

**ARIZONA DEPARTMENT OF PUBLIC
SAFETY**

Access Integrity Unit



**Noncriminal Justice (NCJ)
Compliance Program**

**Agency Application for
Access**



Introduction

The Arizona Department of Public Safety (DPS) is designated as the central state repository (CSR) for the State of Arizona and disseminates criminal history record information in accordance with [Arizona Revised Statute \(A.R.S.\) §41-1750](#). Criminal history record information is not public record and is subject to state and federal laws and regulations regarding its use.

The **Noncriminal Justice (NCJ) Compliance Program** is not the same process as the **Fingerprint Clearance Card** process. The use of these programs is dependent on the fingerprinting authorization for the position/license for which the individual is applying. Both programs check the same criminal history record information system.

For those who are eligible for or are required to obtain a Fingerprint Clearance Card, an individual application is submitted with a fingerprint card. The individual's Arizona and federal criminal history is checked by DPS and compared to the precluding offenses within state law to determine if the person will be issued the Fingerprint Clearance Card.

In the Noncriminal Justice Compliance Program, the agency submits the fingerprints on behalf of the applicant and the agency receives the applicant's criminal history for review; it is not reviewed by DPS. The receiving agency is then responsible for determining the hiring or licensing suitability of the applicant.

Eligibility for access to noncriminal justice fingerprint-based criminal history is limited to specific purposes defined by law. Under current law, the following types of agencies are eligible to receive fingerprint-based criminal history checks in Arizona:

- Public or tribal agencies, pursuant to a specific purpose defined in an approved statute, resolution, ordinance, or executive order. Examples of these types of agencies are public district schools, charter schools, cities, counties, fire districts, state licensing agencies, and courts. Private schools are not eligible unless they are also non-profit (see below).
- Non-profit agencies which interact with children and/or vulnerable adults. These agencies are eligible for Arizona criminal history only pursuant to A.R.S. §41-1750. Non-profit agencies must be registered with the Arizona Corporation Commission and must be Active and in Good Standing.
- Private adoption agencies appointed by court order to conduct pre-adoption investigations or appointed as "officers of the court" for the purpose of pre-adoption investigations. These agencies are eligible for Arizona criminal history only.

Noncriminal Justice Compliance Program

For the criminal history background check process, the agency submits the applicants' fingerprints, associated inventory sheets, and payment to the DPS Applicant Team. The DPS Applicant Team processes the fingerprints and performs the criminal history background check.

- If the agency is eligible to receive Arizona and federal criminal history, the charge for submitting a fingerprint card is \$22 for paid employees/licensees and \$20 for volunteers. The results returned



to the agency will contain Arizona and federal criminal history, any active Arizona warrant information, and Arizona sex offender registration information.

- If the agency is eligible to receive Arizona criminal history only, the charge for submitting a fingerprint card is \$5 for both paid employees and volunteers. The results returned will contain Arizona criminal history, any active Arizona warrant information, and any Arizona sex offender registration information.

Requirements for Opening Access to the Noncriminal Justice Compliance Program

An agency that wishes to open access to submit fingerprints for criminal history background checks must provide the following:

1. Submit an *Application for Access* form citing the agency's legal authorization to submit fingerprints and receive criminal history information. Eligibility for access to noncriminal justice fingerprint-based criminal history is limited to specific purposes defined by law. The application will normally be reviewed within 24-48 hours, excluding weekends and holidays.
2. Non-profit agencies must submit a *Nonprofit Declaration Form*.
3. Submit a *Noncriminal Justice Agency Information Form* identifying a liaison with DPS for the information exchange. DPS refers to the liaison as the Agency Security Contact (ASC).
4. A representative from your agency must attend Initial Access and NCJ Compliance training. The class is held online on the second Tuesday of every month, from 9:00 a.m. to 12:00 p.m. A *Training Reservation Form* must be submitted to register for the class.
5. Submit and maintain an *Authorized Personnel List*; this is a list of agency personnel who are authorized to view and handle criminal history or have access to the information.

Agencies are provided six (6) months after application approval to complete the above requirements. If the requirements are not completed, the application will be discarded and the agency will be required to reapply for access.

Final Steps

The Access Integrity Unit (AIU) will create a *Noncriminal Justice User Agreement* that outlines the terms and conditions of the information exchange with DPS. This agreement establishes participation in the Arizona Noncriminal Justice Compliance Program administered by the DPS which is designed to monitor and audit agency compliance with state and federal rules regarding criminal history record information.

The AIU will then generate an individual agency identification number (OCA) and the agency may begin submitting fingerprints.

Fingerprint Cards (FD258) and Inventory Sheets are provided by DPS free of charge via the *Supply Order Form*.



Arizona Department of Public Safety
Criminal Justice Services Bureau
Access Integrity Unit

Additional Information Available

More information on the Noncriminal Justice Compliance Program as well as application forms can be found online at www.azdps.gov/services/government/ncj, by clicking the Services tab, then the Governmental Services tab, then NCJ. An application may also be obtained by emailing NCJA@azdps.gov or calling the Access Integrity Unit at (602) 223-2488.