HOUSE DOCKET, NO. 3174 FILED ON: 1/16/2025

HOUSE . . . . . No. 294

The Commonwealth of Massachusetts

PRESENTED BY:

Christopher J. Worrell

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 to establish the Leslie law.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Christopher J. Worrell	*5th Suffolk*	*1/16/2025*
Patrick Joseph Kearney	*4th Plymouth*	*11/13/2025*

HOUSE DOCKET, NO. 3174 FILED ON: 1/16/2025

HOUSE . . . . . No. 294

By Representative Worrell of Boston, a petition (accompanied by bill, House, No. 294) of Christopher J. Worrell relative to surveillance in out-of-home care facilities. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act to establish the Leslie law.

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

SECTION 1. Definitions(a) "Out-of-home care" shall refer to family foster care, family child care, large family child care, child care center care, school-aged child care programs, group residential care, or temporary shelter for foster children licensed under Chapter 15D of the General Laws, or a family foster home not licensed by the Department of Early Education and Care (EEC).(b) "DCF" shall refer to the Massachusetts Department of Children and Families.(c) "Surveillance camera" shall refer to a recording device placed in an obvious location inside a building to monitor audio and visual proceedings.(d) "Public spaces" shall refer to any area inside or outside of the home where children and adults interact, including but not limited to, driveways, backyards, kitchens, dining rooms, living rooms, and dens.(e) "Body-worn camera" shall refer to a recording device worn on a social worker’s person which collects audio and visual recordings of encounters between DCF employees and the public.(f) "Social worker" shall refer to a family resource worker, DCF investigator, adoption social worker, ongoing social worker, or medical social worker employed and under the directive of DCF.(g) "Medical alert

device" shall refer to an age-appropriate body-worn apparatus which allows instantaneous contact with designated healthcare practitioners to respond to immediate and urgent medical needs.

SECTION 2. Surveillance in Out-of-Home Care Facilities(a) In the event of an allegation of abuse pursuant to Section 51A of Chapter 119 of the General Laws against any state employee or state-licensed foster parent responsible for foster children in out-of-home care, which is escalated under Section 51B of the same chapter, the out-of-home facility shall be equipped with surveillance cameras in all public spaces regardless of the outcome of the investigation.(b) The out-of-home care facility must implement surveillance cameras in a manner that allows proper viewing of the entire space where they are installed and shall install such cameras within two business days of the initiation of the Section 51B investigation.(c) Surveillance cameras shall not be placed in bedrooms or bathrooms used by children over the age of four.(d) The surveillance cameras shall remain in the facility for the entirety of the period during which the facility continues to be licensed by the EEC and continues to house and care for foster children.(e) When a facility ceases operations under this chapter, the surveillance cameras may be removed.(f) DCF shall be responsible for providing and financing all video surveillance equipment and creating a system to maintain the recordings.

SECTION 3. Body-Worn Cameras for Social Workers(a) A social worker employed and under the directive of DCF shall wear a body-worn camera at all times when entering an out-of-home facility in charge of a foster child while conducting proceedings pursuant to Section 51A of Chapter 119.(b) When entering a private home to investigate a report of abuse pursuant to Section 51A of Chapter 119 of the General Laws, a DCF social worker shall obtain the consent of the biological parent or legal guardian of the child and comply with their decision regarding

recording the proceedings.(c) A social worker employed and under the directive of DCF shall wear a body-worn camera during any emergency removal process.(d) DCF shall be responsible for creating a system to maintain these recordings.(e) DCF shall include in its yearly report the outcomes of the emergency removal process, referencing body-worn camera footage for instances of physical altercations, violence between social workers and the public, and the rate of escalation involving law enforcement.

SECTION 4. Medical Alert Devices for Foster Children(a) DCF shall ensure that every child above the age of 10 for whom the department has custody is provided with a functional cell phone. Expenditures for monthly phone bills, maintenance costs, and physical devices shall be covered by the department.(b) Foster children in the custody of the department shall be provided with a medical alert device, along with mandatory training courses for proper use. These devices shall contain essential health information for each foster child to ensure proper medical responses.(c) DCF shall include in its yearly report the rate of use of medical alert devices and the outcomes of medical interventions resulting from their usage.(d) Each foster child in the custody of the department shall receive a comprehensive medical evaluation annually following the initial health evaluation during intake. The results of these evaluations shall be used to report potential abuse and maltreatment.

SECTION 5. Waiver of Immunity(a) Non-compliance with the provisions outlined in this act may result in the waiver of immunity.

SECTION 6. ImplementationThis act shall take effect in 2024. Any policies necessary to comply with these provisions shall be promulgated on or before the effective date of this act.