

**HOUSE . . . . . No. 1323**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Cheryl A. Coakley-Rivera**

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act accelerating the sealing of conviction criminal offender record information.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Cheryl A. Coakley-Rivera	10th Hampden
Elizabeth A. Malia	11th Suffolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1358 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine  
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### AN ACT ACCELERATING THE SEALING OF CONVICTION CRIMINAL OFFENDER RECORD INFORMATION.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. The General Court hereby finds and declares that:

2 (1) The current system of maintaining and disseminating Criminal Offender Record Information (known as CORI)  
3 has become an all-but-impossible barrier for most ex-offenders and other individuals with CORI with respect to  
4 their securing employment, housing, education, training, credit and other necessities of mainstream society, so that  
5 they may become productive and tax-paying citizens or residents of the Commonwealth;

6 (2) While the Commonwealth and the Federal Government spend millions of dollars to train and assist unemployed  
7 persons to enter the workforce, these efforts are unacceptably frustrated by the current CORI system, so that the  
8 Commonwealth is spending the taxpayers' money to fund governmental efforts which are often in contradiction to  
9 each other; and

10 (3) In addition to the state interest in safeguarding the reputations and privacy of the Commonwealth's residents,  
11 there is, collectively, a compelling state interest to seal stale or otherwise unpredictable criminal records, which state  
12 interest overcomes what might be found to be a First Amendment interest in favor of keeping these  
13 governmental records available to the more than ten thousand organizations which now have access to CORI.

14 SECTION 2. Section 100A of chapter 276 of the General Laws is hereby amended by striking the first paragraph  
15 and inserting in place thereof the following paragraphs: --

16 The commissioner of probation shall seal, as directed in the next sentence, every case record in the probation  
17 central file in which there is either a conviction or the record is otherwise not sealable as a non-conviction record  
18 under the provisions of section 100C of this chapter. The commissioner shall seal every such case whose final  
19 disposition, including any term of probation, incarceration or parole, so that a record of a misdemeanor is sealed  
20 three years after its final disposition, and a record of a felony is sealed seven years after its final disposition.

21 The commissioner of correction, as to discharges from state correctional institutions, the several sheriffs, as to  
22 discharges from the county houses of correction, and the chairman of the parole board, as to discharges from parole,  
23 shall send appropriate information to the commissioner of probation for all cases covered by this Act.

24 SECTION 3. This Act shall take effect one year after it is approved and shall be complied with as expeditiously as  
25 possible, starting with case records showing the earliest final dispositions occurring on or after January 1, 1973.