

**CITY OF BROCKTON**  
**DEPARTMENT OF HUMAN RESOURCES**  
45 School Street • Brockton, MA  
Honorable, Mayor Bill Carpenter

**POLICY NAME: City of Brockton Criminal Offender Record Information (CORI) Policy**

**ISSUING OFFICE: Department of Human Resources**

This policy is applicable to the criminal history screening of prospective and current employees, volunteers and interns.

Where Criminal Offender Record Information (CORI) and other criminal history checks may be part of a general background check for employment or volunteer work, the following practices and procedures will be followed.

A statement related to employee background checks will be included in employment information including job descriptions and postings.

The City of Brockton's pre-employment forms and/or application process will not include any requirement for the applicant to disclose any criminal convictions or pending criminal charges.

The successful candidate for each position must sign the offer letter accepting the position and authorizing a background check, as employment is conditional on the outcome of the check. A background check will not be processed without signed consent by the applicant. If refusal to sign the authorization form, the offer of employment will be rescinded.

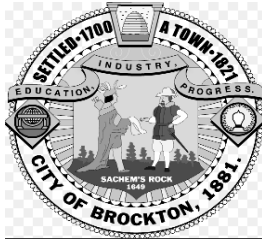
## **I. CONDUCTING CORI SCREENING**

CORI checks will only be conducted as authorized by the Department of Criminal Justice Information Services (DCJIS) (formerly the Criminal History Systems Board (CHSB)) and MGL c.6, §172, and only after a CORI Acknowledgement Form has been signed and completed.

If a new CORI check is to be made on a subject within a year of his/her signing of the CORI Acknowledgement Form, the subject shall be given seventy two (72) hours notice that a new CORI check will be conducted.

## **II. ACCESS TO CORI**

All CORI obtained from the DCJIS is confidential, and access to the information must be limited to those individuals who have "need to know". This may include, but not be limited to, hiring managers, staff submitting the CORI requests, and staff charged with processing job applications. The City of Brockton must maintain and keep a current list of each individual authorized to have access to, or view, CORI. This list must be updated every six (6) months and is subject to inspection upon request by the DCJIS at any time.



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**III. CORI TRAINING**

An informed review of a criminal record requires training. Accordingly, all personnel authorized to review or access CORI at the City of Brockton will review and be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

Additionally, all personnel authorized to conduct criminal history background checks and/or to review CORI information will review, and will be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

**IV. USE OF CRIMINAL HISTORY IN BACKGROUND SCREENING**

CORI used for employment purposes shall only be accessed for applicants who are otherwise qualified for the position for which they have applied.

Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on background checks will be made consistent with this policy and any other applicable law or regulations.

**V. VERIFYING A SUBJECT'S IDENTITY**

If a criminal record is received from the DCJIS, the information is to be closely compared with the information on the CORI Acknowledgement Form and any other identifying information provided by the applicant to ensure the record belongs to the applicant.

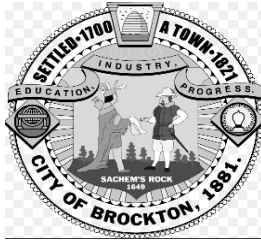
If the information in the CORI record provided does not exactly match the identification information provided by the applicant, a determination is to be made by an individual authorized to make such determinations based on a comparison of the CORI record and documents provided by the applicant.

**VI. INQUIRING ABOUT CRIMINAL HISTORY**

In connection with any decision regarding employment or volunteer opportunities, the subject shall be provided with a copy of the criminal history record, whether obtained from the DCJIS or from any other source, prior to questioning the subject about his or her criminal history. The source(s) of the criminal history record is also to be disclosed to the subject.

**VII. DETERMINING SUITABILITY**

If a determination is made, based on the information as provided in section V of this policy, that the criminal record belongs to the subject, and the subject does not dispute the record's accuracy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to, the following:



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- (a) Relevance of the record to the position sought;
- (b) The nature of the work to be performed;
- (c) Time since the conviction;
- (d) Age of the candidate at the time of the offense;
- (e) Seriousness and specific circumstances of the offense;
- (f) The number of offenses;
- (g) Whether the applicant has pending charges;
- (h) Any relevant evidence of rehabilitation or lack thereof; and
- (i) Any other relevant information, including information submitted by the candidate or requested by the organization.

The applicant is to be notified of the decision and the basis for it in a timely manner.

### **VIII. ADVERSE DECISIONS BASED ON CORI**

If an authorized official is inclined to make an adverse decision based on the results of a criminal history background check, the applicant will be notified immediately. The subject shall be provided with a copy of the organization's CORI policy and a copy of the criminal history. The source(s) of the criminal history will also be revealed. The subject will then be provided with an opportunity to dispute the accuracy or the CORI record. Subjects shall also be provided a copy of DCJIS' *Information Concerning the Process for Correcting a Criminal Record*.

If the background check includes any results, the Director of Human Resources or designee will make a determination:

If the candidate is suitable for employment, no further action is needed.

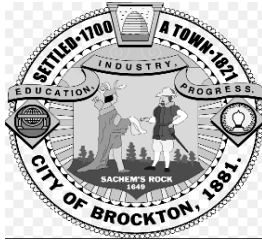
If the candidate is unsuitable for the position sought, Human Resources will notify the candidate and the candidate has the opportunity to appeal. *See below*.

NOTE: Human Resources has the right to immediately rescind an offer upon an unsuccessful background check.

### **IX. Appeal Process**

The appeal process is in accordance with the provisions of the Federal Fair Credit Reporting Act (FCRA), Criminal Offender Record Information (CORI) law and the City of Brockton.

Human Resources will notify the department head and Human Resources will initiate the pre-adverse letter directly to the candidate.



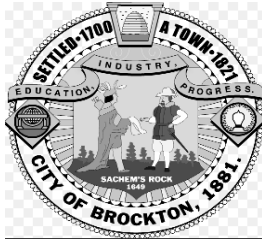
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The candidate will receive the entire background report and a summary of their rights to appeal. If the candidate believes that the reported background review information is inaccurate, s/he may appeal the accuracy of the background review information with DCJIS and request a meeting with the Human Resources Director. If the candidate does not appeal and/or prefers not to meet with the Human Resources Director, the employment offer is closed and Human Resources will mail an “adverse action letter,” withdrawing the offer of employment.

All background check information is held by DCJIS and is not printed and can only be reviewed only by designated HR employees.

**X. SECONDARY DISSEMINATION LOGS**

All CORI obtained from the DCJIS is confidential and can only be disseminated as authorized by law and regulation. A central secondary dissemination log shall be used to record any dissemination of CORI outside the organization, including dissemination at the request of the subject.



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**CRIMINAL OFFENDER RECORD INFORMATION (CORI)  
ACKNOWLEDGEMENT AND REQUEST FORM**

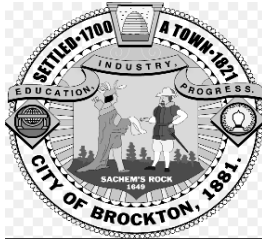
**TO BE USED BY ORGANIZATIONS CONDUCTING CORI CHECKS FOR  
EMPLOYMENT, VOLUNTEER, SUBCONTRACTOR, AND LICENSING PURPOSES.**

The City of Brockton is registered under the provisions of M.G.L., c.6, s.172 to receive CORI for the purpose of screening current and otherwise prospective employees, subcontractors, volunteers, license applicants and current licensees.

As a prospective or current employee, subcontractor, volunteer, license applicant, or current licensee, I understand that a CORI check will be submitted for my personal information to the DCJIS. I hereby acknowledge and provide permission to the City of Brockton to submit a CORI check for my information to the DCJIS. This authorization is valid for one year from the date of my signature. I may withdraw this authorization at any time by providing the City of Brockton written notice of my intent to withdraw consent to a CORI check.

**FOR EMPLOYMENT, VOLUNTEER AND LICENSING PURPOSES ONLY:**

The City of Brockton may conduct subsequent CORI checks within one year of the date this Form was signed by me provided, however, that the City of Brockton must first provide me with written notice of this check.



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By Signing below, I provide my consent to a CORI check and acknowledge that the information provided on Page 2 of this Acknowledgement Form is true and accurate. I also acknowledge receipt of the City of Brockton CORI policy.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**SUBJECT INFORMATION: (An asterisk (\*) denotes a required field)**

\_\_\_\_\_  
(\* ) Print Last Name

\_\_\_\_\_  
(\* ) Print First Name

\_\_\_\_\_  
(\* ) Print Middle Name

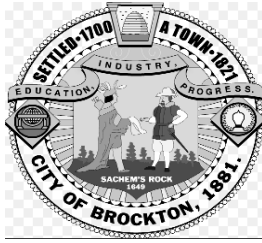
\_\_\_\_\_  
Print Maiden Name (or other name(s) by which you have been known)

\_\_\_\_\_  
(\* ) Date of Birth

\_\_\_\_\_  
Place of Birth

(\* ) Last Six Digits of Your Social Security Number:    \_\_\_\_ - \_\_\_\_ - \_\_\_\_

Sex: \_\_\_\_\_ Height: \_\_\_\_ft. \_\_\_\_in. Eye Color: \_\_\_\_\_ Race: \_\_\_\_\_



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Driver's License or ID Number: \_\_\_\_\_ State of Issue: \_\_\_\_\_

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Mother's Full Maiden Name

Father's Full Name

Current and Former Address:

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Street Number & Name

City/Town

State

Zip

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Street Number & Name

City/Town

State

Zip

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**DO NOT WRITE BELOW THIS LINE**

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The above information was verified by reviewing the following form(s) of government-issued identification:

\_\_\_\_\_

\_\_\_\_\_

Verified By: \_\_\_\_\_

Print Name of Verifying Employee

\_\_\_\_\_  
Signature of Verifying Employee