

PLEASE CO-SPONSOR CLEAN SLATE LEGISLATION

***A Criminal Record
Should Not Mean a
Lifetime of Blocked
Opportunities***

An Act requiring clean slate automated record sealing

S.1114 / H.1811, Sen. Cindy Friedman/Rep. Mary Keefe and Rep. Andres Vargas

An Act to remove collateral consequences and protect the presumption of innocence

S.1124 / H.1693, Sen. Adam Gomez & Rep. Fluker-Reid

Why Do We Need Automated CORI Sealing?

- **PREVENT UNWARRANTED BARRIERS.** Any criminal record creates a barrier to employment, housing, and other opportunities—even when a case ends with a dismissal or not guilty verdict. Everyone deserves the chance to earn a living, care for their families, and contribute to their communities.
- **REDUCE RED TAPE.** Massachusetts' complex CORI-sealing process requires filing a petition with the Commissioner of Probation. One is eligible seven years after a felony or three years after a misdemeanor.
- **DO THE RIGHT THING.** Many people don't know they can seal their records until *after* they lose a job or housing opportunity, due to an unsealed record.
- **ADVANCE RACIAL JUSTICE.** As a result of racist policing and sentencing, disproportionate numbers of those eligible for CORI sealing are Black (45%) and Latino (52%).
- **REDUCE POVERTY.** Studies show that a sealed record increases an individual's likelihood of finding a job and boosts earnings significantly as they gain access to career advancement opportunities. This contributes to increased consumer spending, tax revenues and reduced reliance on public assistance.

Petition-based Sealing is Ineffective & Antiquated

CORI sealing in Massachusetts is a hard-to-understand petition-based process in which paperwork sometimes gets lost and backlogs are several months long.

Of the people eligible in Massachusetts, **only about 10% have sealed CORIs**. In other states, automating the system has increased sealing rates by 300-400%.

As of January 2025, 672,000 people in Massachusetts are eligible to have their CORIs sealed.



In the U.S., one in three adults has a criminal record, and half of all children have a parent with one.





2nd Clean Slate Bill to *Immediately* Seal Offenses That End Favorably

In addition to Friedman/Keefe and Vargas bill for automated sealing, we need to pass **S.1124/H.1693**, filed by **Sen. Adam Gomez and Rep. Brandy Fluker-Reid**.

This legislation would *immediately* seal offenses if they end favorably in a dismissal or other outcome that is not a conviction.

- In Massachusetts, offenses that end in a dismissal or *nolle prosequi* (the prosecutor dropped the case) may be sealed by a judge, but only after a hearing. Many other states, however, seal favorably-ending cases at the time of the final disposition.
- This bill requires that CORI reports include a statement that the presumption of innocence applies if a person was not convicted.
- The bill updates the present "hold back" provisions under G.L. c. 6, § 172(3)(a) for employers and others who have a lower level "standard" access to CORI. The bill limits CORI access if the offense is more than 3 years old for a misdemeanor, and 7 years for a felony to be consistent with newer sealing waiting periods for sealing of records that went into effect in 2018. Present exclusions in the law for sex offenses or other serious offenses remain intact.

Benefits of Clean Slate Legislation in Massachusetts

- **WORKFORCE DEVELOPMENT.** We face labor shortages in technology, construction, healthcare, and more. For every 100 open jobs in the Commonwealth, there are only 42 available workers.
- **LIGHTEN THE LOAD.** This bill also allows individuals who have sealed their records to access them without filing motions to unseal, which reduces the workload for clerks, courts, and attorneys.
- **BI-PARTISAN SUPPORT.** With support on both sides of the isle, PA, CT, NJ, NY, CA, CO, DE, MI, OK, VA, MN, and UT, already have automated record sealing.



DEBUNKING A MYTH ABOUT CRIMINAL RECORD SEALING

In Massachusetts, there is a myth that after an individual seals their criminal records, a CORI (criminal offender record information) report given to an employer or other requester indicates that the person has “sealed records.”

That is NOT true.

HERE ARE THE FACTS:

- When the MA Department of Criminal Justice Information Services (DCJIS) sends a CORI report to employers or others, there is no “S” or any other mark to indicate that a person’s record had been sealed. record. I
- Massachusetts laws protecting CORI data are very strict; very few entities have access to sealed criminal records. The Legislature limits access to a sealed CORI to: a) the police and criminal justice agencies for their law enforcement to duties; b) the Department of Early Education & Care for approval of workers for childcare and other positions involving young children; and c) the Departments of Youth Services and Children & Families for purposes of approving adoptive and foster care homes. See G.L. c. 6, § 172; G.L. c.276 6, § 100D.
- Once a CORI is sealed, Clerks of the Courts and the Commissioner of Probation are required to say “no record exists” to all who inquire, except if the requester is a law enforcement agency, court or authorized appointing authority. G.L. c. 276, §§ 100A-100C.
- The law now requires that applications for jobs, housing, and occupational licensing inform applicants that they are not required to tell employers or other screeners about their sealed records. G.L. c. 276, §§ 100A, 100C.
- The law prohibits a person in possession of sealed records from making them available for inspection by others. G.L. c. 276, § 100Q. DCJIS may impose fines up to \$50,000 for knowing CORI violations. 803 Mass. Code Regs. 2.28.



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