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LEGISLATIVE TESTIMONY

To: Members of the Joint Committee on the Judiciary
From: Edward F. Saunders, Jr., Esq., Executive Director
Re: CORI Reform
Date: March 19, 2008

The Massachusetts Catholic Conference (“Conference”) respectfully submits this testimony in favor of efforts to reform the Criminal Offender Record Information (CORI) system in Massachusetts. It is not within the expertise of the Catholic Bishops or the Conference to evaluate the exact scope and shape of specific reforms, and thus we will not comment at this time on the particular reform proposals before this Committee. However, we would like to be placed on the record as affirming the need for reform with respect to ex-offenders who are seeking to put their lives back together after repaying their debt to society and yet who are experiencing sometimes insurmountable hurdles due to the way that their CORI records are being handled when they seek employment or housing.

As recently observed by a state task force on CORI in the workplace, “[m]en and women with a criminal background, regardless of the nature and severity of their crime, time elapsed since criminal activity, and evidence of successful rehabilitation, are frequently rejected for jobs before they are even considered. In fact, a criminal background is among the steepest hurdles to obtaining a job that one may face. The consequences of a growing population of hard to employ ex-offenders are severe, not only for those individuals, but for society as a whole, as recidivism rates (and therefore prison costs) rise and the ability of our labor force to meet the employment needs of the region diminishes.” The Boston Foundation & The Crime & Justice Institute, CORI: Opening Doors of Opportunity: A Workforce and Public Safety Imperative: Report of the Task Force on CORI Employer Guidelines 5 (2007).

Undoubtedly, maintaining a CORI system serves important public safety interests but defects in the system will create, and are already resulting in, an unjust imbalance, as noted by the U.S. Attorney General’s Office in 2006: “An uninformed choice (employment of a person with a criminal record) can result in harm to the employer, other employees, or the public. On the other hand, a non-individualized, categorical screening approach of not hiring any person with a criminal history can have the effect of creating a class of unemployable ex-offenders, along with the recidivism that would inevitably result.” Office of the Attorney General of the United States, The Attorney General’s Report on Criminal History Background Checks, Section V: Explanations—Suitability Criteria Recommendations 113 (2006).

We urge this Committee to examine the evidence of current defects in the CORI system that affect the integrity of the system and its use, and that result in the unnecessary and stigmatizing exclusion of rehabilitated persons from employment and housing. We hope that the Committee will then give favorable reports to any legislation designed to remedy the defects in a manner that restores the proper balance between maintaining public safety and preserving the human dignity of ex-offenders.

The Conference is the public policy office of the Roman Catholic Bishops in the Commonwealth, representing the Archdiocese of Boston and the Dioceses of Fall River, Springfield, and Worcester.