

**SENATE . . . . . No. 2461**

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**The Commonwealth of Massachusetts**

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SENATE, July 20, 2004.

The committee on Ways and Means, to whom was committed the Senate Bill relative to training for law enforcement in dealing with individuals suffering from mental illnesses and mental retardation (Senate, No. 1303), report recommending that the same ought to pass, with an amendment, substituting a new draft with the same title (Senate, No. 2461).

For the committee,

THERESE MURRAY.

## The Commonwealth of Massachusetts

In the Year Two Thousand and Four.

AN ACT RELATIVE TO TRAINING FOR LAW ENFORCEMENT IN DEALING WITH INDIVIDUALS SUFFERING FROM MENTAL ILLNESS AND MENTAL RETARDATION.

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

1     There shall be a commission to study and make recommenda-  
2     tions for the establishment and implementation of a coordinated  
3     curriculum for the training of law enforcement officers in  
4     responding to mental health emergencies and incidents involving  
5     persons with mental illness or mental retardation. The commission  
6     shall include and be co-chaired by the senate and house chairs of  
7     the joint committee on public safety. The commission's other  
8     members shall be the secretary of public safety or his designee,  
9     the commissioner of mental health or his designee, the commis-  
10    sioner of mental retardation or his designee, a representative of  
11    the municipal police training committee, a representative of the  
12    University of Massachusetts medical school's law and psychiatry  
13    program, a representative of the Disability Law Center, a repre-  
14    sentative of the Building Partnerships Initiative, a representative  
15    of the Massachusetts Chiefs of Police Association, a representa-  
16    tive of the National Alliance for the Mentally Ill of Massachusetts,  
17    the colonel of the department of state police or his designee, a rep-  
18    resentative of the disabled persons protection commission, a rep-  
19    resentative of Consumer Quality Initiatives, Inc. and a  
20    representative of the Massachusetts Police Association.

21    The commission's review shall include, but not be limited to,  
22    the following issues as they relate to the training of law enforce-  
23    ment officials in responding to persons with mental illness or  
24    mental retardation:

25    (1) risk management, crisis identification and intervention and  
26    de-escalation techniques;

27 (2) the provision of information to law enforcement officers  
28 about individuals with mental illness or mental retardation. strate-  
29 gies law enforcement officers may use for reducing or preventing  
30 any risk of harm in mental health emergencies by using the least  
31 intrusive, restrictive and violent means of addressing such inci-  
32 dences while protecting the safety of the law enforcement officer,  
33 the individual in crisis and other persons present at the scene;

34 (3) the laws regarding the defenses of lack of criminal responsi-  
35 bility and competency to stand trial, and the diversion of persons  
36 with mental illness or mental retardation for treatment instead of  
37 criminal prosecution;

38 (4) the availability of civil remedies and community resources  
39 for persons experiencing mental health emergencies, and the pro-  
40 tection of persons with mental illness or mental retardation and  
41 for law enforcement officers engaging such persons; and

42 (5) an analysis of the financial impact of establishing and  
43 implementing the commission's recommendations as well as iden-  
44 tifying any outside resources, programs or grants available to  
45 reduce any such financial impact.

46 The commission shall conduct at least 1 public hearing and  
47 shall file its report and recommendations with the clerks of the  
48 senate and the house respectively, including any legislation neces-  
49 sary to implement such recommendations, not later than Jan-  
50 uary 1, 2005.

