

Town of Burlington Criminal Offender Record Information (CORI) Policy

The Town of Burlington strives to keep residents, clients and employees free from abuse, mistreatment, crimes of violence and theft. Through standardized procedures, Criminal Offender Record Information (CORI) assists the Town of Burlington in this effort. The applicants for employment, volunteer work, or licenses as listed below are informed that a criminal record check will be conducted. CORI checks will provide information on criminal history in Massachusetts. Checks may also be conducted out-of-state, depending on the circumstances, as determined by the Town Administrator or other applicable appointing authority. An authorization form signed by the applicant will be requested by a CORI authorized employee of the Town and that information will be forwarded to the Criminal History Systems Board (CHSB) for review once an offer of employment or volunteer work, or a request for a license has been made. All licenses, volunteer work, employment offers and/or continued employment or volunteer engagements will be contingent upon the CORI results.

In the case of prospective employees or volunteers, CORI material should be obtained only where the appointing authority has determined that the applicant is qualified and may forthwith be recommended for employment or volunteer duties.

Any CORI report returned to the Town that indicates a conviction or pending criminal data will be reviewed on a case-by-case basis and may result in the job offer being withdrawn and/or employment being terminated, and/or a license being denied. The appointing authority, subject to applicable law, reserves the exclusive right concerning any decision made pursuant to information gathered through the CORI check. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on CORI checks will be made consistent with this policy and any applicable law or regulations.

If a criminal record is received from the CHSB, a CORI certified employee of the Town will closely compare the record provided by CHSB with the information on the CORI request form and any other identifying information provided by the applicant, to ensure the record relates to the applicant. If the CORI record provided does not exactly match the identification information provided by the applicant, the Human Resources Director or appointing authority will make a determination based on a comparison of the CORI record and documents provided by the applicant. The Town may contact CHSB and request a detailed search consistent with CHSB policy.

If the Town reasonably believes the record belongs to the applicant and is accurate, based on the information as provided in this policy, 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:

- (a) Relevance of the crime to the position/license 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;

- (i) Any other relevant information, including information submitted by the candidate or requested by the hiring authority

If the Town is inclined to make an adverse decision based on the results of the CORI check, the applicant will be notified immediately. The applicant shall be provided with a copy of the criminal record and the Town's CORI policy, advised of the part(s) of the record that make the individual unsuitable for the position, and given an opportunity to dispute the accuracy and relevance of the CORI record. Applicants shall be provided a copy of CHSB's ***Information Concerning the Process in Correcting a Criminal Record***.

Due to the confidential nature of this information, access to CORI material shall be restricted to those individuals certified by the Criminal History Systems Board (CHSB) to receive such information.

Completed request forms and reports are not subject to the public records law and must be kept in secure files and shall be retained as directed by the CHSB. All Town employees certified to obtain information under this policy shall prohibit the dissemination of CORI information.

Adopted by the Board of Selectmen August 16, 2010

The following positions shall be subject to the Town's CORI certification process, due to the rationale listed:

<u>DEPARTMENT / PERSONNEL</u>	<u>RATIONALE</u>
<u>Assessor's Office</u> Assessor/Appraisers	Site / home visits
<u>Board of Health</u> Director / Health Agent / Env. Engineer All staff & volunteers	Site visits Direct / indirect unsupervised contact with elderly
<u>Building Department</u> Building Inspectors Gas / Plumbing / Wire Inspectors	Site / home visits Site / home visits
<u>Community Life Center</u> All staff	Direct / indirect unsupervised contact with elderly / children / disabled individuals
<u>Conservation Office</u> Conservation Administrator / Assistant	Site / home visits
<u>Council on Aging</u> All staff & volunteers	Direct / indirect unsupervised contact with elderly, site / home visits
<u>Fire Department</u> Firefighters	Direct / indirect unsupervised contact with elderly / children / disabled individuals
<u>Human Resources</u> Human Resources Director / staff	Direct / indirect unsupervised contact with elderly / disabled individuals
<u>Library</u> All staff & volunteers	Direct / indirect unsupervised contact with elderly / children / disabled individuals
<u>Planning Office</u> Planning Director	Site / home visits
<u>Police Department</u> Animal Control Officer Traffic Supervisors	Site / home visits Direct / indirect unsupervised contact with children
<u>Public Works</u> DPW Superintendent Town Engineer / Assistant / Staff Engineers All Highway, Treatment Plant, Cemetery staff	Site / home visits Site / home visits Direct / indirect unsupervised contact with elderly / children / disabled individuals
<u>Recreation Department</u> All staff & volunteers	Direct / indirect unsupervised contact with elderly / children / disabled individuals
<u>Treasurer/Collector's Office</u> Benefits Administrator	Direct / indirect unsupervised contact with elderly
<u>Veteran's Services</u> All staff	Direct / indirect unsupervised contact with elderly / disabled individuals
<u>Town-Wide</u> Custodians CORI Certified Individuals	Direct / indirect unsupervised contact with elderly / children / disabled individuals Access to CORI

Individuals requesting that the Board of Selectmen grant the following licenses shall be subject to the Town's CORI certification process:

- Alcoholic Beverages / Liquor Licenses
- Auctioneer Licenses
- Limousine Licenses
- Taxi Drivers Licenses
- Precious Metals/Second Hand Licenses
- Constable
- Peddler
- Pawnshop
- Massage
- Body Art
- Fortune Teller
- Antique/Junk Dealer
- Motor Vehicle Salvage (Class I, II and III)
- Any other license permitted by the CHSB or general law.

The following positions are **recommended** to be subject to the Town's CORI certification process, due to the rationale listed (expanded access requested July 2011 and denied by CHSB):

DEPARTMENT / PERSONNEL

RATIONALE

Accounting Office

Town Accountant
Office staff

Supervises financial activities of Town
Responsible for payroll / processing bills

Fire Department

Fire Chief / Assistant Chief
Dispatchers
Office staff

Public safety
Access to confidential information, public safety
Access to confidential information

Police Department

Police Chief
Dispatchers
Office staff

Public safety
Access to confidential information, public safety
Access to confidential information

Selectmen's Office

All staff

Access to confidential information

Treasurer/Collector's Office

All staff

Contact with large sums of money