

Requestors under the New CORI law: Scope, Purpose and Obligations
Fran Fajana, MLRI (August 2010)

	Requestor	Scope of Access	Purpose of Access	Obligations of Requestors
1.	Employers or their agents	a) Felony conviction for 10 years after disposition, including incarceration or custody; b) Misdemeanor conviction for 5 years after disposition, including incarceration or custody; c) Pending charge * 209A violation is treated as a felony **Entire record will be open until last conviction is no longer accessible	Evaluate applicant or volunteer	i) Verify identity & provide data including last 4 digits of SS# to query system; ii) Certify purpose & authority; iii) Obtain CORI subject's signed acknowledgement (keep for 1 year); iv) Provide copy of CORI, regardless of source, before questioning, and copy again if adverse action is based on record (unless already provided); v) Cannot request or require subject to provide copy of his or her CORI; vi) Maintain log of persons to whom CORI is shared.
2.	Housing providers or their agents	Same as #1	Evaluate applicant or volunteer for services	Same as #1
3.	State or Municipal Agency or their agents	Same as #1	Professional Licensure	Same as #1
4.	Housing Authority	Conviction and pending charges	Evaluate applicant	
5.	Operators of Camps for Children	Conviction, non-conviction, pending charge & youthful offender and juvenile data	Screen applicant, volunteer, wall climbing or challenge course programs	
6.	Providers of activities for children 18 and under	Conviction, non-conviction, pending charge & youthful offender data	Screen applicant, volunteer	
7.	Schools	Conviction, non-conviction, pending	Screen applicant,	

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		charge & youthful offender data	volunteer, taxicab companies	
8.	Special Education Program	a) Felony conviction for 10 years after disposition, including incarceration or custody; b) Misdemeanor conviction for 5 years after disposition, including incarceration or custody; c) Pending charge * 209A violation is treated as a felony **Entire record will be open until last conviction is no longer accessible		
9.	Long-term care, assisted living & continuing care facility	All available CORI (conviction, non-conviction, pending charge & youthful offender data)		
10.	Provider of in-home or community based services for elderly or disabled persons	All available CORI		
11.	Other Legally Mandated	As required by law	As required by law	Same as #1
12.	CORI Subjects or their advocate/agent	All available CORI		
13.	General Public	i) Conviction for felony punishable by prison term of 5 or more years; ii) Status for any person sentenced to prison and is on probation, in prison or on parole at time of request; iii) Felony conviction for 2 years after release from incarceration; and		

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		iv) Misdemeanor conviction for 1 year after release from incarceration		
14.	Public Interest	Determined by Dept of Criminal Justice Information System	Serve the public interest	
15.	Criminal Justice Agencies	All CORI, including sealed records	Actual performance of criminal justice duties	
16.	Firearm Licensing Authority	All CORI, including sealed records	Firearm licensing	
17.	Criminal Record Review Board	All CORI, including sealed records	Actual performance of duties	
18.	Dept of Children & Families	Conviction, arrest data, sealed record, juvenile arrest and youthful offender data	Evaluate foster and adoptive homes; check background of persons 18 and older in a prospective foster home; & registration of interest for foster care & pre-adoptive and adoptive placement	
19.	Dept of Early Education & Care	Conviction, arrest data, sealed record, juvenile arrest and youthful offender data	Evaluate non-relative in-home child care provider	
20.	Dept of Revenue	Conviction, arrest data, juvenile delinquency, youthful offender data		
21.	Dept of Telecommunications & Energy	All available CORI (conviction, non-conviction, pending charge & youthful offender data)	Screen bus drivers who regularly transport school children	
22.	State Racing Commission	Presumably all available CORI		

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23.	Mass. Port Authority	Presumably all available CORI	Evaluate applicant seeking access to regulated shell-fishing zone	
24.	Motor Vehicle Insurance Merit Rating Board	Violations of Ch. 90 (motor vehicle law)	Evaluate insured	
25.	Banks	All available CORI	Licensure	
26.	Victim of crime or witness/family member of a homicide victim	All available CORI		
27.	Litigants	All available CORI and sealed records	Custody, visitation and safety	Non-disclosure in open court

Notes

- **1.) Effective date for #1, 2, 3, 8 11, 26, 27 and access to sealed records for criminal justice agencies & licensing authority is May, 2012.
- **2.) CORI will be available on the worldwide web.
- 3.) Inter-state and federal agencies interface with new CORI database is required.
- **4.) Convictions for murder, involuntary & voluntary manslaughter and sex offenses punishable by incarceration in state prison, unless sealed, are not exempt under the 10 and 5 limitation.
- **5.) An employer is exempt from negligent hiring liability if a hiring decision is made within 90 days of getting CORI and the employer followed department procedures. Employer is also exempt from discriminatory employment practice for relying on an erroneous record provided by the department if employment decision is also made within 90 days.
- 6.) Requestor shall discard CORI 7 years after employment or date of final decision with respect to the record.
- **7.) Department will maintain "self-audit" log of requestors and make it available for free once every 90 days.
- 8.) Police daily logs, arrest registers, chronologically maintained court records, published court/administrative proceedings and parole board decision are public records.