

SENATE No. 1257

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Barrett

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 establishing a commission on the history of state institutions for people with developmental and mental health disabilities in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Michael J. Barrett	Third Middlesex	
Michael D. Brady	Second Plymouth and Bristol	3/31/2021
Thomas M. Stanley	9th Middlesex	4/1/2021
Mathew J. Muratore	1st Plymouth	4/9/2021
Mary S. Keefe	15th Worcester	4/12/2021
Joanne M. Comerford	Hampshire, Franklin and Worcester	4/21/2021
Jason M. Lewis	Fifth Middlesex	8/2/2021
Patrick M. O'Connor	Plymouth and Norfolk	8/4/2021
Paul R. Feeney	Bristol and Norfolk	8/18/2021
Brendan P. Crighton	Third Essex	9/24/2021
Jack Patrick Lewis	7th Middlesex	9/24/2021
Diana DiZoglio	First Essex	9/30/2021

SENATE No. 1257

By Mr. Barrett, a petition (accompanied by bill, Senate, No. 1257) of Michael J. Barrett, Michael D. Brady, Thomas M. Stanley, Mathew J. Muratore and others for legislation to establish a commission on the history of state institutions for people with developmental and mental health disabilities in the Commonwealth. Mental Health, Substance Use and Recovery.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act establishing a commission on the history of state institutions for people with developmental and mental health disabilities in the Commonwealth.

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. There is hereby established a special commission to study and report on the
2 history of state institutions for people with developmental and mental health disabilities in the
3 Commonwealth. The commission shall be independent of supervision or control by any
4 executive agency and shall provide objective perspectives on the matters before it.

5 In fulfillment of its responsibility the commission shall (1) review existing records in the
6 possession of the commonwealth from, and related to, the network of state institutions for people
7 with developmental disabilities and mental health issues; (2) examine the current availability of,
8 and barriers to, accessing those records for former residents, their descendants, relatives, and the
9 general public; (3) assess the quality of life of former residents now living in the community; (4)
10 assess and compile records of burial locations for all residents who died while in the care of the
11 commonwealth, (5) determine the likelihood and possible location of unmarked graves at former

12 state institutions (6) present a human rights framework for public recognition of the
13 commonwealth's guardianship of citizens with disabilities throughout history, including
14 recommendations for memorialization and public education; (7) collect testimonials from former
15 residents of state institutions as part of a human rights report (8) and submit its findings and
16 recommendations to the secretary of the commonwealth, the clerks of the senate and the house of
17 representatives, the chairs of the joint committee on children families and persons with
18 disabilities not later than January 1, 2023. The secretary shall make the report publicly available.

19 SECTION 2. The commission shall consist of 18 members, 1 of whom shall be a
20 designee of the department of health and human services; 1 of whom shall be a designee of the
21 department of developmental services; 1 of whom shall be a designee of the department of
22 mental health; 1 of whom shall be a designee of the secretary of the commonwealth archives; 1
23 of whom shall be a designee of the secretary of the commonwealth office of the state
24 archaeologist; 2 of whom shall be the chairs of the joint committee on persons with disabilities or
25 their designee; 1 of whom shall be a representative of the disabled persons protection
26 commission; 1 of whom shall be a representative of the centers for independent living in
27 Massachusetts; 1 of whom shall be a former resident of a state institution for people with mental
28 illness appointed by the governor; 1 of whom shall be a former resident of a state institution for
29 people with cognitive and developmental disabilities appointed by the governor; 1 of whom shall
30 be designee of the Arc of Massachusetts; 1 of whom shall be a designee of the Disability Law
31 Center; 1 of whom shall be a designee of Mass Advocates Standing Strong; 1 of whom shall be a
32 designee of Mass Advocates Organizing for Change. 1 of whom shall be a community member
33 designated by the governor; 1 of whom shall be a community member designated by the senate
34 president; and 1 of whom shall be a community member designated by speaker of the house of

35 representatives. A majority of the members of the commission must identify as persons with
36 disabilities. In making appointments, the chairperson shall, to the maximum extent feasible,
37 ensure that the commission represents a broad distribution of perspectives and geographic
38 regions.