



## **MA Responds and Background Searches**

All volunteers who apply to be part of MA Responds must undergo a CORI (Massachusetts Criminal Offender Record Information) check and a Nationwide Sex Offender Search. In order to be considered a member of MA Responds, both checks must be resolved in a satisfactory manner.

Both forms of background checks will be conducted in accordance with the policies outlined below.

Volunteers who do not have a clean Nationwide Sex Offender Search and a satisfactory resolution of the CORI process cannot participate in missions. In the event of an emergency, a local unit administrator may choose to use new (and unchecked) volunteers as “spontaneous local volunteers,” but these individuals would not be volunteering under the aegis of the MA Responds system and remain the responsibility of the unit administrator.

### **MA RESPONDS CORI POLICY**

Massachusetts Criminal Offender Record Information (CORI) checks are part of the required background checks for acceptance of volunteer applicants as members of the MA Responds system. The following practices and procedures will be followed.

- I. CORI checks will only be conducted as authorized by the Department of Criminal Justice Information Services (DCJIS). As part of the registration procedure for MA Responds, all volunteer applicants will fill out an online Background Check Page and fill in any missing information on the MA Responds CORI Acknowledgement Form by clicking on "Edit Background Check Form" and then clicking on "Save" at the bottom of the page. Once any missing fields are complete the applicant will click on “Open Pre-Populated CORI Acknowledgement Form” to access and print the MA Responds CORI Acknowledgement Form. Applicants must sign the official CORI Acknowledgement Form. Applicants will then provide the form to their Unit Administrator and have their picture ID verified by the unit administrator or will have their picture ID verified by a notary public and mail the CORI Acknowledgement Form to CORI certified staff in the Office of Preparedness and Emergency Management (OPEM) at the Massachusetts Department of Public Health (DPH). DPH will retain CORI Acknowledgement Forms

for a minimum of one year from the date of the subject's signature. The applicant will be able to view this MA Responds CORI Policy online by means of a link.

- II. CORI certified staff of DPH will query the DCJIS's iCORI system and will receive the applicant's CORI report.
- III. If the CORI report shows that the applicant has a criminal record, the record will be reviewed. The people who conduct the review of a criminal record are known as the review team. A representative of the unit may, if the unit so chooses, participate with OPEM staff in the review of the CORI report as a member of the review team. The unit representative may choose to participate either at the stage when a CORI search has resulted in positive CORI or at the later stage if and when a prospective volunteer appeals the review team's intent to make an adverse decision about his or her participation in MA Responds. Alternatively, the unit may choose not to participate in the CORI decision-making process at all, in which case DPH's OPEM staff will make the final decision.
- IV. An informed review of a criminal record requires adequate training. Accordingly, all members of the review team will be thoroughly familiar with the educational materials made available by DCJIS.
- V. 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.
- VI. If a criminal record is received from DCJIS, the review team will closely compare the record provided by DCJIS with the information on the CORI Acknowledgement Form and any other identifying information provided by the applicant, to ensure that the record relates to the applicant.
- VII. Unless otherwise provided by law, if the review team is inclined to make an adverse decision based on the results of the CORI check, the local unit administrator or DPH will notify the applicant. The applicant will be provided with a copy of his or her criminal record and this MA Responds CORI Policy, will be advised of the part(s) of the record that make the individual unsuitable for membership in MA Responds, and will be given an opportunity to dispute the accuracy and relevance of the CORI record. Applicants will also be provided with information from DCJIS about how to correct a criminal record.
- VIII. If the CORI record provided does not exactly match the identification information provided by the applicant, the review team will make a determination based on a comparison of the CORI record and documents provided by the applicant. DPH may contact the DCJIS and request a detailed search consistent with DCJIS policy.
- IX. If the review team reasonably believes that the record belongs to the applicant and is accurate, then the determination of suitability for membership in MA Responds will be made. Regulations of the Executive Office of Health and Human Services at 101 CMR 15.08 will be used as guidance. The Regulations are available at this link:

<https://www.mass.gov/doc/101-cmr-15-criminal-offender-record-checks/download>

- X. If the CORI record reveals an outstanding warrant for any offense, DPH or the local unit administrator will inform the applicant that he or she is ineligible for membership in MA Responds unless the warrant is removed.
  
- XI. Unless otherwise provided by law, factors considered in determining suitability may include, but are not necessarily limited to the following:
  - (a) Relevance of the crime to volunteer work with MA Responds;
  - (b) The nature of the volunteer work to be performed;
  - (c) Time since the conviction;
  - (d) Age of the applicant at the time of the offense;
  - (e) Seriousness and specific circumstances of the offense;
  - (f) The number of offenses;
  - (g) Sentence(s) imposed and length of any period(s) of incarceration;
  - (h) Whether the applicant has pending charges;
  - (i) Whether offenses were committed in association with a dependence on drugs or alcohol, from which the applicant has since recovered;
  - (j) Any relevant evidence of rehabilitation or lack thereof;
  - (k) Any other relevant information, including information submitted by the applicant or requested by the review team.
  
- XII. DPH or the local unit administrator will notify the applicant of the decision and the basis of the decision in writing in a timely manner and will document all steps taken to comply with this policy.

### **MA RESPONDS NATIONWIDE SEX OFFENDER SEARCH POLICY**

Nationwide Sex Offender Searches (SORI) will be conducted using publicly available information, are part of the required background checks for acceptance of volunteer applicants as members of the MA Responds system. The following practices and procedures will be followed.

- I. SORI searches will be conducted automatically through the MA Responds online system during the registration process of the volunteer applicant. The applicant will be able to view this SORI Search Policy online by means of a link.
  
- II. If the SORI Search shows that the applicant is not listed in any Sex Offender Registry, the MA Responds system will automatically set the status as Complete Clear – No Matches Found
  
- III. If the SORI Search shows that the applicant is listed in a Sex Offender Registry, the information will be reviewed by DPH through the MA Responds Background Check Module. DPH will closely compare the record with the information in the MA Responds database and any other identifying information to ensure that the record pertains to the applicant.

- IV. If it appears that the SORI Search record pertains to the applicant, DPH will send the applicant a copy of any unedited reports that were run, a copy of the Summary of Consumer's Rights under the Fair Credit Reporting Act , and this MA Responds Nationwide Sex Offender Search Policy. Applicants will be given an opportunity to dispute the findings of the SORI Search and will be given a stated time within which to present information to DPH showing that the SORI Search record does not pertain to him or her. If the applicant does not respond within a stated period of time, the applicant will be rejected.
- V. If the applicant submits information indicating that he or she is not in a Sex Offender registry, DPH will evaluate the information.
- VI. If DPH concludes that the SORI Search record belongs to the applicant, then the applicant will be rejected. DPH will notify the applicant of the decision in writing in a timely manner and will document all steps taken to comply with this policy.