

SENATE No. 1244

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia S. Creem

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 training for law enforcement in dealing with individuals suffering from mental illness.

PETITION OF:

NAME:

Cynthia S. Creem

DISTRICT/ADDRESS:

First Middlesex and Norfolk

SENATE No. 1244

By Ms. Creem, a petition (accompanied by bill, Senate, No. 1244) of Cynthia S. Creem for legislation to train law enforcement in dealing with individuals suffering from mental illness. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1121 OF 2013-2014.]

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to training for law enforcement in dealing with individuals suffering from mental illness.

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. Chapter 6 of the General Laws is hereby amended by inserting after section
2 116F the following section:--

3 Section 116G. (a) The municipal police training committee shall establish within the
4 recruit basic training curriculum a course for regional and municipal police training schools on or
5 before January 1, 2016, for the training of law enforcement officers in the commonwealth in the
6 handling of complaints involving mental health emergencies and victims, witnesses or suspects
7 with mental illness or developmental disability and shall develop guidelines for law enforcement
8 responses to incidents involving such persons. The course of instruction and the guidelines shall
9 emphasize:

(1) The enforcement of criminal laws for the benefit of victims and witnesses with mental illness or developmental disability, the availability of civil remedies and community resources for persons experiencing mental health emergencies, and the protection of persons with mental illness or developmental disability, and for law enforcement officers engaging such persons;

(2) The laws regarding the defenses of responsibility and competency to stand trial, and the diversion of persons with mental illness or developmental disability for treatment instead of criminal prosecution;

(3) The provision of information to law enforcement officers about individuals suffering from mental illness or developmental disability, including common behaviors and actions exhibited by such individuals; strategies law enforcement officers can use for reducing or preventing the risk of harm arising from persons experiencing mental health emergencies, or from victims, witnesses or suspects with mental illness or developmental disability with the aim of seeking the least intrusive, restrictive and violent means of addressing such incidences and individuals while protecting the safety of the law enforcement officer and other persons present at the complaint scene.

Training presenters shall include certified mental health practitioners with expertise in the delivery of direct services to individuals experiencing mental health emergencies and victims, witnesses and suspects with mental illness and developmental disability and consumer-survivors. Training presentations may utilize the staff of community-based mental health or developmental disability treatment facilities.

31 As used in this section, “law enforcement officer” shall mean any officer of a municipal
32 police department, the department of the state police or the Massachusetts Bay Transportation
33 Authority police department. “Consumer-survivor” shall mean any individual suffering from
34 mental health disability or developmental disability.

35 (b) All law enforcement recruits shall receive the course of basic training for law
36 enforcement officers, established in paragraph (a) of this section, as part of their required
37 certification process.

38 (c) The course of instruction, the learning and performance objectives, the
39 standards for training, and the guidelines shall be developed by the municipal police training
40 committee in consultation with groups and individuals having an interest and expertise in the
41 field of mental health and community-based treatment.

42 (d) The municipal police training committee periodically shall include within its
43 in-service training curriculum a course of instruction on handling complaints from or against
44 persons with mental illness and developmental disability, consistent with the provisions of sub-
45 paragraphs one through three of paragraph (a) of this act.