



THIS STORY HAS BEEN FORMATTED FOR EASY PRINTING

ADRIAN WALKER

The Boston Globe

## It's time to rethink CORI

By Adrian Walker, Globe Columnist | August 4, 2005

The notion that the Boston City Council chambers could be packed in support of convicted criminals seems odd at first thought.

But the chambers were yesterday, thanks to a newfound broad consensus that something is wrong with the state's criminal records law, better known by its acronym, CORI.

It is a law that, many assert, is keeping thousands of people from finding work or housing. It is the punishment that keeps punishing. Given the constant concern over how released criminals are going to return to society, CORI reform, for decades a political loser, is suddenly hot.

"These city councilors are dealing with people coming out of jail with no place to go," said Horace Small of the Union of Minority Neighborhoods. "How can we lose with this kind of support?"

The council, a group that has trouble finding unanimity on what time it is, voted 13-0 yesterday to pass a resolution calling for reform of the records law.

The resolution is nonbinding, since it concerns state law over which the council has no jurisdiction. But it's far from meaningless. It's part of a growing movement to make changes to a 32-year-old law whose effectiveness has been greatly diluted over time.

No sane person disputes the need to keep certain classes of criminals out of certain occupations. But the law, which was originally intended to make reentry to society easier by limiting public access to criminal records, plainly doesn't do that anymore.

Some 55 bills seeking to overhaul some aspect of the CORI law are pending in the Legislature. Most would make access to the records more restricted or would delete some information, such as charges in which there was no conviction.

Councilor at Large Stephen J. Murphy, the lead sponsor of the resolution, said it meets a need.

"There's a tremendous amount of the population in this state who are crying for help," Murphy said. "And one of the ways we can help them is by reforming this system that is out of whack."

No one knows how many Massachusetts residents have records in the system. Advocates throw out the figure of 2.8 million records, implying that nearly half the state's residents have records. That's not true, since there is no provision for purging the registry, which includes records going back decades. So, Malcolm X, deceased 40 years and last a Massachusetts resident in the early 1950s, still has a record in the CORI system.

Meanwhile, access to the records has swelled far beyond the original intention of the law, with good reason. In 1973 there wasn't nearly the anxiety about protecting vulnerable people, especially children and the elderly, that there is now. As a result, more than 11,000 agencies have access to the records, a number that grows almost every day.

That means that there are all kinds of jobs that people, regardless of their offense, are shut out of. And because the records include charges as well as convictions, even a charge that didn't bring a conviction can come back to haunt you.

In theory, some of the records are sealed eventually. But even that is imperfect, because it invites potential

employers to think the crimes under seal are worse than they might actually be.

"I'm a defense lawyer, and I've told clients they're better off not sealing their records," said Representative Eugene L. O'Flaherty, Democrat of Chelsea and chairman of the House Judiciary Committee. "I've told them that they're better off explaining the circumstances to potential employers."

He says he hopes to consolidate the mountain of bills now clogging the pipeline into one piece of legislation that could pass. He favors reform, though he doesn't seem certain how much, given the competing concerns of public safety and rehabilitation.

Certainly, the difference between a good bill and a bad one will reside in the fine print. But if we really believe offenders deserve a second chance, then the CORI law has to get a second look. Even Chuck Turner and Jimmy Kelly agree on that.

Adrian Walker is a Globe columnist. He can be reached at [walker@globe.com](mailto:walker@globe.com). ■

© [Copyright](#) 2006 The New York Times Company