

120 CMR 500.00: DISSEMINATION OF CORI, EVALUATIVE INFORMATION, AND INTELLIGENCE INFORMATION

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500.01: General Provisions

(+) As a criminal justice agency responsible for maintaining criminal offender record information (CORI), the ~~Massachusetts~~ Massachusetts Parole Board will disseminate CORI only in accordance with 120 CMR 500, ~~et seq.,-00~~ and the regulations of the Department of Criminal Justice Information Services (DCJIS), Criminal History Systems Board (CHSB), 803 CMR 2.00, *et seq.*

500.02: Dissemination of Information to the Public, ~~Non-CORI Certified Individuals~~

(1) The Massachusetts Parole Board shall make available to any person, upon request, information that it has the primary responsibility for creating and maintaining ~~regarding which regards~~ custody status and placement within the criminal justice system, as provided in M.G.L. c. 6, § 172, ~~and 803 CMR 2.04(5)(e)2~~. This information is limited to whether a criminal offender currently:

(a) is confined in a correctional institution; or

(b) is eligible for parole on an estimated date; or

(c) has begun parole supervision on a specified date; and has ended, or is expected to end parole supervision on a specified date, ~~;~~ ~~or~~

~~(d) is subject to certain conditions of parole.~~

(2) The Massachusetts Parole Board may disseminate CORI that is specifically related to and contemporaneous with the search for or apprehension of any person.

(3) Except as provided in 120 CMR 500.02(1) and (2), CORI and evaluative information will not be disseminated to ~~non-CORI-certified~~ individuals without service of a valid subpoena and a court order.

(4) The Massachusetts Parole Board ~~can~~ may provide a summary which may include references to evaluative information, concerning a decision to release an offender, to deny such release, or to change ~~his/her~~ an offender's custody status. M.G.L. c. 6, § 172.

500.03: Dissemination of CORI to the Subject

Each individual shall have the right to inspect CORI which refers to him or her as provided in M.G.L. c. 6, § 175. Such dissemination shall be in accordance with 803 CMR ~~7.10-6.00-et seq.,~~ and subject to redaction if necessary to protect anyone from harm or to protect the source of information. See, M.G.L. c. 127, § 130; M.G.L. c. 66A; and M.G.L. c. 4, § 7(26).

500.04: Dissemination of CORI to ~~Registered~~ Certified Individuals

The Massachusetts Parole Board will notify ~~those victims~~ who are CORI-~~registered~~ certified of the offender's parole eligibility and parole status in accordance with 120 CMR 400, ~~et seq.,-00~~ and M.G.L. c. 258B.

500.05: Dissemination to Criminal Justice Agencies

The Massachusetts Parole Board shall disseminate CORI to criminal justice agencies. M.G.L. c. 6, § 172.~~agencies certified by CHSB to receive such information.~~

500.06: Dissemination of Evaluative Information to the Offender

(1) Upon written request by the offender, or his/her representative, with verified written authority, the Massachusetts Parole Board shall disseminate evaluative information generated by it unless disclosure of such information falls under one of the exemptions listed in 120 CMR 500.06(2).~~would pose a direct threat to the safety of any individual or the security of a correctional facility.~~

(2) The following evaluative information shall not be disseminated pursuant to M.G.L. c. 127, § 130, M.G.L. c. 4, § 7(26), and M.G.L. c. 66A:

(a) information which would pose a direct and articulable threat to the safety of an individual;

(b) information which would pose a direct and articulable threat to the security of a correctional facility;

~~(c) evaluative information generated by an agency other than the Massachusetts Parole Board. However, the source agency shall be identified to the individual requesting it.~~

~~(d) information provided to the Massachusetts Parole Board under a clear expectation of confidentiality;~~

(d) information deemed confidential by the Parole Board;

(e) documents or working papers of the deliberative process of the hearing panel.

(3) All efforts shall be made to disclose ~~all~~ evaluative information which is reasonably segregable from documents~~(s)~~ withheld under 120 CMR 500.06(2).

~~(4) Where the request to release evaluative information is denied due to a threat to the safety of an individual or the security of a correctional facility, such threat shall be detailed in a certificate which is kept with such evaluative information in the confidential file.~~

~~(5) An offender may appeal the denial of access to his/her own evaluative information, in writing, within 30 days to the Criminal History Systems Board pursuant to M.G.L. c. 6, § 171.~~

~~500.07: Dissemination of Evaluative Information to CORI Certified Individuals~~

~~The Massachusetts Parole Board may disseminate evaluative information to those persons certified by CHSB pursuant to M.G.L. c. 6, § 178B provided such information is reasonably necessary for the security and well-being of such persons.~~

~~500.08: Dissemination of Evaluative Information to the General Public~~

~~The Massachusetts Parole Board does not disseminate evaluative information generated by it to individuals not otherwise authorized to receive such information. The Massachusetts Parole Board may in its discretion disseminate a summary of evaluative information generated by it concerning a decision to release an individual, deny such release or change custody status. M.G.L. c. 6, § 171.~~

500.0907: Dissemination of Evaluative Information to Criminal Justice Agencies

The ~~Massachusetts~~Massachusetts Parole Board may disseminate evaluative information to criminal justice agencies that~~which~~ is necessary for the discharge of their statutory responsibilities.~~upon written request.~~

500.1008: Dissemination of Intelligence Information

The Massachusetts Parole Board shall disclose intelligence information only to law enforcement and~~criminal justice agencies, agencies and to those persons certified by CHSB pursuant to M.G.L. c. 6,~~

| ~~§ 178B.~~