

TOWN OF LUNENBURG

CORI POLICY



I. POLICY

This policy is applicable to the criminal history screening of prospective and current employees, volunteers, interns and licensees. CORI checks will be conducted only after a CORI Acknowledgment has been completed

II. SCOPE

Criminal Offender Record Information (CORI) checks are part of a general background check for some employment and volunteer opportunities with the Town of Lunenburg as well as certain licenses. The Town may also conduct CORI checks on existing employees and license holders.¹ Such CORI checks shall be conducted in accordance with the following procedures:

III. PROCEDURES

A. CORI checks will only be conducted as authorized by Department of Criminal Justice Information Services (DCJIS). Applicants and/or employees working in certain positions as well as certain license applicants and/or holders will be notified that a CORI check will be conducted. If requested, the applicant, employee and/or licensee will be provided with a copy of the CORI policy.

B. The Town's employment application does not request conviction information. During the interview process, however, the applicant may be asked about any convictions as allowed by law. CORI checks will only be conducted after a determination of qualification has been made unless otherwise permitted by law.

C. Prior to questioning an applicant, employee or licensee about his/her criminal record information, the Town will provide the applicant, employee or licensee with a copy of the criminal record in its possession. The Town will also advise the applicant, employee or licensee of the source(s) of the criminal record information.

D. 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.

E. If a criminal record is received from DCJIS (or other source), the Town will compare the record provided by DCJIS with the information on the CORI request form and any other identifying information provided by the applicant, employee or licensee to ensure the record relates to the applicant, employee or licensee.

F. If the Town reasonably believes the record belongs to the applicant, employee or licensee and is accurate, based on the information as provided in Section E, the determination of suitability for the position or license will be made. While the existence of a criminal record does create a higher level of scrutiny of an applicant, employee or licensee, due weight will be given to: (1) the age/date of the offense; (2) the age of the person when convicted; (3) the nature of the offense; (4) the relevance of the offense to the position or license; (5) the type of offense; (6) the number of offenses; (7) whether there are charges pending; (8) any evidence of rehabilitation; and (9) any other factors the Town deems appropriate.

G. If the Town is inclined to make an adverse decision based on the results of the CORI check, the applicant, employee or licensee will be notified by the Town in a timely manner. The applicant, employee or licensee will be:

(1) provided with a copy of the criminal record in the Town's possession (if not previously provided), a copy of the Town's CORI Policy and the source(s) of the criminal record; (2) advised of the part or parts of the record that make the individual unsuitable for the position or license; and (3) given an opportunity to dispute the accuracy and relevance of the CORI record before making a final decision. The Town, however, may rely upon the information obtained even if the applicant, employee or licensee contests its authenticity.

H. Applicants, employee or licensees challenging the accuracy of the CORI report shall be provided a copy of DCJIS's *Information Concerning the Process in Correcting a Criminal Record*. If the CORI record provided does not exactly match the identification provided by the applicant, employee or licensee, the Town will make a determination based on a comparison of the CORI record and documents provided by the applicant, employee or licensee. The Town may contact DCJIS and request a detailed search consistent with DCJIS policy.

I. The Town will maintain all CORI information for no longer than seven (7) years from either the last date of an individual's employment, the expiration of the applicable license, or the final decision on an application, whichever is longer. After this period, the law requires that employers destroy the CORI information.

IV. ADMINSTRATIVE PROCEDURES

The Town Manager may adopt administrative procedures to carry out this Policy.

1. CORI Acknowledgement Forms are effective for one (1) calendar year. If a new CORI check is to be made on an individual within a year of his/her signing of the CORI Acknowledgement Form, the individual will be given seventy-two (72) hours' notice that a new CORI check will be conducted. If a new CORI check is to be made after the expiration of a previously signed CORI Acknowledgement Form, a new form will be executed.