SENATE DOCKET, NO. 1989 FILED ON: 1/20/2023

SENATE . . . . . No. 110

The Commonwealth of Massachusetts

PRESENTED BY:

Joan B. Lovely

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 resolve:

Resolve establishing a special commission on the treatment of intellectually and developmentally disabled offenders in the criminal justice system.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Joan B. Lovely	*Second Essex*

SENATE DOCKET, NO. 1989 FILED ON: 1/20/2023

SENATE . . . . . No. 110

By Ms. Lovely, a petition (accompanied by resolve, Senate, No. 110) of Joan B. Lovely that provisions be made for an investigation and study by a special commission (including members of the General Court) relative to tthe treatment of intellectually and developmentally disabled offenders in the criminal justice system. Children, Families and Persons with Disabilities.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *131* OF 2021-2022.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

Resolve establishing a special commission on the treatment of intellectually and developmentally disabled offenders in the criminal justice system.

Resolved, there shall be a special commission established to study and report on alternatives to the arrest and incarceration for individuals with developmental and intellectual disabilities. The report shall include, but not be limited to, findings and recommendations on: (i) existing options for diverting individuals with disabilities from incarceration; (ii) recommendations for improving the process by which individuals with disabilities are placed; (iii) techniques to identify individuals at risk due to developmental or intellectual disabilities or pervasive mental health conditions; (iv) techniques, services, and other resources to prevent exacerbation of issues.

The commission shall consist of the following 21 members: the secretary of health and human services or a designee, who shall serve as co-chair; the secretary of public safety and

security or a designee, who shall serve as co-chair; the commissioner of the department of developmental services or a designee; the commissioner of the department of mental health or a designee; the chairs of the joint committee on the judiciary; the chairs of the joint committee on children, families and persons with disabilities; one member of the senate to be appointed by the president of the senate; one member of the senate to be appointed by the minority leader; one member of the house of representatives to be appointed by the speaker of the house of representatives; one member of the house of representatives to be appointed by the house minority leader of the house of representatives; the president of the Massachusetts Sheriffs' Association or a designee; the president of the Massachusetts District Attorneys' Association or a designee; the president of the Massachusetts Chiefs of Police or a designee; the chief counsel of the committee for public counsel services or a designee; a representative from the Arc of Massachusetts; a representative from the Disability Law Center; a representative from the Disability Policy Consortium; a representative from the Center for Public Representation; a representative from Dignity Alliance Massachusetts; a representative from an organization involved with persons who are autistic, to be appointed by the governor; and a clinician with experience working with intellectually and developmentally disabled individuals in the criminal justice system, to be appointed by the governor.

The commission shall file a report of its findings and recommendations, together with drafts of legislation necessary to carry those recommendations into effect, with the clerks of the house of representatives and the senate not later than July 31, 2024.