE Form

You have the right to challenge any parts of your criminal history record information maintained by the Alabama Criminal Justice Information Center that are inaccurate or incomplete. To challenge your record, you must complete all parts of this form and return it to:

**Alabama Criminal Justice Information Center – P.O. Box 300660 – Montgomery, AL 36130-0660
ATTN: Director**

Your Name (First, Middle, Last, Suffix)	
Your Mailing Address, including City, State & Zip Code	
Your Home Phone Number, including area code	
Your Office (work) Phone Number, including area code	
Where did you obtain your CHRI record that you wish to challenge? (i.e., place this record was obtained for your review)	
What date did you review the record you wish to challenge?	
What items do you wish to challenge? <i>For each item challenged, indicate what you believe to be the correct information. If possible, cite and attaché original documents to support your claim.</i>	
1.	
2.	
3.	
4.	

Please return this form to the ALABAMA CRIMINAL JUSTICE INFORMATION CENTER at the mailing address listed above. Your Challenge will then be reviewed by an ACJIC official, and you will be notified as promptly as possible of the results of your challenge and any rights you may have to appeal a decision that is unsatisfactory to you.

FOR ACJIC USE ONLY:
Date Challenge Form received by ACJIC _____
Name of Official conducting Review _____

ACJIC Form 10.1.2 (1 Page Total) – Criminal. History Record Information Challenge Form

Statutory Authority: Code of Ala. 1975, § 41-9-594.
History: Filed July 10, 1989. Amended: Filed June 23, 1994; effective July 28, 1994. Amended: Filed April 20, 2006.