

## Town of Needham

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**Personnel Policy**

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**New: 7/1/07**

**Criminal Offenders****Record Information (CORI)**

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**Date: 7/1/2007**

### **1. PURPOSE AND SCOPE**

The purpose of this policy is to set forth the manner in which the Town will conduct and act upon all Criminal Offender Record Information (CORI) checks submitted to and received by the Criminal History Records Board (CHSB) as part of a general background check for employment, volunteer work or licensing purposes, the following practices and procedures

### **2. APPLICABILITY**

This policy applies to all General Government employees.

### **3. POLICY**

- 3.1 CORI checks will only be conducted as authorized by CHSB. All applicants will be notified that a CORI check will be conducted. If requested, the applicant will be provided with a copy of the CORI policy.
- 3.2 An informed review of a criminal record requires adequate training. Accordingly, all personnel authorized to review CORI in the decision-making process will be thoroughly familiar with the educational materials made available by CHSB.
- 3.3 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.
- 3.4 If a criminal record is received from CHSB, the authorized individual 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.
- 3.5 If the Town of Needham is inclined to make an adverse decision based on the results of the CORI check, the applicant will be notified. The applicant shall be provided with a copy of the criminal record, advised of the part(s) of the record that make the individual unsuitable for the position or license, and given an opportunity to dispute the accuracy and relevance of the CORI record.
- 3.6 Applicants challenging the accuracy of the policy shall be provided a copy of CHSB's *Information Concerning the Process in Correcting a Criminal Record*. If the CORI record provided does not exactly match the identification information provided by the applicant, the Town of Needham will make a determination based on a comparison of the CORI record and documents provided by the applicant. Any additional review does not require that the Town delay its search in anyway and will move forward as to what is in the best interest of the Town of Needham. The Town of Needham may contact CHSB and request a detailed search consistent with CHSB policy.

3.7 If the Town of Needham reasonably believes the record belongs to the applicant and is accurate, based on the information as provided in section IV on 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 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

The Town of Needham will notify the applicant of its decision and the basis of its decision in a timely manner.