



Veterans Legal Services  
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APPEALS COURT

**Via Email & First Class Mail**

Joseph Stanton, Clerk  
Massachusetts Appeals Court, Room 1200  
One Pemberton Square  
Boston, MA 02108-1705

**Re: Criminal Cases and Internet Access to Docket Entries and Court Files**

To the Trial Court Public Access to Court Records Committee:

I am writing as the Co-Executive Director of Veterans Legal Services. Our organization assists homeless and low income veterans with a variety of civil legal issues, focusing on helping veterans resolve legal barriers to stable housing, economic security, and healthy families. In our practice we frequently encounter veterans who have had some form of involvement with the criminal justice system and as a result have a criminal record. These veterans have typically worked hard to overcome substance abuse issues and mental health challenges and are seeking to rebuild their lives and transition from homelessness to stability.

While the availability of criminal cases online may provide a convenience for some, it would be detrimental for many of our clients who we assist with concurrent civil legal issues. For several veterans we serve, it would also be directly counter to the rehabilitative efforts of the Veterans Treatment Courts whose intensive probation programs can be life-changing for veterans whose criminal issues are related to the lasting impact of their military service. The participation of these veterans in the Treatment Court, while technically a matter of public record, is nonetheless highly sensitive. Often the ability to resolve a criminal issue with a non-conviction is the motivation these veterans need to seek help for the first time with issues like Post Traumatic Stress Disorder or Traumatic Brain Injury, both of which impact a large proportion of veterans and can often lead to legal issues.

Those who have served our country and the Commonwealth should have the full benefit of our laws concerning access to their criminal record information, particularly in cases resulting in a non-conviction. These protections will be lost if CORI records are made available online and can be readily reposted by unreliable, unregulated online companies, against which many veterans would have no meaningful recourse if inaccurate information cost them a job or housing opportunity.

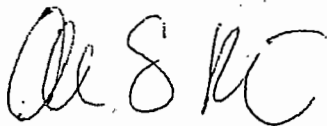
Veterans Legal Services opposes online access to criminal records from the Trial Court website

for the following reasons:

- Internet release of criminal record data by the Trial Court will hurt many unemployed people already suffering because they have a past criminal record or dismissed case;
- Once information is released online, it can live on forever, regardless of its accuracy;
- Release of the information online conflicts with our sealing laws that intend that sealing be available after a 5 or 10 year wait, and permit sealing of non-convictions without any waiting periods;
- Access to any docket sheets online is contrary to our CORI laws which limit access to data based on a requestor's level of access, the disposition of the case (guilty, not guilty, dismissed, etc.), incarceration, and whether the charge was felony or misdemeanor;
- Launching of court dockets is a mistake because court records often have errors;
- Access to online data will fuel the large industry of criminal background checking companies that already are under-regulated, and produce reports that are out of date, contain errors and/or fail to comply with FTC and other consumer protections;
- Lots of new data mining companies do not tell data subjects that they produced a report on them and claim they are not subject to FTC or other consumer laws because they have a check off box that states the report will not be used to screen applications;
- Opening access too easily subjects former defendants to vindictiveness and retaliation;
- Other people, who similarly, were falsely accused, can be further harassed by easy access to docket sheets online from the Trial Court; and
- Internet access to records will deepen poverty in communities of color due to the racial disparities that exist in the criminal justice system.

I can be reached at 617-552-0623 with any questions you may have.

Sincerely,



Anna Schleelein Richardson, Esq.  
*Co-Executive Director*