

**HOUSE . . . . . No. 1249**

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The Commonwealth of Massachusetts

PRESENTED BY:

***Daniel Cullinane***

*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 adoption of the accompanying bill:

An Act providing further information on criminal offender records.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Daniel Cullinane</i>	<i>12th Suffolk</i>	<i>1/15/2015</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>9/16/2019</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>9/16/2019</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>9/16/2019</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>9/16/2019</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>9/16/2019</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>9/16/2019</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>	<i>9/16/2019</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>	<i>9/16/2019</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>9/16/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>9/16/2019</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	<i>9/16/2019</i>
<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>	<i>9/16/2019</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>	<i>9/16/2019</i>
<i>Leah Cole</i>	<i>12th Essex</i>	<i>9/16/2019</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>	<i>9/16/2019</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>9/16/2019</i>
<i>Byron Rushing</i>	<i>9th Suffolk</i>	<i>9/16/2019</i>

<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>	<i>9/16/2019</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>	<i>9/16/2019</i>
<i>Leonard Mirra</i>	<i>2nd Essex</i>	<i>9/16/2019</i>

**HOUSE . . . . . No. 1249**

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By Mr. Cullinane of Boston, a petition (accompanied by bill, House, No. 1249) of Daniel Cullinane and others relative to criminal offender record information. The Judiciary.

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The Commonwealth of Massachusetts

\_\_\_\_\_  
In the One Hundred and Eighty-Ninth General Court  
(2015-2016)  
\_\_\_\_\_

An Act providing further information on criminal offender records.

*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. Section 1 of chapter 124 of the General Laws is hereby amended by adding  
2 the following subsection:-

3 (v) maintain a packet of informational materials, which shall be provided to persons  
4 committed to the custody of the department prior to their release from a correctional facility.  
5 Such informational materials shall contain, at a minimum: (i) a summary of how and by whom  
6 the committed person’s criminal offender record information may be accessed and distributed  
7 pursuant to sections 167 to 178B, inclusive, of chapter 6; (ii) an explanation of the process for  
8 filing a complaint with the department of criminal justice information services regarding the  
9 content of, dissemination of, or access to criminal offender record information; (iii) an  
10 explanation of the right to have certain records sealed pursuant to section 100A of chapter 276  
11 and a step by step explanation of the process for sealing such records; (iv) an explanation of the  
12 duration of criminal offender record information; (v) contact information for relevant employees  
13 and offices of the department; (vi) a list of websites with important background on, and

14 explanations of, criminal offender record information; and (vi) a list of answers to frequently  
15 asked questions about criminal offender record information.

16 SECTION 2. Chapter 276 of the General Laws is hereby amended by inserting after  
17 section 100D the following section:-

18 Section 100E. The commissioner of probation shall maintain a packet of informational  
19 materials, which every probation officer shall provide to each probationer immediately upon a  
20 probationer's assignment to the probation officer's care. Such informational materials shall  
21 contain, at a minimum: (i) a summary of how and by whom the probationer's criminal offender  
22 record information may be accessed and distributed pursuant to sections 167 to 178B, inclusive,  
23 of chapter 6; (ii) an explanation of the process for filing a complaint with the department of  
24 criminal justice information services regarding the content of, dissemination of, or access to  
25 criminal offender record information; (iii) an explanation of the right to have certain records  
26 sealed pursuant to section 100A and a step by step explanation of the process for sealing such  
27 records; (iv) an explanation of the duration of criminal offender record information; (v) contact  
28 information for relevant employees and offices of the office of probation; (vi) a list of websites  
29 with important background on, and explanations of, criminal offender record information; and  
30 (vi) a list of answers to frequently asked questions about criminal offender record information;  
31 provided, however, that a probation officer shall not be required to provide such informational  
32 materials to probations who have received the same such materials from the department of  
33 corrections within the past year. SECTION 3. The department of correction shall, in coordination  
34 with the department of criminal justice information services and the office of probation, develop  
35 the informational materials required by sections 1 and 2 on or before January 1, 2016.

36           SECTION 4. The department of correction shall, in coordination with the department of  
37 criminal justice information services and the office of probation, provide the informational  
38 materials required by sections 1 and 2 to those persons who were previously in the custody of the  
39 department of correction but were released from such custody prior to the effective date of said  
40 sections 1 and 2, by mailing the informational materials to the person's last known mailing  
41 address. Such mailings shall be completed on or before December 31, 2016.

42           SECTION 5. Sections 1 and 2 shall take effect on January 1, 2016.