

HOUSE No. 757

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 for the distribution of information on personal rights and resources be provided to those in the Criminal Offender Record Information (CORI) system.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Daniel Cullinane</i>	<i>12th Suffolk</i>	<i>1/18/2017</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>	
<i>David M. Rogers</i>	<i>24th Middlesex</i>	
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	
<i>Kay Khan</i>	<i>11th Middlesex</i>	
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>	
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>	
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>	
<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>	
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	
<i>Denise Provost</i>	<i>27th Middlesex</i>	
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	

HOUSE No. 757

By Mr. Cullinane of Boston, a petition (accompanied by bill, House, No. 757) of Daniel Cullinane and others relative to criminal offender record information. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1249 OF 2015-2016.]

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act providing for the distribution of information on personal rights and resources be provided to those in the Criminal Offender Record Information (CORI) system.

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 probationers who have received the same such materials from the department of
33 corrections within the past year.

34 SECTION 3. The department of correction shall, in coordination with the department of
35 criminal justice information services and the office of probation, develop the informational
36 materials required by sections 1 and 2 on or before the first of January of the year following
37 enactment.

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39 SECTION 4. The department of correction shall, in coordination with the department of
40 criminal justice information services and the office of probation, provide the informational
41 materials required by sections 1 and 2 to those persons who were previously in the custody of the
42 department of correction but were released from such custody prior to the effective date of said
43 sections 1 and 2, by mailing the informational materials to the person's last known mailing
44 address. Such mailings shall be completed on or before the end of December of the year in which
45 this legislation is enacted.

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47 SECTION 5. Sections 1 and 2 shall take effect on the first of January of the year
48 following enactment.