Massachusetts Department of Correction **POLICY**	Effective Date 4/9/2025 Annual Review Date 10/7/2026	Responsible Division Deputy Commissioner, Clinical Services and Reentry
Policy Name 103 DOC 417 CRIMINAL HISTORY RECORDS INFORMATION	M.G.L. Reference: M.G.L. c. 124 § 1 (j) & (q); M.G.L. c. 6 § 178c, et. Seq.; M.G.L. c. 123A DOC Policy Reference: 103 DOC 404; 103 DOC 447; 103 DOC 487 ACA/PREA Standards: 5-ACI-1E-05; 5-ACI-1F-07	
Attachments Yes ☐ No ☒ / Library Yes ☒ No ☐	Applicability: Staff	
Public Access Yes ☒ No ☐	Location: Department Central Policy File Superintendents/Unit Directors Policies Files	

PURPOSE:
To establish Department of Correction (Department) standards regarding the use, documentation, and management of incarcerated and civilly committed individual criminal history records information.

RESPONSIBLE STAFF FOR IMPLEMENTATION AND MONITORING OF POLICY:
Deputy Commissioner, Clinical Services and Reentry
Assistant Deputy Commissioner, Reentry Services
Superintendents

CANCELLATION:
103 DOC 417 cancels all Department policies, procedures, Commissioner's bulletins and rules and regulations regarding criminal records processing.

SEVERABILITY CLAUSE:
If any part of 103 DOC 417 is, for any reason, held to be in excess of the authority of the Commissioner, such decision shall not affect any other part of this policy.

TABLE OF CONTENTS

417.01	Definitions	3
417.02	General Provisions	5
417.03	Initial Criminal History Records Information Reviews	5
417.04	Subsequent Criminal History Records Information Reviews	6
417.05	Action and Documentation Requirements	7
417.06	Training	10

417.01 DEFINITIONS

ANI (Alias Name Index) File: A legacy automated master name index.

Board of Probation (BOP) Report: The report generated from the database of the Office of the Commissioner of Probation which provides information on Massachusetts court arraignments and dispositions (adult and juvenile).

Central Date Computation Unit (CDCU): The unit responsible for executing all sentencing orders of the court and monitoring all date computation for the department throughout an incarcerated and civilly committed individual's incarceration, including updating sentence structures with changes in sentencing, paroles, escapes, additional sentences, as well as the processing and approving all certificates of release/discharge as the Commissioner's designee.

Certificate of Discharge/Release: The releasing document for an incarcerated or civilly committed individual's final discharge/release from custody.

Civil Commitments: Any person admitted for evaluation or civil commitment to the Bridgewater State Hospital (BSH), any Massachusetts Treatment Center (MTC) resident who is not serving a criminal sentence, and any person civilly committed to the Massachusetts Alcohol and Substance Abuse Center (MASAC), and/or persons who otherwise have an active FA.

Criminal Offender Management Profiling Alternative Sanctions (COMPAS): The name of the risk and needs assessment used to identify risk and, if necessary, determine specific program needs areas.

Criminal History Systems Board (CHSB): The Criminal History Systems Board provides for and exercises control over the installation, operation and maintenance of the data processing and data communication systems known as the Criminal Justice Information System.

Department of Criminal Justice Information System (DCJIS): Nation-wide computer system which provides access to other state and federal criminal and motor vehicle information including outstanding warrants and criminal records.

Detainee: An individual in the custody of the Department of Correction awaiting trial.

Inmate Management System (IMS): The Department's automated information system that provides processing, storage, and retrieval of incarcerated individual and civil commitment related information needed by Department personnel and other authorized users within the criminal justice system.

Incarcerated Individual: A committed offender or such other person as is placed in custody in a correctional institution in accordance with law.

Interstate Agreement on Detainers (IAD): an agreement entered into by 48 states, the District of Columbia and the United States which provides for the temporary transfer of incarcerated individuals who are wanted by other states for trial on criminal charges.

IQ: An out of State Criminal Record Query by name run if QR or other relevant documentation reflects possible out of state cases, or if family information reflects out of state addresses or affiliation.

FQ: An out-of-state criminal record query by state identification number.

Newly Committed Incarcerated Individual: An incarcerated individual in the custody of the Department of Correction who has recently received a sentence.

Parole Violators: An incarcerated individual recommitted to custody as a result of violating a condition of parole.

Probation Central File (PCF) Number: The number assigned to an individual by the Probation Department and is on the BOP report.

Probation Surrenders: An incarcerated individual committed to custody as a result of violating a condition of probation.

QWA/NCIC (National Crime Information Center): Nation-wide computer database holding details of an outstanding warrant entered by the agency holding the warrant.

QH: A computerized check which identifies an individual's FBI number.

QR/Triple I (Interstate Identification Index): A computerized check used to obtain criminal records from the FBI and/or participating states maintaining a record on the subject.

Returns from Escape: An incarcerated individual who returns from escape status.

State Identification (SID) Number: The number assigned to an individual by any state upon its receipt of the subject's first arrest fingerprint card submission. In Massachusetts the number is assigned by the Massachusetts State Police State Identification Section.

Writ of Habeas Corpus: A court order to transport an incarcerated or civilly committed individual to court.

Warrant Management System (WMS): The electronic Massachusetts Trial Court warrant system.

417.02 GENERAL PROVISIONS

A. Superintendents shall assign Correctional Program Officer(s) to be responsible for the use, documentation, and management of incarcerated and civilly committed individual criminal history records information.

B. Assigned staff shall review all relevant information, including but not limited to, information in IMS, the six-part folder, mittimus, intake documents, booking and admissions data, date computation, Board of Probation (BOP) Criminal Justice Information Systems (CJIS) records, to form a criminal history and document information critical to the classification and risk assessment process.

C. All relevant information received at any time relating to an incarcerated and civilly committed individual's criminal history shall be communicated to the assigned staff for review and inclusion into IMS or other applications (including, but not limited to, M.G.L. c. 209A Abuse Prevention Orders, additional sentences, resolution of outstanding legal issues and requests to notify).

D. Assigned staff shall be responsible for documentation and management of incarcerated individual's Criminal History Records Information for all incarcerated individuals excluding detainees and civil commitments. However, detainees and civil commitments shall be run in accordance with M.G.L. c. 6 § 178c, et. Seq. and M.G.L. c. 123A or as deemed necessary by the Superintendent or assigned staff. Massachusetts incarcerated individuals in County, Federal or out of state custody shall have their initial criminal history records information formed by assigned reception site staff. However, no action on pending issues will be taken until the incarcerated individual is returned to our jurisdiction or at the time CDCU staff begins preparation of Certificate of Discharge/Release. Upon return to the Department of Correction's custody, all procedures outlined in 103 DOC 417 shall apply.

E. Any DCJIS information obtained by DOC staff and disseminated to a third party, whether or not the third party is CORI cleared by the Criminal History Systems Board, shall be documented in a log and the record of that release of information shall be maintained for a minimum of one (1) year. The record will include the name of person to whom it was released, their employing agency (if any), the date of the release, and a detailed description of the material disseminated.

417.03 INITIAL CRIMINAL HISTORY RECORDS INFORMATION REVIEWS

A. Assigned staff at any institution receiving new incarcerated or civilly committed individuals shall conduct a thorough initial criminal history records information review for all newly admitted individuals including:

1. Newly committed; (except incarcerated and civilly committed individuals on consecutive sentences with no break in custody);

2. Incarcerated individuals admitted following a break in custody (e.g., parole violators, probation surrenders, and returns from escape);

3. Federal, County, and out of state incarcerated individuals admitted directly to a Department institution from the court or another jurisdiction; and

4. Civil Commitments in accordance with M.G.L. c. 6 § 178c, et. Seq. and M.G.L. c. 123A or as deemed necessary by the Superintendent or assigned staff.

B. Criminal History Records Information shall be compiled by a review of all relevant information gathered by Department staff as well as running the following CJIS information checks.

1. BOP (Board of Probation);

2. QWA NCIC (National Crime Information Center);

3. WMS (Warrant Management System);

4. QH (Identifies FBI #)

5. QR/Triple I (Interstate Identification Index) if QH is positive;

6. MA FQ if QR/Triple I does not produce a record;

7. IQ (Out of State Criminal Record Query by name) if QR or other relevant documentation reflects possible out of state cases, or if family information reflects out of state addresses or affiliation; and

8. FQ (Out of State Criminal Record Query by State Identification Number) if a SID number is available via IQ or Triple I.

C. The assigned staff shall run the required initial CJIS information checks, for action, use, documentation, and management of the criminal history records information. Information shall be entered into the COMPAS screens or other applications in advance of initial classification by assigned staff at any institution receiving new incarcerated individuals.

417.04 SUBSEQUENT CRIMINAL HISTORY RECORDS INFORMATION REVIEWS

A. Assigned staff at all institutions shall re-run CJIS information checks in

order to identify and document any outstanding legal issue, probation matters, or open criminal cases as well as in preparation for an incarcerated and civilly committed individual's final release (CDCU staff) as follows:

1. Subsequent CJIS information checks shall be completed as outlined in 103 DOC 417.03 (B)(1-8).

2. Subsequent CJIS information checks shall be run every two (2) years to identify potential new issues and for quality control and prior to a transfer to a minimum or pre-release security institution or out of state. Any results that would prevent a transfer shall be immediately reported to the Institutional Director of Classification for review and appropriate action which may include canceling or postponing the transfer.

3. CJIS shall be run on an annual basis until all outstanding legal issues are resolved.

4. CJIS shall be run by CDCU staff in preparation for a release via certificate of discharge/release and by assigned institution staff in preparation for release via certificate of parole/Release to Supervision (RTS), in accordance with 103 DOC 404, *Inmate Release Policy*.

5. CJIS checks do not need to be run on sentenced male incarcerated individuals releasing from a "B" sentence remaining on "A" (or vise versa), or on incarcerated individuals being re-committed on a MA state prison or reformatory F&A sentence. However, CJIS checks must be run for male incarcerated and civilly committed individuals remaining in DOC custody on a civil commitment or on a HOC sentence where the DOC has agreed to house the incarcerated individual. CJIS checks for sentenced female incarcerated and civilly committed individuals do not need to be run for females remaining in custody at a DOC institution on a consecutive sentence, or on a concurrent sentence upon expiration of a shorter sentence.

417.05 ACTION AND DOCUMENTATION RESPONSIBILITIES

A. CJIS queries shall be run for all known combinations of incarcerated and civilly committed individual alias names and dates of birth. Their social security numbers, SID numbers, and FBI numbers only need to be run once using their primary name and date of birth). For female incarcerated and civilly committed individuals, these queries shall be run during initial CJIS checks, subsequent checks and release preparation checks or as directed by the Superintendent or designee. For male incarcerated ad civilly committed individuals, these queries shall be run during initial

checks, subsequent checks and release preparation checks. All queries and combinations run shall be documented in the IMS Update CJIS Query screen.

B. The initial CJIS queries completed upon commitment, the most recent subsequent queries and any queries run in preparation for a release shall be filed in the six-part folder.

C. Assigned staff at any institution receiving new incarcerated and civilly committed individuals shall utilize the CJIS information and other relevant sources to document criminal history records information and shall input the information into COMPAS screens or other applications as follows:

1. Collect criminal history records information that relates to criminal history information, risk assessment factors, and objective classification factors and enter it into the COMPAS application;

2. Identify sex offenders in accordance with 103 DOC 447, *Sex Offender Identification* and enter it into the IMS Identify Sex Offender screen.

3. Verify and document the Location of Offense, Date of Offense and Arresting Agency in corresponding IMS Screens.

4. Document any escape information gathered from the CJIS checks in the IMS Escape History screen and update if necessary;

5. Identify and link any prior commitment numbers and enter the information into the Link Prior Commitments screen;

6. For criminally sentenced incarcerated individuals only, determine if a DNA sample is required in accordance with the criteria identified in 103 DOC 487, *DNA Sample Collection* and enter the information in the DNA/CORI section of the IMS Legal Issues screen accordingly;

7. Identify any possible Immigration and Custom Enforcement (ICE) issues and notify CDCU's Immigration and Custom Enforcement CPO at SBCC for further review. ICE/Legal Issue screens in IMS will be updated by ICE CPO;

8. Document legal issues including, but not limited to, outstanding charges, probation matters, and fines. Additionally, all open restraining orders against the incarcerated or civilly committed individual, lodged or self-reported by the incarcerated or civilly committed individual shall be identified. Assigned staff shall also verify all cases or issues noted as open on a CJIS query by contacting the court or probation department or by other

appropriate means. All information shall be entered in the IMS Legal Issues screen and associated Probation/Fines section;

9. Assigned staff at any institution receiving new incarcerated or civilly committed individuals shall take appropriate action to initiate and manage the resolution of any and all outstanding issues and document them in the IMS Legal Issues screen. Staff assigned to any institution receiving new incarcerated and civilly committed individuals will continue to manage the resolution of any and all outstanding issues. Resolution action includes, but is not limited to:

    a. Contacting courts and/or the probation department as necessary;

    b. Filing speedy trial papers by utilizing the form generated via IMS (for incarcerated individuals serving less than ninety (90) calendar days this only applies if requested by the court or the incarcerated individual);

    c. Filing interstate agreements on detainers (IAD), utilizing the form generated via IMS (for incarcerated individuals serving less than ninety (90) calendar days this only applies if requested by the court, agency holding the warrant, or the incarcerated individual);

    d. Reviewing information regarding status changes (e.g., previous day's court trips) and updating the IMS as needed;

    e. Verifying information received, indicating a final disposition, and updating the IMS accordingly;

    f. Comparing BOP data with the incarcerated and civilly committed individual's sentence listing to determine if there are any outstanding mittimus'. If mittimus' appear to be missing, respective institution staff shall forward the mittimus request form to CDCU which shall make the request to the court; a notation will be made in the legal screen.

10. Upon resolution of outstanding legal issues, assigned staff shall update the legal issues screen in IMS;

11. There shall be a staff two-tier review of CJIS checks; This review shall be documented on page one (1) of CJIS with the CJIS stamp and the reviewer's initials.

417.06 TRAINING

A. Only trained, certified staff shall utilize CJIS to obtain information regarding an incarcerated and civilly committed individual's criminal records.

B. Operators shall be certified by the institution DCJIS representative in conjunction with the Criminal History Systems Board (CHSB).