

FRAMINGHAM HOUSING AUTHORITY

CRIMINAL OFFENDER RECORDS POLICY

~ 1. Policy statement.

It shall be the policy of the Framingham Housing Authority to comply fully with the emergency regulations governing the request for and use of the criminal offender record information (CORI) as promulgated by the Criminal History Systems Board (CHSB) on July 10, 1991; and which became effective July 15, 1991.

~ 2. Availability of CORI.

The Framingham Housing Authority shall have access to the following CORI in the possession of the CHSB:

A. Any and all information relative to any criminal convictions, both felonies and misdemeanors, regardless of when the conviction occurred.

B. Any and all information relative to any criminal charges which are currently pending before the courts of the commonwealth or any jurisdiction, including the federal courts.

~ 3. Request for information.

All requests for CORI shall be in writing and shall be on forms prescribed by the CHSB. Requests may be delivered to CHSB by facsimile machine.

~ 4. Fees.

There shall be no assessment of any filing or user fee of any kind to the Framingham Housing Authority by the CHSB.

~ 5. Lawful use of CORI.

The Framingham Housing Authority shall use this information for purposes of evaluating applicants for public housing and Section 8. Dissemination of CORI for any other purpose or to individuals not involved in the tenant selection process is expressly prohibited.

A. Applicants shall be informed in writing that CORI will be obtained from the CHSB.

B. The dissemination and/or use of CORI by Framingham Housing Authority employees other than as provided shall be expressly prohibited.

C. CORI shall be requested of all persons as authorized occupants on the application for public housing and Section 8 as well as any other persons to be so added at a later time.

D. Requests for CORI shall not be made prior to the Framingham Housing Authority final application screening process.

E. No person shall be discriminated against on the basis of race, religion, color, national or ethnic origin, ancestry, age, sex, handicap, sexual orientation, marital status, military status or receipt of public assistance.

F. The Framingham Housing Authority designates the Public Housing Manager and the Director of Section 8 as authorized representatives of the Framingham Housing Authority to submit written request for CORI to the CHSB.

G. CORI shall be kept in a separate, locked file cabinet when not being used.

H. CORI shall be destroyed when the applicant to whom it pertains has been housed by the Framingham Housing Authority. If an applicant has been determined ineligible for housing, the applicant's CORI shall be destroyed three years from the date of the applicant's rejection or after all administrative and judicial proceedings concerning the rejection are exhausted, whichever is later.

I. CORI-approved positions.

(1) The Framingham Housing Authority approves the following positions as designated "CORI approved" to review and participate in rendering a decision as to whether an applicant is eligible for public housing or Section 8:

- (a) Executive Director.
- (b) Assistant Executive Director.
- (c) Public Housing Manager.
- (d) Director of Section 8.

(2) Persons designated shall sign an agreement of nondisclosure as provided by the CHSB.

J. Only one copy of the CORI is to be kept in the Framingham Housing Authority's files.

K. No provision of this policy shall prohibit dissemination of CORI by the Framingham Housing Authority in the course of a tenant selection appeal, or other administrative or judicial proceeding in which such CORI is relevant, brought by an applicant against the Framingham Housing Authority.

~ 6. Effective date.

The Policy of the Framingham Housing Authority governing the request for and use of criminal offender record information shall become effective August 24, 1993.

~ 7. Severability.

If any provision of this policy or the application thereof is held to be invalid, such invalidity shall not effect other provisions or the application of any other part of this policy not specifically held invalid, and to this end the provisions of this policy and various applications thereof are declared to be severable.