

## CYBL CORI POLICY & GUIDELINES

The word “applicant” and “candidate” are used interchangeably and both refer to the individual volunteering as a coach, board member, site manager or any other position within CYBL.

### I. POLICY

Where Criminal Offender Record Information (CORI) checks are part of a general background check for employment, volunteer work or licensing purposes, the following practices and procedures will generally be followed:

- A. CORI checks will only be conducted as authorized by Criminal History Systems Board (CHSB). All volunteers will be notified that a CORI check will be conducted. If requested, the volunteer will be provided with a copy of the CORI policy.
- B. 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.
- C. Unless otherwise provided by law, a criminal record will not automatically disqualify a volunteer. Rather, determinations of suitability based on CORI checks will be made consistent with this policy and any applicable law or regulations.
- D. 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 volunteer, to ensure the record relates to the volunteer.
- E. If CYBL is inclined to make an adverse decision based on the results of the CORI check, the volunteer will be notified immediately. The volunteer shall be provided with a copy of the criminal record and the organization’s CORI policy, advised of the part(s) of the record that make the individual unsuitable for the position, and given the opportunity to dispute the accuracy and relevance of the CORI record.
- F. Volunteers 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 volunteer, CYBL will make a determination based on a comparison of the CORI record and documents provided by the volunteer. CYBL may contact CHSB and request a detailed search consistent with CHSB policy.
- G. If CYBL reasonably believes the record belongs to the applicant and is accurate, based on the information as provided in Section I (D) on this policy, then the

determination of suitability for the position will be made. Unless otherwise proved by law, factors considered in determining suitability may include, but not limited to, the following:

1. Relevance of the crime to the position sought;
2. The nature of the work to be performed;
3. Time since the conviction;
4. Age of the candidate at the time of the offense;
5. Seriousness and specific circumstances of the offense;
6. The number of offenses;
7. Whether the applicant has pending charges;
8. Any relevant evidence of rehabilitation or lack thereof;
9. Any other relevant information, including information submitted by the candidate or requested by the hiring authority.

H. CYBL will notify the volunteer of the decision and the basis of the decision in a timely manner.

## II. GUIDELINES (pursuant to 105 CMR 950.00)

### A. Findings From CORI Investigations

1. If the CORI investigation reveals a finding of “no record”, such finding shall be documented in the candidate’s file.
2. If the CORI investigation reveals:
  - a. A “lifetime presumptive disqualification” on the candidate’s record, the candidate shall be informed by CYBL that he or she is ineligible for any position within CYBL.
  - b. A crime that is a “discretionary disqualification” on the candidate’s record, the candidate shall be informed by CYBL that he or she is ineligible for any position within CYBL, unless there is compliance with the provisions of section II (C).
3. If the CORI investigation reveals an outstanding warrant for any offense on the candidate’s record, the candidate shall be informed by CYBL that he or she is ineligible for any position within CYBL until the warrant is removed.

### B. Disqualifications

1. Lifetime Presumptive Disqualification. A candidate shall be ineligible for any position if he or she has been convicted of any of the crimes listed in Table A, or has any pending charges involving crimes listed in Table A.
2. Discretionary Disqualification. A candidate shall be ineligible for any position if he or she has been convicted of or has pending charges for

any of the crimes listed in Table B or C, unless the hiring authority has complied with Section II (C).

C. Provisions for Review of a Candidate in any Discretionary Disqualification Category

1. Every candidate for whom the CORI investigation reveals a “discretionary disqualification” shall receive additional review by CYBL to determine if the candidate poses an unacceptable risk of harm to the persons served by the program. In reviewing the candidate’s appropriateness for a position given the concern for children’s safety due weight shall be given the following factors:
  - a. Time since the conviction;
  - b. Age of the candidate at the time of the offense;
  - c. Seriousness and specific circumstances of the offense;
  - d. Relationship of the criminal act to the nature of the work to be performed;
  - e. The number of offenses;
  - f. Any relevant evidence of rehabilitation or lack thereof;
  - g. Any other relevant information, including information submitted by the candidate or requested by the hiring authority.
  
2. Following the review, CYBL shall determine whether:
  - a. To hire the candidate based upon a determination that the candidate does not pose a danger to the program’s children; or
  - b. To not hire the candidate.
  - c. If a decision is made to hire the candidate, CYBL shall make a written determination of such decision, documenting the considerations outlined in section II C(1)(a)-(g), and the rationale for the conclusion that the candidate does not pose a danger to the program’s children within the position sought.

D. Tables of Offenses

<b>Table A</b>	<b>MGL</b>
A&B, DANGEROUS WEAPON, VICTIM 60 AND OLDER	c.265 § 15A(a)
A&B CHILD W/ INJURY	c.265 §13J
A&B ON RETARDED PERSON	c.265 § 13F
ADMINISTERING DRUGS/SEX	c.272 § 3
ARMED ASSAULT W/INTENT TO MURDER OR ROB	c.265 § 18(b)

ARMED ASSAULT W/INTENT TO MURDER OR ROB, VICT 60+	c.265 § 18(a)
ARMED ASSAULT, DWELLING, W/FELONY INTENT	c.265 § 18A
ARMED CARJACKING	c.265 § 21A
ARMED ROBBERY	c.265 § 17
ASSAULT W/INTENT TO MURDER OR MAIM	c.265 § 15
ASSAULT W/INTENT TO RAPE	c.265 § 24
ASSAULT W/INTENT TO RAPE CHILD	c.265 § 24B
ATTEMPT ESCAPE OR ESCAPE BY PRISONER OR SEX/DANG	c.268 § 16
ATTEMPT TO MURDER	c.265 § 16
BURNING DWELLING HOUSE	c.266 § 1
DISTRIBUTE CONTROLLED SUBSTAN, MINOR	c.94C § 32F
EXHIBIT POSING CHILD	c.272 § 29A
EXTORTION	c.265 § 25
HOME INVASION	c.265 § 18C
INCEST	c.272 § 17
INDECENT A&B, CHILD 14 OR OVER	c.265 § 13H
INDECENT A&B, CHILD UNDER 14	c.265 §13B
INDECENT A&B, RETARDED PERSON	c.265 § 13F
INDUCE MINOR TO PROSTITUTION	c.272 § 4A
INTIMIDATION OF WITNESS	c.268 § 13B
KIDNAPPING	c.265 § 26
MALICIOUS EXPLOSION	c.266 §101
MANSLAUGHTER, NEGLIGENCE (MINOR/CHILD)	c.265 § 13
MANSLAUGHTER	c.265 § 13
MAYHEM	c.265 §14
MURDER	c.265 § 1
PERJURY	c.268 § 1
RAPE	c.265 §22(b)
RAPE AGGRAVATED	c.265 § 22(a)
RAPE, STATUTORY	c.265 § 23

TRAFFICKING IN COCAINE	c.94C § 32E (b) (4)
TRAFFICKING IN HEROIN	c.94C § 32E (c) (4)
TRAFFICKING IN MARIJUANA	c.94C § 32E (a) (4)
UNNATURAL ACTS W/CHILD UNDER 16	c.272 § 35A
CONSPIRACY TO COMMIT ANY OF ABOVE OFFENSES	
ACCESSORY BEFORE ANY CRIME IN THIS CATEGORY	
ATTEMPTS TO COMMIT ANY CRIME IN THIS CATEGORY	
<b>Table B</b>	<b>MGL</b>
A& B DANGEROUS WEAPON	c.265 § 15A
A&B INTIMIDATION, RACE/COLOR/RELIGION	c.265 § 39(a)
ACCESSORY BEFORE FACT	c.274 § 2
ACCESSORY AFTER FACT(VARIABLE)	c.274 § 4
AID ESCAPE FROM CUSTODY	c.268 § 17
ASSAULT BY DANGEROUS WEAPON	c.265 § 15B(b)
ASSAULT BY DANGEROUS WEAPON, VICTIM 60 AND OLDER	c.265 § 15B(a)
ATTEMPT TO BURN DWELLING HOUSE	c.266 § 5A
ATTEMPT TO COMMIT CRIME (VARIABLE)	c.274 § 6
ATTEMPTED EXTORTION	c.265 § 25
BOMB SCARE	c.269 § 14
B&E DAY, INTENT COMM FELONY	c.266 § 18
B&E DAY, INTEND COMM FELONY, FEAR	c.266 § 17
B&E NIGHT, BLDG/SHIP/M/V, INTEND COMM FELONY	c.266 § 16
B&E TRUCK, INTEND COMM FELONY	c.266 § 20A
BRIBERY OF A POLICE OFFICER	c.268A § 2
BURGLARY, ARMED	c.266 § 14
BURGLARY, UNARMED	c.266 § 15
BURNING BUILDING	c.266 § 2
BURNING M/V OR PERSONAL PROPERTY	c.266 § 5
BURNING TO DEFRAUD INSURANCE CO.	c.266 § 10

CARRYING DANGEROUS WEAPON, COMMITTING FELONY	c.269 § 10(b)
CARRYING DANGEROUS WEAPON, SUB OFFENSE	c.269 § 10(d)
CARRYING LOADED RIFLE/SHOTGUN, PUBLIC WAY	c.269 § 12D
CIVIL RIGHTS VIOLATION, BODILY INJURY	c.265 § 37
COMPOUNDING FELONY	c.268 § 36
CONTRIBUTE DELINQUENCY CHILD	c.119 § 63
DELIVER ARTICLES TO INMATE	c.268 § 31
DELIVER DRUGS TO PRISONER	c.268 § 28
DERIVING SUPPORT FROM PROSTITUTE	c.272 § 7
DISTRIBUTING OBSCENE PICTURES	c.272 § 28
DRUG PARAPHENELIA	c.94C § 32I(a)
ENTER W/O BRK, BLDG/SHP/M/V, INT FEL , FEAR	c.266 § 17
ENTER W/O BRK, NIGHT, DWELL, INTEND COMM FELONY	c.266 § 18
ENTICE FEMALE, SEX, INTERCOURSE	c.272 § 2
ESCAPE, FURLOUGH	c.268 § 16
ESCAPE BY PRISONER	c.268 § 16
FALSE INFORMATION FOR GUN PERMIT	c.140 § 129
FORGERY, ALTER PRESCRIPTION	c.94C § 33(b)
FUGITIVE FROM JUSTICE	c.276 § 20A
INDUCE PROSTITUTION	c.272 § 6
INDUCE SEX, MINOR	c.272 § 4
INVOLUNTARY MANSLAUGHTER	c.265 § 13
KIDNAPPING MINOR BY RELATIVE	c.265 § 26A
KIDNAPPING MINOR BY RELATIVE, ENDANGER SAFETY	c.265 § 26A
LARCENY, BANK EMPLOYEE OR OFFICER	c.266 § 52
LARCENY, CONTROLLED SUBSTANCE, FROM AUTHORIZED PERSON	c.94C § 37
LARCENY FIREARM	c.266 § 30
LARCENY, PERSON	c.266 § 25
LARCENY, PERSON 65+	c.266 § 25

MANUFACTURE/DISTRIBUTE CLASS A SUBSTANCE	c.94C § 32
MANUFACTURE/DISTRIBUTE CLASS B SUBSTANCE	c.94C § 32A
MANUFACTURE/DISTRIBUTE CLASS C SUBSTANCE	c.94C § 32B
MANUFACTURE/DISTRIBUTE CLASS D SUBSTANCE	c.94C § 32C
MANUFACTURE/DISTRIBUTE/DISPENSE CLASS B SUBSTANCE	c.94C § 32A
MFG/DIST/DISPENSE CL A W/IN 1000FT SCHOOL	c.94C § 32J
MFG/DIST/DISPENSE CL B W/IN 1000FT SCHOOL	c.94C § 32J
M/V HOMICIDE, NEGLIGENT OPERATION	c.90 § 24G(b)
M/V HOMICIDE, RECKLESS OPERATION	c.90 § 24G(b)
M/V HOMICIDE, UNDER INFLUENCE DRUGS, NEGLIGENT OR RECKLESS	c.90 § 24G(a)
M/V HOMICIDE, UNDER INFLUENCE LIQUOR	c.90 § 24G(b)
M/V HOMICIDE, UNDER INFLUENCE LIQUOR, NEGLIGENT OR RECKLESS	c.90 §24G(b)
OPERATE M/V UNDER INFLUENCE, SERIOUS INJURY	c.90 §24(1)(a)(1)
OPERATE M/V UNDER INFLUENCE, DRUGS, 3 <sup>RD</sup> OFFENSE	c.90 §24(1)(a)(1)
OPERATE M/V UNDER INFLUENCE, LIQUOR, 3 <sup>RD</sup> OFFENSE	c.90 §24
POSSESS BURGLARIOUS TOOLS	c.266 § 49
POSS CL A SUB W/INT TO DIST W/INT 1000FT SCHOOL	c.94C § 32J
POSS CL B SUB W/INT TO DIST W/INT 1000FT SCHOOL	c.94C § 32J
POSS CL B SUB W/INT TO DIST/MFG/CULT W/INT 1000FT SCHOOL	c.94C § 32J
POSSESS CLASS A SUBSTANCE	c.94C §34
POSSESS CLASS A SUBSTANCE, INTENT TO DISTRIBUTE	c.94C § 32(a)
POSSESS CLASS B SUBSTANCE	c.94C §34

POSSESS CLASS B SUBSTANCE, INTENT TO DISTRIBUTE	c.94C § 32A(a)
POSSESS CLASS B SUBSTANCE, W/INTENT DIST/MFG	c.94C § 32A
POSSESS CLASS C SUBSTANCE, INTENT TO DISTRIBUTE	c.94C § 32B(a)
POSSESS CLASS C SUBSTANCE, SUB OFFENSE	c.94C §34
POSSESS CLASS D SUBSTANCE, INTENT TO DISTRIBUTE	c.94C § 32C(a)
POSSESS CLASS D SUBSTANCE, SUB OFFENSE	c.94C §34
POSS CLASS D SUB W/INT TO DIST W/INT 1000FT SCHOOL	c.94C §32J
POSSESS CLASS E SUBSTANCE, INTENT TO DISTRIBUTE	c.94C § 32D
POSSESS CONTROLLED SUB W/INTENT DISTRIB, SUB OFF	c.94C § 32(b)
POSSESS FIREARM W/O LICENSE	c.269 §10(h)
POSSESS FIREARM, SERIAL/ID NUM OBLIT	c.269 § 11C
POSSESS FIREARM, SERIAL/ID NUM OBLIT, COMM FELONY	c.269 § 11B
POSSESS INFERNAL MACHINE	c.266 § 102A
POSSESS MACHINE GUN W/O LICENSE	c.269 §10
POSSESS MACHINE GUN OR SAWED OFF SHOT GUN, SUB OFFENSE	c.269 § 10
POSSESS MATTER HARMFUL MINOR	c.272 § 28
POSSESS M/V MASTER KEY	c.266 § 49
POSSESSION SHOTGUN, BARREL UND 18 "SAWED OFF".	c.269 § 10C
POSSESS SHOTGUN, BARREL UND 18 "SAWED OFF, SUB OFF	c.269 § 10D
RECEIVE/BUY STOLEN M/V	c.266 § 28(a)
SELL AMMUNITON W/O LICENSE	c.140 § 122B
SELL OBSCENE LITERATURE, UNDER 18	c.272 § 28
SELL FIREARM W/O LICENSE	c.140 § 128
THROW EXPLOSIVES	c.266 § 102

TRAFFICKING IN COCAINE W/ IN 1000FT SCHOOL	c.94C § 32J
TRAFFICKING IN HEROIN W/ IN 1000FT SCHOOL	c.94C § 32J
TRAFFICKING IN MARIJUANA W/ IN 1000FT SCHOOL	c.94C § 32J
UNARMED ASSAULT, INTENT TO ROB	c.265 § 20
UNARMED ROBBERY	c.265 § 19(b)
UNARMED ROBBERY, VICTIM 60+	c.265 § 19(a)
UNLAWFUL POSSESSION, BOMB	c.148 § 35
UNLAWFUL POSSESSION, FIREARM, COMMISSION FELONY	c.265 § 18B
UNLAWFULLY PLACE EXPLOSIVES	c.266 § 102
UNNATURAL ACTS	c.272 § 35
UTTER FALSE PRESCRIPTION	c.94C § 33
VANDALIZE CHURCH/SYNAGOGUE/CEMETERY	c.266 § 127A
VANDALIZE SCHOOL/CHURCH/EDUCATIONAL BLDG	c.266 § 98
VIOLATE DOMESTIC PROTECTIVE ORDER	c.208 § 34C
VIOLATE STALKING LAW	c.265 § 43(a)
VIOLATION OF PROTECTIVE ORDER (209A)	c.209A § 7
CONSPIRACY TO COMMIT ANY OF ABOVE OFFENSES	
ATTEMPTS TO COMMIT ANY CRIME IN THIS CATEGORY	
ACCESSORY BEFORE ANY CRIME IN THIS CATEGORY	
<b>Table C</b>	
<b>A&amp;B</b>	<b>MGL</b>
A&B ON PUBLIC SERVANT	c.265 § 13A
A&B ON POLICE OFFICER	c.265 § 13D
A&B OR ASSAULT ON CORRECTIONAL OFFICER	c.265 § 13D

ABANDON W/O SUPPORT OF SPOUSE, OR MINOR CHILD	c.127 § 38B
ABANDON M/V	c.273 § 1(1)
ACCOSTING	c.90 § 22B
ADULTERATION ALCOHOLIC BEVERAGE	c.272 § 53
AFFRAY	c.138 § 16
ALIEN IN POSSESS OF FIREARM	c.272 § 53
ANNOYING PHONE CALLS	c.140 § 131H
ASSAULT	c.269 § 14A
ATTEMPT TO INJURE DEPOSITORY OF VALUABLES	c.265 § 13A
B&E, INTEND TO COMM MISDEMEANOR	c.266 § 16
B&E RAILROAD CAR	c.266 § 16A
B&E RECOGNIZANCE VIOLATION	c.266 § 19
BEING PRESENT WHERE HEROIN KEPT	c.276 § 82A
CIVIL RIGHTS VIOLATION, NO BODILY INJURY	c.94C § 35
CREDIT CARD, LARCENY OF	c.265 § 37
CRUELTY TO ANIMALS	c.266 § 37B
DISCHARGING FIREARM, 500FT	c.272 § 77
DISCHARGING WEAPON NEAR HIGHWAY/DWELL, HUN	c.269 § 12E
DISPENSE CONTROLLED SUBSTANCE, NOT REGISTERED	c.131 § 58
DISTRIBUTE CONTROLLED, SUBSTAN W/O PRESCRIPTION	c.94C § 25
ENGAGING IN SEX, PROSTITUTION, "JOHN"	c.94C § 25(1)
ENTER W/O BRK, TRUCK, INTEND COMM FELONY	c.272 § 53A
FAIL TO KEEP RECORDS ON CONTROLLED SUBSTANCE	c.266 § 20A
GAMING, IMPLEMENTS FOUND PRESENT, MANAGER	c.94C § 15
GAMING, IMPLEMENTS FOUND PRESENT, OWNER	c.271 § 17
HOUSE OF ILL FAME	c.271 § 17

ILLEGAL POSSESS CLASS C SUBSTANCE	c.272 § 24
ILLEGAL POSSESS CLASS D SUBSTANCE	c.94C § 34
ILLEGAL POSSESS CLASS E SUBSTANCE	c.94C § 34
INDECENT EXPOSURE	c.94C § 34
LARCENY BY CHECK	c.272 § 53
LARCENY MORE	c.266 § 37
LARCENY IN BLDG, SHIP, VESSEL, OR RR CAR	c.266 §30
LARCENY IN TRUCK/TRAILER	c.266 § 20
LARCENY, M/V OR TRAILER	c.266 § 20B
LEAVE COMM W/O SUPPORT MINOR CHILD OUT OF WDLOCK	c.266 § 28
LEAVE COMM W/O SUPPORT OF SPOUSE & MINOR CHILD	c.273 § 15
LEAVE SCENE AFTER PERSONAL INJURY, M/V	c.273 § 1
LEWD & LASCIVIOUS SPEECH & BEHAVIOR	c.90 § 24(2)(a1/2)(1)
MALICIOUS DESTRUC, PERS/REAL PROP, OVER \$250	c.272 § 53
MANUFACTURE/DISTRIBUTE CLASS E SUBSTANCE	c.266 § 127
NON-SUPPORT OF MINOR CHILD OUT OF WEDLOCK	c.94C § 32D(a)
NON-SUPPORT OF MINOR CHILD(REN)	c.273 § 15
OBSCENE TELEPHONE CALLS	c.273 §1
OBSTRUCT JUSTICE	c.269 § 14A
OPEN & GROSS LEWDNESS	c.268 § 34
OPERATE M/V AFTER LICENSE REVOKED FOR DRUNK DRIVING	c.272 § 16
OPERATE M/V UNDER INFLUENCE, DRUGS	c.90 § 23
OPERATE M/V UNDER INFLUENCE, LIQUOR	c.90 § 24(1)(a)(1)
POSSESS ALTERED FID CARD	c.90 § 24
POSSESS COUNTERFEIT SUBS W/INTENT DISTRIBUTE	c.140 § 131I
POSSESS DANGEROUS WEAPON	c.94C § 32G

UNLAWFULLY	
POSSESS HYPODERMIC SYRINGE OR NEEDLE	c.269 § 10(b)
POSSESS OBSCENE "PORNOGRAPHIC" MATERIAL	c.94C § 27
PROCURE LIQUOR FOR MINOR	c.272 § 29
PROSTITUTION	c.138 § 34
RECEIVE STOLEN PROPERTY, OVER 250	c.272 § 53A
RIOT	c.266 § 60
SELL/DELIVER ALCOHOLIC BEVERAGES PERSON UNDER 21	c.269 § 1
SOLICITING PROSTITUTE	c.138 § 34
SHOPLIFTING, 3 <sup>RD</sup> OR SUB OFFENSE	c.272 § 8
SODOMY	c.266 § 30A
TAKING M/V W/O AUTHORITY, STEAL PARTS	c.272 § 34
TELECOMMUNICATIONS FRAUD	c.266 § 28
UNAUTHORIZED USE, CREDIT CARD, OVER \$250	c.166 § 42A
UNLAWFUL POSSESSION, SHOTGUN	c.266 § 37C
UNLAWFULLY OBTAIN CONTROLLED SUBSTANCE	c.140 § 129C
USE M/V, COMMISSION OF FELONY	c.94C § 33
UTTER FORGED INSTRUMENT	c.90 § 24(2)(a)
VIOLATE SUPPORT ORDER	c.267 § 5
VIOLATE SUPPORT ORDER, MINOR CHILD OUT OF WDLOCK	c.273 §1
WANTON DESTRUCTION, PERS/REAL PROPERTY	c.273 § 15
WILLFULLY & MALICIOUSLY BURN M/V	c.272 § 73
WILLFULLY & MALICIOUSLY KILL BEAST	c.266 § 127
CONSPIRACY TO COMMIT ANY OF ABOVE OFFENSES	c.266 §112
ATTEMPTS TO COMMIT ANY CRIME IN THIS CATEGORY	
ACCESSORY BEFORE ANY CRIME IN THIS CATEGORY	