

THE COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY CRIMINAL HISTORY SYSTEMS BOARD

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IMPORTANT NOTICE PERTAINING TO NEW CRIMINAL OFFENDER RECORD INFORMATION (CORI) REGULATIONS

Dear Sir/Madam:

The Criminal History Systems Board (CHSB) has amended its Criminal Offender Record Information (CORI) regulations effective May 16, 2008. The amendments to the CHSB CORI Regulations directly affect how your agency processes CORI requests.

Specifically, as an agency certified by the CHSB pursuant to M.G.L. c. 6, §§ 172(b) and/or 172(c) your agency must comply with the following:

- Upon initial and renewal CORI certification attend CORI training as a condition of certification;
- Submit an ID Theft Index PIN Number (assigned by CHSB) with the CORI request form for those individuals that present an official letter from the CHSB with an ID Theft Index Personal Identification Number (PIN) Number confirming they are a victim of identity theft and as a result have a criminal record that is erroneously associated with their identity. The enclosed updated CORI request form includes a field for this information;
- If a government issued form of identification with a photograph is not available at the time of verification of the fields contained on the CORI request form, then the agency shall verify the information on the CORI request form with either a birth certificate or social security card;
- If the subject of the CORI request is not available to appear in person for verification prior to submission of the CORI request, then the agency shall accept a legible copy of the identification prior to submission <u>and</u> verify the identification in person either prior to or simultaneously with the applicant beginning or receiving any employment, service or benefit;
- Provide the subject of the CORI request with a copy of the results of the CORI (unless it is a "no record" response) <u>and</u> a copies of the CHSB's Information Concerning the Process for Correcting a Criminal Record and the CHSB's Information on How to Establish Yourself as a Victim of Identity Theft for CORI Purposes.

CORI Training

Your agency will be notified of upcoming dates, times and the locations of CORI trainings once you have applied for either initial, renewal or expanded CORI certification. If you are not due for renewal of certification for some time and would like to attend a CORI training prior to renewal you may contact the CORI Training and Compliance Unit at 617-660-4673 for upcoming dates and times. In addition, please visit the CHSB website at: www.mass.gov/chsb for off-site general CORI training locations.

Identity (ID) Theft Index

The CHSB has implemented an identity theft index for the purpose of assisting individuals that have been the victim of identity theft and as a result have a CORI wrongly associated with their information. The ID Theft Index is limited to those individuals that have a CORI as a result of the crime of ID theft; it is not for individuals that have solely had their credit or bank history accessed by the offender. As a non-criminal justice agency certified by the CHSB, you may have applicants that disclose to you that they have been a victim of identity theft and have enrolled in the CHSB Identity Theft Index. To implement this process all certified agencies must update their CORI requests forms to include the attached ID Theft Index PIN Number field. When submitting CORI requests for applicants that have disclosed to you that they are victims of identity theft, please complete the paper form with the ID Theft Index PIN Number and fax it to 617-660-4614. Be advised, the CHSB Web-CORI application does not currently have the capability to process requests for victims of ID Theft. Therefore, please be sure to fax only these types of requests.

For victims of identity theft that have a criminal record that is wrongly associated with their CORI, please review the CHSB Information on How to Establish Yourself as a Victim of Identity Theft for CORI Purposes available on the CHSB website at: www.mass.gov/chsb.

Verification of Information Contained on CORI Request Form

The CHSB CORI regulations require certified agencies to <u>verify</u> the information contained on the CORI request form with <u>government-issued photographic identification</u>. The amendments to the CHSB regulations permit agencies to accept a birth certificate or social security card <u>only if the individual does not have a government-issued photographic form of identification</u>.

The CHSB CORI regulations require agencies to verify the information contained on the CORI request form <u>prior to submission to CHSB</u>. In addition, the <u>amendments to the CHSB regulations provide a limited exception to verification prior to submission</u>. The exception provides that <u>in the event the individual is unable to appear in person to provide the required government issued photographic identification, then the agency shall (1) obtain a copy of the identification prior to submission; and (2) then verify the information either prior to or simultaneously with the applicant beginning or receiving any employment, service or benefit to ensure that the CORI received from CHSB correspondences to the applicant for whom a request was made.</u>

Documentation to be provided to individuals subject to a CORI check

The CHSB CORI regulations allow for the dissemination of the CORI result to the individual for whom a request was made, at any time; this is not reserved to solely to individuals that identify themselves as victims of identity theft. The amendments to the CHSB regulations, require certified agencies to: (1) provide applicants with a copy of the CORI (unless it was a "No Record"); (2) provide a copy of CHSB's Information Concerning the Process in Correcting a Criminal Record; and (3) provide a copy of CHSB's Information on How to Establish Yourself as a Victim of Identity Theft for CORI Purposes. The referenced documents are available on the CHSB website at: www.mass.gov/chsb.

Prior to contacting the CHSB via phone, please review your agency's certification letter and visit our website at www.mass.gov/chsb to review a full copy of the new regulations and the resources that have been put together to assist in the implementation of these regulations. <a href="https://chab.com/ch

also important to note that the CHSB cannot provide legal advice or answer employment law related issues. Certified agencies should consult their legal counsel and/or human resources staff for such matters.

In order to assist your agency in implementing the new regulations and procedures, the CHSB offers trainings throughout the Commonwealth. The CHSB has posted the dates and locations of the trainings on our website at www.mass.gov/chsb. Please check our website periodically for this information.

Thank you for anticipated cooperation in implementing our new regulations and procedures.

Very truly yours,

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Curtis M. Wood

Executive Director