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## 606 CMR 14.00: CRIMINAL OFFENDER AND OTHER BACKGROUND RECORD CHECKS

### 14.01: Purpose

The purpose of 606 CMR 14.00 *et seq.* is to establish standardized procedures for Department of Early Education and Care (EEC) licensed and/or funded programs regarding the review of criminal records and other background information of candidates under consideration for employment or regular volunteer positions. The Criminal History Systems Board (CHSB) has authorized EEC and some EEC licensed and/or funded programs to receive criminal record information regarding present or prospective employees in any program funded or operated by such agencies. In addition, the Department of Social Services (DSS) has entered into an Interagency Service Agreement (ISA) with the Department of Early Education and Care regarding the sharing of information resulting from investigations of allegations of abuse or neglect of a child, pursuant to M.G.L. c. 119, §§51A and 51B. These regulations shall supersede any and all current EEC regulations that specify the age of an individual upon whom a CORI, or any other type of background record check, is to be performed.

### 14.02: Policy

In order to ensure that employees or other persons regularly providing child care or support services with potential for unsupervised contact with children in any program or facility licensed and/or funded by EEC are appropriate for serving in their positions, a Criminal Offender Record Information (CORI) check and a DSS Background Record Check shall be performed on all candidates for positions in such programs or facilities, as provided in 606 CMR 14.00. Further, a Criminal Offender Record Information (CORI) check and a DSS Background Record Check shall be performed periodically, but no less often than every three years, on all persons in such positions. It is the policy of EEC that convictions of certain crimes, and certain other conduct, pose an unacceptable risk to the children served by EEC and its licensed and/or funded programs. 606 CMR 14.00 sets forth minimum standards for review of background information. Stricter standards may be set by EEC licensed and/or funded programs. While effective immediately, EEC shall implement the provisions of 606 CMR 14.00 in phases. EEC shall issue implementation procedures with timetables for such implementation.

### 14.03: Scope

606 CMR 14.00 applies to candidates seeking employment or regular volunteer positions, and to incumbent employees and regular volunteers, in positions that may include unsupervised contact with children at EEC and its licensed and/or funded programs, and to persons seeking approval as foster parents. In the case of an adoptive parent applicant, licensed adoption agencies should use 606 CMR 14.00 as guidelines; however, adoption agencies retain discretion over approval of adoptive parent applicants regardless of the CORI or DSS Background Record Check findings. If an adoption agency does not follow

606 CMR 14.00 in making a decision in an adoptive parent application, the agency must document its reasoning for not so doing.

14.04: Authority

606 CMR 14.00 is promulgated pursuant to M.G.L. c.28A §§1 and 3 and M.G.L. c.15D, §3.

14.05: Definitions

Candidate: Any person seeking employment, or a position as a regular volunteer, or any person currently employed or serving as a regular volunteer, to provide services for or on behalf of EEC or its licensed and/or funded programs and who has the potential for unsupervised contact with children; any applicant for family child care, family child care plus, or large family child care licenses, their household members who are 15 years of age and older, persons 15 years of age or older regularly on their premises, and applicants for approval as certified or regular assistants, applicants to provide in-home, non-relative subsidized child care; and applicants for approval as foster parents, their household members who are 15 years of age or older and regular visitors who are 15 years of age or older.

Central Registry: A DSS registry of information sufficient to identify children whose names are reported to DSS pursuant to M.G.L. c. 119, §§51A and 51B. The Central Registry also contains information on the parent(s) of the identified children, the identity of the person identified as responsible for the alleged abuse or neglect of the identified child, the nature of the allegations, the outcome of the 51A screening process, and the outcome of the 51B investigation.

CORI/DSS Background Record Check Cleared Employee: Any candidate previously hired as an employee after successfully satisfying the requirements of 606 CMR 14.00.

CORI/DSS Background Record Check: The process of requesting, receiving and evaluating information provided by the Criminal History Systems Board and by the Department of Social Services related to candidates for a position with EEC or an EEC licensed and/or funded program.

Criminal Justice Official: Either the candidate's probation officer, parole officer or correctional facility superintendent (or designee), depending upon whomever had the most recent responsibility for supervision of the candidate. In cases where the candidate was last supervised in a correctional facility, the candidate may advise the hiring authority of any employee of the correctional facility who may have specific information about the candidate that would assist the superintendent or designee in his/her assessment process.

Criminal Offender Record Information (CORI): Information regulated by the Criminal History Systems Board and maintained by the Board of Probation

regarding the criminal histories of persons within the Massachusetts Court system.

Discretionary Disqualification: A candidate shall be ineligible for a position that entails potential unsupervised contact with children in an EEC licensed and/or funded program if he or she has been convicted of or has pending any charge for any crime in 606 CMR 14.16: CORI Table B, if he or she has a charge resulting in a non-conviction for any criminal offense listed in 606 CMR 14.16, CORI Table A or CORI Table B, or if he or she has been named as the person responsible for abuse or neglect of a child in a DSS Background Record Check Report provided by the Department of Social Services, unless the hiring authority has complied with the provisions of 606 CMR 14.11.

DSS Background Record Check: A check of the Department of Social Services Central Registry and Registry of Alleged Perpetrators to determine if a candidate has been named in either Registry as the person responsible for abuse or neglect of a child in a supported M.G.L. c.119, §51B Report.

51A Report: A report filed with the Department of Social Services, pursuant to M.G.L. c. 119, §51A, alleging that there is reasonable cause to believe that a child under the age of eighteen (18) has been subject to abuse or neglect.

51B Report: A report prepared pursuant to M.G.L. c. 119, §51B detailing the DSS investigation of allegations of abuse or neglect upon a child and a determination by DSS whether there is reasonable cause to believe a child identified in the report has been, or is at risk of being, abused or neglected. A 51B Report will either support or unsupport the allegations of abuse or neglect.

Hiring Authority: The person legally authorized or designated to make hiring decisions within the affected agency, department, office, program, or facility.

No Record: The conclusion from a CORI search that applicable criminal records relating to the candidate have not been found, and from a DSS Background Record Check that applicable records naming the candidate as the person responsible for abuse or neglect of a child have not been found. A finding of “no record” does not necessarily mean, however, that criminal information is not present in the CORI database or that abuse or neglect findings are not present in the DSS databases.

Pending: A criminal offense shall be considered pending if the CORI Report indicates that the offense remains open and without final resolution, including that the case has been continued without a finding. A DSS Background Record Check shall be considered pending if a 51A Report alleging abuse or neglect of a child has been filed with DSS, but the 51B Report resulting from an investigation of the alleged abuse or neglect has not been issued by DSS.

Potential Unsupervised Contact with Children: A reasonable likelihood of contact with children in an EEC licensed and/or funded program when no other CORI/DSS Background Record Check cleared employee is present. A person having only the potential for incidental unsupervised contact with children in commonly used areas such as elevators, hallways and waiting rooms shall not be considered to have the potential for unsupervised contact for purposes of 606 CMR 14.00. These commonly used areas do not include bathrooms and other isolated areas (not commonly utilized or separated by sight and sound from other staff) that are accessible to children.

Presumptive Disqualification: A category of offenses compiled as 606 CMR 14.16: CORI Table A, for which conviction of any such offense results in a presumption of a disqualification for employment or other service that entails the potential for unsupervised contact with children, due to the presumed unacceptable risk posed by the nature of the crime to persons receiving services. A presumptive disqualification shall become a discretionary disqualification only if:

- (a) the candidate's criminal justice official concludes in writing that the candidate, within the position sought, does not pose an unacceptable risk of harm to the persons served by the program, or
- (b) if the criminal justice official has been determined by the hiring authority to be unavailable or has indicated to the hiring authority that he or she has insufficient information to render an assessment, then the hiring authority may, in its sole discretion, seek an assessment of the candidate's risk of harm from a qualified mental health professional and the qualified mental health professional concludes in writing that the candidate, within the position sought, does not, in his or her professional opinion, pose an unacceptable risk of harm to the persons served by the program. Nothing in 606 CMR 14.00 shall require EEC or the hiring authority to seek or pay for an assessment by a qualified mental health professional.

Qualified Mental Health Professional: A psychiatrist, licensed to practice medicine under M.G.L. c. 112, §2, a psychologist, licensed under M.G.L. c. 112, §§118-121, a psychiatric nurse licensed to practice nursing under M.G.L. c. 112, §§74 and 80E, or a licensed independent clinical social worker (LICSW) licensed under M.G.L. c. 112, §§130-132; provided that the psychiatrist, psychologist, psychiatric nurse, or licensed independent clinical social worker has at least 1,000 hours of experience over a minimum of two years involving assessment, treatment, and consultation concerning individuals with behavior that presents a risk of harm to others in the community, in the workplace, in treatment settings, or in correctional facilities; and provided further that the psychiatrist, psychologist, psychiatric nurse or licensed independent clinical social worker has not provided treatment to the candidate.

Registry of Alleged Perpetrators: A component of the DSS Central Registry, which shall contain, if known, the following information regarding the alleged

perpetrator: (1) name, (2) date of birth, (3) Social Security Number, (4) gender, (5) address, (6) date of listing in the Registry of Alleged Perpetrators, (7) allegation(s), (8) cross reference to victim, and (9) relationship to victim, as set forth in M.G.L. c. 119, §51F. Pursuant to 110 CMR 4.37, a person shall be included in the Registry of Alleged Perpetrators if the allegations of abuse or neglect of a child were supported in an M.G.L. c. 119, §51B Investigation Report, the report was referred to the district attorney, and there is substantial evidence indicating that the alleged perpetrator was responsible for the abuse or neglect.

Volunteer: Any person who works in an unpaid capacity on a regular basis for an EEC licensed and/or funded program.

#### 14.06: Candidate Disclosure of Criminal Record Information

- (1) All candidates shall complete an application form that contains a section requiring the candidate to disclose:
  - (a) whether or not he or she has been found responsible for the abuse or neglect of a child by the Massachusetts Department of Social Services pursuant to a report issued under M.G.L. c. 119 §§ 51A and 51B;
  - (b) whether or not he or she has been found responsible for the abuse or neglect of a child by any state, county, municipal or federal authority;
  - (c) whether or not he or she has a criminal record and what crimes, if any, he or she has been convicted of, consistent with the provisions of M.G.L. c.151B, §4(9).
  
- (2) The application shall not require a candidate to disclose:
  - (a) any finding of non-support in a DSS 51B Report;
  - (b) any finding of abuse or neglect by DSS that was overturned on appeal;
  - (c) an arrest, detention, or disposition regarding any violation of law in which no conviction resulted; or
  - (d) a first conviction for any of the following misdemeanors: drunkenness, simple assault, speeding, minor traffic violations, affray, or disturbance of the peace; or
  - (e) any conviction of a misdemeanor where the date of such conviction or the completion of any period of incarceration resulting there from, whichever date is later, occurred five or more years prior to the date of such application for employment or such request for information, unless such person has been convicted of any offense within five years immediately preceding the date of such application for employment or such request for information.

No application for employment shall be considered complete unless the candidate completes this section described above.

#### 14.07: Hiring Authority Responsibilities

- (1) The hiring authority shall ensure that each candidate signs a written request for a CORI and DSS Background Record Check investigation as part of his/her application and agrees to the periodic conduct of further CORI and DSS

Background Record Check investigations during the course of employment or service with EEC or an EEC licensed and/or funded program. The hiring authority shall also inform the candidate that his or her CORI and DSS Background Record Check information may be utilized by the criminal justice official, qualified mental health professional, hiring authority's CORI Reviewer, or EEC personnel conducting themselves in conformance with 606 CMR 14.00. Such consent and notification shall be included in the hiring authority's employment application form.

(2) The hiring authority shall require as a condition of an offer of employment the satisfactory completion of the CORI and DSS Background Record Check investigation. The hiring authority shall confirm an offer of employment only after the hiring authority receives written confirmation that the CORI investigation and the DSS Background Record Check investigation have resulted in a finding of "no record" or after the hiring authority has granted discretionary approval to hire the candidate in accordance with the provisions of 606 CMR 14.11. The hiring authority shall not permit any candidate to commence employment until after the candidate is cleared as a result of the CORI and DSS Background Record Check investigations, in accordance with 606 CMR 14.00.

#### 14.08: CORI and DSS Background Record Check Investigations

(1) All candidates shall complete the appropriate CORI and DSS Background Record Check request form.

(2) After the hiring authority makes a preliminary decision to hire or accept the services of an individual, the completed CORI and DSS Background Record Check request form or electronic equivalent shall be forwarded to the EEC CORI Unit.

(3) All CORI and DSS Background Record Check investigations that result in a finding of "no record" shall be transmitted back to the hiring authority and shall provide sufficient evidence of suitability for hire for 60 business days. A "no record" finding may be used to establish suitability for other positions during this 60 day period.

(4) All CORI and DSS Background Record Check investigations that show findings of criminal records or that the candidate has been found to be the person responsible for abuse or neglect of a child in a supported DSS 51B Report shall be promptly forwarded to the hiring authority for review consistent with 606 CMR 14.00 and EEC policy.

(5) All hiring authorities shall develop procedures that ensure that EEC can audit compliance with 606 CMR 14.00.

#### 14.09: Findings from CORI and DSS Background Record Check Investigations

(1) If the CORI and DSS Background Record Check investigations reveal findings of “no record,” the licensee may proceed with a decision to hire, and must document completion of the Background Record Check Review in the candidate’s personnel file. The finding of “No Record” must be maintained in a locked, segregated file and shall not be part of the candidate’s personnel file.

(2) If the CORI investigation reveals a “presumptive disqualification” on the candidate’s record, the candidate shall be informed by the hiring authority:

- (a) that he or she is ineligible for employment or a volunteer position where there is potential for unsupervised contact with children in an EEC licensed and/or funded program unless the candidate has been granted discretionary approval pursuant to 606 CMR 14.11;
- (b) of the findings of the CORI investigation;
- (c) of his or her right to dispute the accuracy or relevancy of the CORI findings;
- (d) of the process to dispute the accuracy or relevancy of the CORI findings; and
- (e) of the information required to obtain a discretionary review.

(3) If the CORI and/or DSS Background Record Check investigation reveals a “discretionary disqualification” on the candidate’s record, the candidate shall be informed by the hiring authority:

- (a) that he or she is ineligible for employment or a volunteer position where there is potential for unsupervised contact with children in an EEC licensed and/or funded program unless the candidate has been granted discretionary approval pursuant to 606 CMR 14.11;
- (b) of the findings of the CORI investigation and/or DSS Background Record Check;
- (c) of his or her right to dispute the accuracy or relevancy of the CORI and/or DSS Background Check findings;
- (d) of the process to dispute the accuracy or relevancy of the CORI or DSS Background Check findings; and
- (e) of the opportunity to submit additional information relevant to a discretionary review.

All DSS Background Record Check findings other than “no record” are considered “discretionary disqualifications”.

(4) If the CORI investigation reveals that the candidate has an outstanding warrant for any offense, or if the DSS Background Record Check investigation reveals a pending 51B investigation, the candidate shall be informed by the hiring authority that he or she is ineligible for any position in an EEC licensed and/or funded program where there is potential for unsupervised contact children unless the warrant is removed or the 51B investigation is completed and results in a finding of unsupport.

#### 14.10: Disqualifications

(1) Presumptive Disqualification: A candidate shall be ineligible for employment or a volunteer position in an EEC licensed and/or funded program which has the potential for unsupervised contact with children if he or she has been convicted of any of the crimes listed in 606 CMR 14.16: CORI Table A, or has any pending charges involving crimes in 606 CMR 14.16: CORI Table A unless:

(a)

1. the candidate's criminal justice official concludes in writing that the candidate, within the position sought in an EEC licensed and/or funded program, does not pose an unacceptable risk of harm to the persons served by the program; or

2. the candidate's criminal justice official has been determined by the hiring authority to be unavailable or has indicated to the hiring authority that he or she has insufficient information to render an assessment, then the hiring authority may, in its sole discretion, seek an assessment of the candidate's risk of harm from a qualified mental health professional and the qualified mental health professional concludes in writing that the candidate, in his or her professional opinion, within the position sought in an EEC licensed and or funded program, does not pose an unacceptable risk of harm to the persons served by the program; and

(b) the hiring authority has granted discretionary approval pursuant to the provisions of 606 CMR 14.11.

#### (2) Discretionary Disqualification.

(a) CORI Discretionary Disqualifications. A candidate shall be ineligible for employment or a volunteer position in an EEC licensed and/or funded program that has the potential for unsupervised contact with persons receiving services if he or she has been convicted of or has pending charges involving crimes listed in 606 CMR 14.16: CORI Table B, or if he or she has a charge resulting in a non-conviction for any criminal offense listed in 606 CMR 14.16, CORI Table A or CORI Table B, unless the hiring authority has granted discretionary approval pursuant to the provisions of 606 CMR 14.11(1).

(b) DSS Background Record Check Discretionary Disqualification: A candidate shall be ineligible for employment or a volunteer position in an EEC licensed and/or funded program that has the potential for unsupervised contact with persons receiving services if he or she has been named as the person responsible for abuse or neglect of a child in a supported 51B Report unless the hiring authority has granted discretionary approval pursuant to the provisions of 606 CMR 14.11(3).

(3) Nothing in 606 CMR 14.00 shall require EEC or the hiring authority to pay for or seek an assessment of a candidate by a qualified mental health professional.

#### 14.11: Provisions for Review of a Candidate in any Discretionary Disqualification Category

(1) Discretionary Disqualification Based on CORI. The criminal history of every candidate for whom the CORI investigation reveals a “presumptive disqualification,” who has otherwise met the requirements for further consideration set forth in 606 CMR 14.10(1), or a “discretionary disqualification”, shall, receive additional review by the hiring authority to determine if the candidate poses an unacceptable risk of harm to children within the position sought. The hiring authority shall inform the candidate of the CORI findings and offer the candidate the opportunity to submit other relevant information. In reviewing the candidate’s appropriateness for employment or other service given the concern for the safety of children, due weight shall be given to the following factors:

- (a) time since the offense or 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; and
- (g) any other relevant information, including information submitted by the candidate.

(2) In reviewing the criminal record of a candidate, the hiring authority may request that the candidate submit additional information, including a letter from the candidate’s probation officer, parole officer, or treating professional, or other knowledgeable source, if not already supplied pursuant to 606 CMR 14.10(1). The hiring authority may also seek additional information from the police, courts, prosecuting attorneys or any other knowledgeable source. Following the review, the hiring authority shall determine whether:

- (a) to hire the candidate;
- (b) to not hire the candidate; or
- (c) to hire the candidate in a different position that does not require unsupervised contact with children.

The hiring authority shall require clear and convincing evidence demonstrating the candidate’s appropriateness for employment given the concern for children’s safety. The hiring authority shall document, in writing, the reasons for his or her approval of the candidate for the position.

The hiring authority shall maintain a written record, including the rationale for the determination of appropriateness for the position for all candidates for employment or other service for whom CORI records are received. Such information shall be maintained in a locked, segregated file and shall not be part of the candidate’s personnel file. The licensee must also document completion of the Background Record Check Review in the candidate’s personnel file. Nothing herein shall be construed as preventing the hiring authority from deciding not to hire the candidate for any other reason.

(3) Discretionary Disqualification Based on DSS Background Record Check. The background of every candidate for whom the DSS Background Record Check investigation reveals a “discretionary disqualification” shall receive additional review by the hiring authority to determine if the candidate poses an unacceptable risk of harm to children within the position sought. The hiring authority shall inform the candidate of the findings of the DSS Background Record Check and offer an opportunity for the candidate to submit other relevant information. In reviewing the candidate’s appropriateness for employment or other service given the concern for the safety of children, due weight shall be given to the following factors:

- (a) time since the act(s) of abuse or neglect occurred;
- (b) age of the candidate at the time the act(s) of abuse or neglect occurred;
- (c) seriousness and specific circumstances of the abuse or neglect;
- (d) relationship of the specific nature of the abuse or neglect to the nature of the work to be performed;
- (e) the number of abusive or neglectful acts;
- (f) any relevant evidence of changed circumstances, or rehabilitation or lack thereof; and
- (g) any other relevant information, including information submitted by the candidate.

(4) In reviewing the DSS Background Record Check records of a candidate, the hiring authority must review the relevant DSS 51B Report(s) and may also request that the candidate submit additional information, including but not limited to a letter from any knowledgeable source such as the police, courts, prosecuting attorneys, or DSS personnel. Following the review, the hiring authority shall determine whether:

- (a) to hire the candidate;
- (b) to not hire the candidate; or
- (c) to hire the candidate in a different position that does not require unsupervised contact with children.

The hiring authority shall require clear and convincing evidence demonstrating the candidate’s appropriateness for employment given the concern for children’s safety. The hiring authority shall document, in writing, the reasons for his or her approval of the candidate for the position.

The hiring authority shall maintain a written record, including the rationale for the determination of appropriateness for the position for all candidates for employment or other service for whom DSS Background Record Check records are received. Such information shall be kept in a locked, segregated file and shall not be part of the candidate’s personnel file. The hiring authority must also document completion of the Background Record Check Review in the candidate’s personnel file. Nothing herein shall be construed as preventing the hiring authority from deciding not to hire the candidate for any other reason.

#### 14.12: Agency Audits

The Department of Early Education and Care shall periodically review CORI and DSS Background Record Check information maintained by each hiring authority in accordance with EEC policies and procedures. In addition, EEC may

establish further procedures for CORI and DSS Background Record Check investigations and interpretations of such findings by the hiring authority.

#### 14.13: Dissemination

(1) CORI Records. CORI records may be disseminated only to individuals authorized to receive such information. An individual authorized to receive such information shall have been hired in accordance with 606 CMR 14.00 and authorized by the licensee and EEC to review CORI records. Dissemination to any unauthorized staff or other persons is strictly prohibited. Willful dissemination of Criminal Offender Record Information to unauthorized individuals is punishable by a jail sentence of up to one year and/or a fine of \$5,000 in addition to civil penalties, pursuant to M.G.L. c. 6 §178.

(2) DSS Background Record Check Information. DSS Background Record Check records may be disseminated only to individuals authorized to receive such information. An individual authorized to receive such information shall have been hired in accordance with 606 CMR 14.00 and authorized by the licensee and EEC to review such DSS Background Record Check information. Dissemination to any unauthorized staff or other persons is strictly prohibited. Willful dissemination of such DSS Background Check information to unauthorized individuals is punishable by a jail sentence of up to two and one half years and/or a fine of \$1,000 in addition to civil penalties, pursuant to M.G.L. c. 119, §51F.

#### 14.14: Incidents

Any hiring authority who receives an allegation that an employee or volunteer in an EEC licensed and/or funded program with a positive CORI or DSS Background Record Check history has harmed a client served by the program shall immediately report the allegation to EEC. Notification shall include, but not be limited to, documentation of the hiring decision of the hiring authority.

#### 14.15: Severability

If any provisions of 606 CMR 14.01 through 14.16, or the applications of such provisions to any person or circumstance are held invalid or unconstitutional, the other provisions of said 606 CMR 14.01 through 14.16, or the application of such provisions to any person or circumstance other than that as to which it is held invalid, shall not be affected thereby.

#### 14.16 Table of CORI Offenses

The offenses included in 606 CMR 14.16: *CORI Tables A and B* are to be construed as including all violations of Massachusetts law or like violation of the law of another state, the United States, or a military, territorial or Indian tribal authority.

The hiring authority shall contact the EEC CORI Unit whenever a CORI investigation reveals an offense that is not included in any of the tables and it appears similar in seriousness to included offenses. The EEC CORI Unit, in consultation with the EEC General Counsel, shall determine, taking into account the purposes of 606 CMR 14.00, if the offense is similar to one of the included

offenses. If it is determined to be similar, then it shall be considered to be included in the same table as the included offense. If it is determined to be dissimilar, then it shall be considered for inclusion into the appropriate table through the regulatory process.

Nothing herein shall preclude the hiring authority from considering any criminal charges or convictions not included in any of the tables in its hiring decisions.

CORI Table A	MGL
A&B, DANGEROUS WEAPON, VICT 60+	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	

CORI Table B	
A&B	c.265 § 13A
A& B DANGEROUS WEAPON	c.265 § 15A
A&B INTIMIDATION, RACE/COLOR/RELIGION	c.265§ 39(a)
A&B ON PUBLIC SERVANT	c.265 § 13D
A&B ON POLICE OFFICER	c.265 § 13D
A&B OR ASSAULT ON CORRECTIONAL OFFICER	c.127 § 38B
ABANDON W/O SUPPORT OF SPOUSE, OR MINOR CHILD	c.273 § 1(1)
ABANDON M/V	c.90 § 22B
ACCOSTING	c.272 § 53
ACCESSORY BEFORE FACT	c.274 § 2
ACCESSORY AFTER FACT(VARIABLE)	c.274 § 4
ADULTERATION ALCOHOLIC BEVERAGE	c.138 § 16
AFFRAY	c.272 § 53
AID ESCAPE FROM CUSTODY	c.268 § 17
ALIEN IN POSSESS OF FIREARM	c.140 § 13H
ANNOYING PHONE CALLS	c.269 § 14A
ASSAULT	c.265 § 13A
ASSAULT BY DANGEROUS WEAPON	c.265§ 15(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
ATTEMPT TO INJURE DEPOSITORY OF VALUABLES	c.266 § 16
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
B&E, INTEND TO COMM MISDEMEANOR	c.266 § 16A
B&E RAILROAD CAR	c.266 § 19
BEING PRESENT WHERE HEROIN KEPT	c.94C § 35
B&E RECOGNIZANCE VIOLATION	c.276 § 82A
BRIBERY OF A POLICE OFFICER	c.268 § 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§ 0(d)
CARRYING LOADED RIFLE/SHOTGUN, PUBLIC WAY	c.269 § 12D
CIVIL RIGHTS VIOLATION, BODILY INJURY	c.265 § 37
CIVIL RIGHTS VIOLATION, NO BODILY INJURY	c.265 § 37

COMPOUNDING FELONY	c.268 § 36
CONTRIBUTE DELINQUENCY CHILD	c.119 § 63
CREDIT CARD, LARCENY OF	c.266 § 37B
CRUELTY TO ANIMALS	c.272 § 77
DELIVER ARTICLES TO INMATE	c.268 § 31
DELIVER DRUGS TO PRISONER	c.268 § 28
DERIVING SUPPORT FROM PROSTITUTE	c.272 § 7
DISCHARGING FIREARM, 500FT	c.269 § 12E
DISCHARGING WEAPON NEAR HIGHWAY/DWELL, HUN	c.131 § 58
DISPENSE CONTROLLED SUBSTANCE, NOT REGISTERED	c.94C § 25
DISTRIBUTE CONTROLLED, SUBSTAN W/O PRESCRIPTION	c.94C§ 25(1)
DISTRIBUTING OBSCENE PICTURES	c.272 § 28
DRUG PARAPHERNALIA	c.94C§ 32I(a)
ENGAGING IN SEX, PROSTITUTION, "JOHN"	c.272 § 53A
ENTER W/O BRK, TRUCK, INTEND COMM FELONY	c.266 § 20A
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
FAIL TO KEEP RECORDS ON CONTROLLED SUBSTANCE	c.94C § 15
FALSE INFORMATION FOR GUN PERMIT	c.140 § 129
FORGERY, ALTER PRESCRIPTION	c.94C§ 33(b)
FUGITIVE FROM JUSTICE	c.276 § 20A
GAMING, IMPLEMENTS FOUND PRESENT, MANAGER	c.271 § 17
GAMING, IMPLEMENTS FOUND PRESENT, OWNER	c.271 § 17
HOUSE OF ILL FAME	c.272 § 24
ILLEGAL POSSESS CLASS C SUBSTANCE	c.94C § 34
ILLEGAL POSSESS CLASS D SUBSTANCE	c.94C § 34
ILLEGAL POSSESS CLASS E SUBSTANCE	c.94C § 34
INDECENT EXPOSURE	c.272 § 53
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
LARCENY BY CHECK	c.266 § 37
LARCENY MORE	c.266 §30

LARCENY IN BLDG, SHIP, VESSEL, OR RR CAR	c.266 § 20
LARCENY IN TRUCK/TRAILER	c.266 § 20B
LARCENY, M/V OR TRAILER	C.266 § 28
LEAVE COMM W/O SUPPORT MINOR CHILD OUT OF WEDLOCK	c.273 § 15
LEAVE COMM W/O SUPPORT OF SPOUSE & MINOR CHILD	c.273 § 1
LEAVE SCENE AFTER PERSONAL INJURY, M/V	c.90§ 24(2)(a1/2)(1)
LEWD & LASCIVIOUS SPEECH & BEHAVIOR	c.272 § 53
MALICIOUS DESTRUC, PERS/REAL PROP, OVER \$250	c.266 § 127
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 CLASS E SUBSTANCE	c.94C § 32D(a)
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)
NON-SUPPORT OF MINOR CHILD OUT OF WEDLOCK	c.273 § 15
NON-SUPPORT OF MINOR CHILD(REN)	c.273 §1
OBSCENE TELEPHONE CALLS	c.269 § 14A
OBSTRUCT JUSTICE	c.268 § 34
OPEN & GROSS LEWDNESS	c.272 § 16
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
OPERATE M/V AFTER LICENSE REVOKED FOR DRUNK DRIVING	c.90 § 23
OPERATE M/V UNDER INFLUENCE, DRUGS	c.90§ 24(1)(a)(1)
OPERATE M/V UNDER INFLUENCE, LIQUOR	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	
POSSESS MACHINE GUN OR SAWED OFF SHOT GUN, SUB OFFENSE	c.269 § 10D
POSSESS ALTERED FID CARD	c.140 § 1311
POSSESS COUNTERFEIT SUBS W/INTENT DISTRIBUTE	c.94C § 32G
POSSESS DANGEROUS WEAPON UNLAWFULLY	c.269 § 10(b)
POSSESS HYPODERMIC SYRINGE OR NEEDLE	c.94C § 27
POSSESS OBSCENE "PORNOGRAPHIC" MATERIAL	c.272 § 29
POSSESS MATTER HARMFUL MINOR	c.272 § 28
POSSESS M/V MASTER KEY	c.266 § 49
POSSESS SHOTGUN, BARREL UND 18 "SAWED OFF"	c.269 § 10C
POSSESS SHOTGUN, BARREL UND 18 "SAWED OFF, SUB OFF	c.269 § 10D
PROCURE LIQUOR FOR MINOR	c.138 § 34
PROSTITUTION	c.272 § 53A
RECEIVE/BUY STOLEN M/V	c.266 § 28(a)
RECEIVE STOLEN PROPERTY, OVER 250	c.266 § 60
RIOT	c.269 § 1
SELL AMMUNITON W/O LICENSE	c.140 § 122B
SELL/DELIVER ALCOHOLIC BEVERAGES PERSON UNDER 21	c.138 § 34
SELL OBSCENE LITERATURE, UNDER 18	c.272 § 28
SELL FIREARM W/O LICENSE	c.140 § 128
SOLICITING PROSTITUTE	c.272 § 8
SHOPLIFTING, 3 <sup>RD</sup> OR SUB OFFENSE	c.266 § 30A
SODOMY	c.272 § 34
TAKING M/V W/O AUTHORITY, STEAL PARTS	c.266 § 28

TELECOMMUNICATIONS FRAUD	c.166 § 42A
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 MARIJ 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)
UNAUTHORIZED USE, CREDIT CARD, OVER \$250	c.266 § 37C
UNLAWFUL POSSESSION, SHOTGUN	c.140 § 129C
UNLAWFULLY OBTAIN CONTROLLED SUBSTANCE	c.94C § 33
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
USE M/V, COMMISSION OF FELONY	c.90 § 24(2)(a)
UTTER FORGED INSTRUMENT	c.267 § 5
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
VIOLATE SUPPORT ORDER	c.273 §1
VIOLATE SUPPORT ORDER, MINOR CHILD OUT OF WDLOCK	c.273 § 15
WANTON DESTRUCTION, PERS/REAL PROPERTY	c.272 § 73
WILLFULLY & MALICIOUSLY BURN M/V	c.266 § 127
WILLFULLY & MALICIOUSLY KILL BEAST	c.266 §127
CONSPIRACY TO COMMIT ANY OF ABOVE OFFENSES	
ATTEMPTS TO COMMIT ANY CRIME IN THIS CATEGORY	
ACCESSORY BEFORE ANY CRIME IN THIS CATEGORY	

REGULATORY AUTHORITY

606 CMR 14.00: M.G.L. c. 28A, §§1 and 3; M.G.L. c. 15D, §3