

SENATE No. 1197

The Commonwealth of Massachusetts

PRESENTED BY:

Katherine M. Clark

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to criminal justice training regarding persons with autism spectrum disorder.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Katherine M. Clark</i>	<i>Fifth Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>James E. Timilty</i>	

SENATE No. 1197

By Ms. Clark, a petition (accompanied by bill, Senate, No. 1197) of Katherine M. Clark, Kay Khan and James E. Timilty for legislation relative to criminal justice training regarding persons with autism spectrum disorder. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven
—————

An Act relative to criminal justice training regarding persons with autism spectrum disorder.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 116 of Chapter 6 of the General Laws, as appearing in the 2008
2 Official edition, is hereby amended by inserting the following section after Section 116E:—

3 Section 116F: (Subsection A) The municipal police training committee shall establish
4 within the recruit basic training curriculum a course for regional and municipal police training
5 schools on or before January first, two thousand and thirteen for the training of law enforcement
6 officers and correction officers in the commonwealth in appropriate interactions with persons an
7 autism spectrum disorder, and also shall develop guidelines for law enforcement response to
8 individuals with an autism spectrum disorder who are victims or witnesses to crime, or suspected
9 or convicted of crime.

10 The course of instruction and the guidelines shall stress positive responses to such
11 individuals, de-escalating potentially dangerous situations, understanding of the different manner

12 in which such individuals process sensory stimuli and language, and appropriate methods of
13 interrogation.

14 Where appropriate, the training presenters shall include experts on autism spectrum
15 disorders who also have expertise in the law enforcement or corrections field.

16 As used in this section, “law enforcement officer” shall mean any officer of a local police
17 department, capital and state police, and “correction officer” shall mean any officer tasked with
18 the custody, care, or transport of incarcerated or detained persons. As used in this section,
19 “autism spectrum disorder” shall mean a disability on the autism spectrum, which includes but
20 may not be limited to autistic disorder, Asperger's disorder, pervasive developmental disorder
21 not otherwise specified, childhood disintegrative disorder, nonverbal learning disorder, or Rhett's
22 Syndrome, as defined in such professional guidelines as the Diagnostic and Statistical Manual of
23 the American Psychiatric Association.

24 (Subsection B) The course of basic training for law enforcement officers and correction
25 officers shall, no later than January first, two thousand and thirteen, include at least eight hours
26 of instruction in the procedures and techniques described below:

27 (aa) The nature and manifestations of autism spectrum disorders.

28 (bb) Appropriate techniques for interviewing or interrogating an individual with an
29 autism spectrum disorder, including techniques to ensure legality of statements made, and
30 techniques to protect the rights of the interviewee.

31 (cc) Techniques for locating an individual with an autism spectrum disorder who runs
32 away, and returning said individual while causing as little stress as possible to him or her.

33 (dd) The legal duties imposed on police officers to offer protection and assistance,
34 including guidelines for making felony and misdemeanor arrests, and appropriate techniques for
35 arrest and restraint on an individual with an autism spectrum disorder.

36 (ee) Techniques for de-escalating a potentially dangerous situation to maximize the safety
37 of both the law enforcement officer or correction officer and the individual with an autism
38 spectrum disorder.

39 (ff) Techniques for differentiating between an individual with an autism spectrum
40 disorder from an individual who is belligerent, uncooperative, or otherwise displaying traits
41 similar to the characteristics of an individual with an autism spectrum disorder.

42 (gg) Procedures to ensure the safety and wellbeing of individuals with an autism
43 spectrum disorder in a correctional facility.

44 (hh) The impact of interaction with law enforcement officers or correction officers on
45 individuals with an autism spectrum disorder.

46 (Subsection C) All law enforcement recruits shall receive the course of basic training for
47 law enforcement officers, established in subsections (A) and (B), as part of their required
48 certification process.

49 (Subsection D) The course of basic training for law enforcement officers shall be taught
50 as part of the “crisis intervention and conflict resolution” and “people with special needs”
51 components of the recruit academy training, so that there will not be an increase in the currently
52 required four hundred and eighty hours of recruit training curriculum.

53 (Subsection E) All correction officer recruits shall receive the course of basic training for
54 correction officers, established in Subsections (A) and (B), as part of their required certification
55 process.

56 (Subsection F) The Commissioner of Corrections periodically may include within the in-
57 service training curriculum a course of instruction on persons with an autism spectrum disorder
58 consistent with the provisions of Subsection B(aa) through Subsection B(hh) of this act.

59 (Subsection G) The municipal police training committee periodically may include within
60 its in-service training curriculum a course of instruction on persons with an autism spectrum
61 disorder consistent with the provisions of Subsection B(aa) through Subsection B(hh) of this act.