



THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

*Department of Criminal Justice Information Services*

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Deval L. Patrick  
Governor

Andrea J. Cabral  
Secretary of Public Safety and Security

James F. Slater, III  
Acting Commissioner

TO: Criminal Record Review Board (CRRB)  
FROM: Board Counsel  
RE: Open Session Minutes of the February 26, 2014 CRRB Meeting  
DATE: March 7, 2014

A meeting of the Criminal Record Review Board (CRRB) was held on Wednesday, February 26, 2014 at 10:00 a.m. in the second floor conference room of the Massachusetts Information Technology Center, located at 200 Arlington Street, Chelsea, Massachusetts.

**Board Member Attendees:**

Georgia K. Critsley– Acting Chair and General Counsel of the DCJIS  
Susanne Reardon – Office of the Attorney General Representative  
Stephanie Ross – Secretary of Labor and Workforce Development Representative  
Linda Holt – Massachusetts Sentencing Commission Representative  
Les Gosule – Personal Privacy Representative  
Janis Noble – Massachusetts Parole Board Representative  
William Shay – Committee for Public Counsel Services (CPCS) Representative  
Chief Terence Delehanty – MA Chiefs of Police Association Representative  
Attorney Robert Harnais – Massachusetts Sheriff’s Association  
Captain Deborah Rebeiro – Massachusetts State Police

**Board Members unable to attend:**

Crispin Birnbaum– Office of the Commissioner of Probation  
Tara Maguire – Massachusetts District Attorney’s Association  
Dr. Rhiana Kohl – Department of Correction Representative  
Kelly Downes– Massachusetts Department of Youth Services

**DCJIS Staff Attendees:**

James F. Slater, III- Acting Commissioner of the DCJIS  
Agapi Koulouris – Deputy General Counsel  
Thomas Capasso – Director of Legal Services  
Sophia Davis – Program Coordinator  
Barbara Serven- Staff Attorney  
Daniel Maltzman-Staff Attorney

**Visitor Attendees:**

None

Board Business:

At approximately 10:00 a.m., a quorum was present. Georgia Critsley, General Counsel for the DCJIS, announced that in Chairman Wood's absence at today's meeting, she had been appointed as Acting Chair. She then called the meeting of the CRRB to order.

Acting Commissioner Slater then updated the Board on the new Civilian Fingerprint Processing project for educators. He announced that the soft launch of the civilian fingerprint processing system is currently ongoing. To date, there have been some CHRI responses that have been returned with criminal history. At this time, DCJIS staff is collecting and organizing point of contact information for the school districts and private schools that will be included in the system as it moves forward. It is anticipated that additional schools will be added to the system in the next several weeks.

Approval of November 20, 2013 CRRB Meeting Open Session Minutes:

After reviewing the open meeting minutes from the November 20, 2013 Board meeting, Stephanie Ross made a motion to accept the minutes. Robert Harnais seconded the motion. The motion passed 9-0, with Acting Chair Critsley abstaining from voting.

Proposed Board Rule:

Deputy General Counsel Agapi Koulouris provided a summary to the Board regarding a proposed rule. The rule would provide the CRRB with jurisdiction to hear, investigate and issue sanctions relating to violation of the iCORI terms and conditions. The CRRB is authorized to issue board rules pursuant to M.G.L. c. 6, § 172(30)(c) which provides in relevant part "...The department may establish rules or regulations imposing other requirements or affirmative obligations upon requestors as a condition of obtaining access to the database; provided, however, that such additional rules and regulations are not in conflict with the state and federal Fair Credit Reporting Acts."

Attorney Koulouris explained that the majority of the terms contained in the terms and conditions are derived specifically from the CORI law or regulations. However, three terms include interpretation of the laws or regulations that could be challenged as not within the CRRB's jurisdiction. To remedy this issue, Attorney Koulouris explained that the Board may consider adopting the following board rule: "Requestors and users of the iCORI system are required to agree and comply with the iCORI terms and conditions when registering for an iCORI account and upon each submission of an iCORI request for CORI information. DCJIS and CRRB are authorized to investigate and hear complaints alleging violations of the iCORI terms and conditions. Requestors and/or users may be subject to sanctions by CRRB for such violations in accordance with G.L. c. 6, § 168." If approved, the rule would be posted on the DCJIS website.



After a brief discussion, Chief Delehanty made a motion to approve the proposed rule. Mr. Gosule seconded the motion and the motion carried by a vote of 9-0. Acting Chair Critsley abstained from voting.

Executive Session:

At this point in the meeting, Acting Chair Critsley indicated that the Board would be entering into Executive Session to review CORI complaints whose subject matter is protected pursuant to G.L. c.30A, § 21(a)(7) and G.L. c. 6, §172. The Board would not reconvene in open session. Ms. Reardon made a motion to enter into Executive Session, and the motion was seconded by Robert Harnais. A roll-call vote was taken and the motion passed unanimously 10-0. The Board entered executive session at approximately 10:30a.m.

Robert Harnais made a motion at the end of all discussion to exit Executive Session; the motion was seconded by Mr. Gosule. A roll call vote was taken and the motion passes unanimously. The meeting adjourned at approximately 12:00 p.m.