SENATE DOCKET, NO. 1086 FILED ON: 1/15/2015

SENATE . . . . . No. 1264

The Commonwealth of Massachusetts

PRESENTED BY:

Anne M. Gobi

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 autistic persons.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Anne M. Gobi	*Worcester, Hampden, Hampshire and Middlesex*
Thomas J. Calter	*12th Plymouth*
James E. Timilty	*Bristol and Norfolk*

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SENATE . . . . . No. 1264

By Ms. Gobi, a petition (accompanied by bill, Senate, No. 1264) of Anne M. Gobi for legislation relative to criminal justice training regarding persons with autism spectrum disorder. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1118* OF 2013-2014.]

The Commonwealth of Massachusetts

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

An Act relative to criminal justice training regarding autistic persons.

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

Section 116 of Chapter 6 of the General Laws, as appearing in the 2010 Official edition, is hereby amended by inserting after section 116F the following:-

Section 116G: (a) The municipal police training committee shall establish within the recruit basic training curriculum a course for regional and municipal police training schools on or before January first, two thousand and fifteen for the training of law enforcement officers and correction officers in the commonwealth in appropriate interactions with persons on the autism spectrum, and also shall develop guidelines for law enforcement response to individuals on the autism spectrum who are victims or witnesses to crime, or suspected or convicted of crime.

9 The course of instruction and the guidelines shall stress positive responses to such
10 individuals, de-escalating potentially dangerous situations, understanding of the different manner
11 in which such individuals process sensory stimuli and language, and appropriate methods of
12 interrogation.

13 The training presenters shall always include autistic adults. Where appropriate, the
14 training presenters shall also include experts on autism spectrum disorders who also have
15 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 any campus police officer of the University of
18 Massachusetts and state universities who exercise police powers, and “correction officer” shall
19 mean any officer tasked with the custody, care, or transport of incarcerated or detained persons.
20 As used in this section, “autism spectrum disorder” shall mean a disability on the autism
21 spectrum, which includes but may not be limited to autistic disorder, Asperger's disorder,
22 pervasive developmental disorder not otherwise specified, childhood disintegrative disorder,
23 nonverbal learning disorder, or Rhett's Syndrome, as defined in current and future versions of
24 such professional guidelines as the Diagnostic and Statistical Manual of the American
25 Psychiatric Association. As used in this section, “agency” shall mean the ability to make
26 independent decisions and act in one’s own best interests.

27 (b) The course of basic training for law enforcement officers and correction officers shall,
28 no later than January first, two thousand and fifteen, include at least eight hours of instruction in
29 the procedures and techniques described below:

30 (1) The nature and manifestations of autism spectrum disorders.

31 (2) Appropriate techniques for interviewing or interrogating an individual on the autism
32 spectrum, including techniques to ensure legality of statements made, and techniques to protect
33 the rights of the interviewee.

34 (3) Techniques for locating an individual on the autism spectrum who runs away and is in
35 danger, and returning said individual while causing as little stress as possible to the individual.

36 (4) Techniques for recognizing an autistic individual's agency while identifying
37 potentially abusive or coercive situations.

38 (5) The legal duties imposed on police officers to offer protection and assistance,
39 including guidelines for making felony and misdemeanor arrests, and appropriate techniques for
40 arrest and restraint on an autistic individual.

41 (6) Techniques for de-escalating a potentially dangerous situation to maximize the safety
42 of both the law enforcement officer or correction officer and the autistic individual.

43 (7) Techniques for differentiating between an individual on the autism spectrum from an
44 individual who is belligerent, uncooperative, or otherwise displaying traits similar to the
45 characteristics of an autistic individual.

46 (8) Procedures to ensure the safety and wellbeing of autistic individuals in a correctional
47 facility.

48 (9) The impact of interaction with law enforcement officers or correction officers on
49 autistic individuals.

50 (c) All law enforcement recruits shall receive the course of basic training for law
51 enforcement officers, established in (a) and (b), as part of their required certification process.

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

56 (e) All correction officer recruits shall receive the course of basic training for correction
57 officers, established in in (a) and (b), as part of their required certification process.

58 (f) The Commissioner of Corrections periodically may include within the in-service
59 training curriculum a course of instruction on autistic persons consistent with the provisions of
60 (b)(1) through (b)(9) of this act.

61 (g) The municipal police training committee periodically may include within its in-
62 service training curriculum a course of instruction on autistic persons disorder consistent with the
63 provisions of of (b)(1) through (b)(9) of this act.