



Town of Shutesbury

Criminal Offender Record Information (CORI) Policy

Effective Date: 12/17/2025

This policy is applicable to the criminal history screening of prospective and current employees, volunteers, subcontractors, and interns (collectively referred to as "subjects").

I. Purpose and Scope

The purpose of this policy is to establish clear and legally compliant procedures for requesting, obtaining, reviewing, and using Criminal Offender Record Information (CORI) and other criminal history records for screening applicants and current personnel for their suitability for the position they are applying for.

II. Conducting CORI Screening

1. **Authorization:** CORI checks will only be conducted as authorized by DCJIS and M.G.L. c. 6, § 172, and only after a CORI Acknowledgment Form has been completed and signed by the subject.
2. **Timing:** CORI will only be accessed for applicants who are otherwise qualified for the position for which they have applied. CORI checks will typically be run before a conditional offer of employment.
3. **Identity Verification:** Prior to conducting a CORI check, the organization must verify the identity of the subject against at least one government-issued identification (preferably with a photograph). A record of this verification will be maintained.

III. Confidentiality and Access

1. **Limited Access:** All CORI obtained from DCJIS is confidential. Access to CORI must be limited to those individuals who have a "need to know" the information to fulfill their official duties. This includes but is not limited to: Town Administrator.
2. **Authorized Personnel List: The Town of Shutesbury** will maintain a current list of all individuals authorized to have access to or view CORI. This list will be updated every six (6) months and is subject to inspection by DCJIS.
3. **Training:** All personnel authorized to access or review CORI will be thoroughly familiar with the educational and relevant training materials regarding CORI laws and regulations made available by DCJIS.

Policy Number: 251217B

4. **Storage and Destruction:** All CORI records and related CORI Acknowledgment Forms will be stored in a locked, secure file separate from personnel files or in a password-protected, encrypted electronic location. CORI will be destroyed within seven (7) years from the date of the subject's last date of employment or from the date of the decision not to hire.

IV. Use of Criminal History in Suitability Determination

1. **No Automatic Disqualification:** Unless otherwise required by law, a criminal record will not automatically disqualify an applicant. Suitability determinations will be made on a case-by-case basis, considering the totality of the circumstances and the relevant factors listed below.
2. **Verification:** The CORI information received will be closely compared with the information on the Acknowledgment Form to ensure the record belongs to the applicant.
3. **Suitability Factors:** In determining suitability for a position, the following factors will be considered:
 - Relevance of the offense(s) to the position sought.
 - Nature of the work to be performed.
 - Time since the conviction and completion of sentence.
 - Age of the subject at the time of the offense.
 - Seriousness and specific circumstances of the offense.
 - Number of offenses.
 - Whether the applicant has pending charges.
 - Any relevant evidence of rehabilitation or lack thereof (e.g., employment history, character references, education/training).
 - Any other relevant information submitted by the candidate or requested by the organization.

V. Adverse Decision Based on CORI

If an authorized official is inclined to make an adverse decision (e.g., withdraw a conditional offer, terminate employment) based on the results of a criminal history background check, the following due process procedure will be followed:

1. **Notification:** The subject will be notified immediately of the potential adverse employment action.

2. **Documentation Provided:** The subject shall be provided with:
 - A copy of the criminal history record (CORI).
 - A copy of this Town of Shutesbury CORI Policy.
 - Identification of the specific information in the CORI that is the basis for the potential adverse action.
3. **Opportunity to Dispute:** The subject will be given a reasonable opportunity 5 business days to dispute the accuracy of the CORI.
4. **DCJIS Information:** The subject will also be provided with a copy of the DCJIS document entitled "Information Regarding the Process for Correcting CORI."
5. **Final Decision:** If, after review and consideration of any information provided by the applicant, the organization reasonably believes the record belongs to the subject and is accurate, a final decision regarding suitability will be made and the subject will be notified in a timely manner.

VI. Secondary Dissemination

All CORI is confidential. Any dissemination of CORI outside of the Town of Shutesbury, including dissemination at the request of the subject, must be recorded in a central secondary dissemination log maintained by the CORI Representative.
