



Commonwealth of Massachusetts

# DISABLED PERSONS PROTECTION COMMISSION

Fiscal Year 2021

Annual Report

*July 1, 2020 – June 30, 2021*

*Charles D. Baker*      *Governor*  
*Karyn E. Polito*      *Lt. Governor*  
*James T. Brett*      *Chairman*  
*Kacy C. Maitland*      *Commissioner*  
*Mary Beth McMahon*      *Commissioner*  
*Nancy A. Alterio*      *Executive Director*

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## **Mission and Vision**

### ***Mission***

The mission of the Disabled Persons Protection Commission (DPPC) is to protect adults with disabilities from the abusive acts and omissions of their caregivers through independent investigations, independent oversight, public awareness and prevention.

### ***Vision***

The Commission's focus is ensuring the safety of persons with disabilities through independent investigations, objective risk assessment and the provision of appropriate protective services.

## A Message from Nancy A. Alterio, DPPC Executive Director

Dear Reader:

Thank you for your interest in the Disabled Persons Protection Commission (“DPPC”). The DPPC is responsible for protecting adults with disabilities between the ages of 18 and 59 from the abusive acts or omissions of their caregivers through investigation, oversight, public awareness, and prevention.



As you know, FY2021 was a year of immense transitions for all of us—as a global community, but also as a state and an agency. What at one time many of us thought would be brief alterations in our methods of conducting business, communicating, and living necessitated by the pandemic has become “the new normal.” FY2021 brought significant changes to the DPPC, as we modified our operations and work environment to adjust to a new world and Commonwealth employment model. FY2021 was an exciting time for the DPPC—as we strived to do the best with the opportunities presented to us. Buoyed by support from the Legislature and Administration, as well as an influx of federal funding, the DPPC was able to expand our staffing, streamline our structure, and capitalize on technology to improve our investigations, oversight, and internal processes. The DPPC also readied itself for the July 31<sup>st</sup>, 2021 launch of the Registry of Abusers of Persons with Intellectual and Developmental Disabilities—an enormous undertaking which should result in enhanced safety of persons with disabilities.

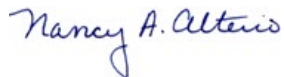
Our increase in staff, particularly in our investigations unit, has allowed the DPPC to take a more active role in the investigatory process and should eventually ease some of the burden on our partner referral agencies of the Department of Developmental Services (DDS), the Department of Mental Health (DMH) and the Massachusetts Rehabilitation Commission (MRC). FY2021 was truly a year of growth and forward progress for the DPPC. I am pleased to highlight just a few of the remarkable milestones from the past year, including:

- Received **18,572** hotline calls;
- Received **12,032** abuse reports;
- Responded to **5,069** informational and referral requests;
- Recorded **1,462** death reports;
- Assigned **2,171** investigations;
- Completed **1,771** investigations;
- Completed **74** petitions for review;
- Responded to **776** record requests and record demands;
- Oversaw protective services on **2,171** cases;
- Trained **1,024** direct care staff, **283** persons with disabilities, **2,137** law enforcement officers, **165** medical personnel, and **274** rape crisis center staff; and
- Maintained operations **24 hours a day, seven days a week.**

These accomplishments would not be possible without the dedicated staff of the DPPC and our partner agencies who work tirelessly to serve the interests of persons with disabilities in the Commonwealth. I encourage you to explore this report further to learn about the distinct role of each unit in the DPPC and how, working together, we improve the lives of vulnerable citizens. And, as impressive as these statistics are, I am even more hopeful for what the next year will bring. The DPPC's operational changes and improvements necessitated by the pandemic coupled with strengthened support from our colleagues in the Legislature and Administration, along with unique funding opportunities, has allowed us to build up, build out, and build back better. The unprecedented challenges of the past will hopefully result in an improved future for the DPPC, and more importantly, the constituency who relies on us for their safety.

I thank you for your interest in the vital mission of the DPPC, and I encourage you to check back next year to see how we have further progressed in our goal of protecting persons with disabilities.

Sincerely,



Nancy A. Alterio  
Executive Director

**To File a Report of Abuse, Call DPPC's 24-Hour Hotline:**

**1-800-426-9009\***

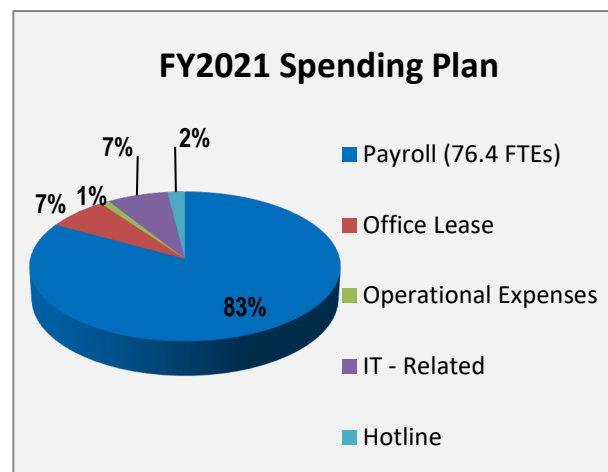
*\*Deaf and hard of hearing callers, please use VRS or  
MassRelay (711) to contact the DPPC Hotline*

## Administration and Finance

The Disabled Persons Protection Commission's (DPPC) Administration and Finance (ANF) Unit is primarily responsible for increasing the efficiency of office operations, thereby enhancing delivery of services while ensuring a high level of transparency and accountability throughout the agency's financial operations.

DPPC develops and submits annual budgets and spending plans to the Governor's office and Legislature to allow DPPC to provide an adequate level of services to receive reports, investigate abuse of persons with disabilities and to ensure the provision of protective services. To ensure fiscal accountability, monthly and annual fiscal reports are generated, reconciled, and reviewed by leadership. A system of checks and balances is in place for internal control and fraud prevention purposes. DPPC's Internal Control Plan (ICP) identifies risks of fraud and addresses ways in which to mitigate those risks. The plan is reviewed at least annually, as well as when operations change, or other risks are identified while conducting business.

DPPC has proven time and time again that it is an effective and efficient organization. Every dollar received is greatly appreciated, every dollar helps in the protection of persons with disabilities who are victims of abuse and neglect, and every dollar helps to save lives. As reflected in the depicted pie chart, 90% of DPPC's appropriation is dedicated to staffing and lease space. Another 8% is designated to operational expenses such as technology supports, staff travel to conduct investigations, copier lease and maintenance agreements, postage and office supplies, with the 2% remaining covering the cost of DPPC's 24-hour hotline.



As a result of the Administration's FY2021 support and \$3,012,372 funding increase, DPPC has expanded its critical 50.4 positions in FY2020 to 76.4 positions in FY2021. The addition of twenty-six new hires is part of the multi-year hiring plan to reduce caseload, eliminate backlog and increase operational efficiency. This fiscal year our new hires consist of ten investigators, one investigations manager, four oversight officers, three intake operator specialists, one intake coordinator, two assistant general counsels, two legal administrative assistants, fiscal officer, IT manager and training coordinator. With the addition of these mission critical positions, DPPC has been able to rebuild and reorganize the agency and renew its commitment to the safety and wellbeing of persons with disabilities in the Commonwealth. In addition, DPPC is continuing the work on the final year of a no-cost extension to a three-year federal grant-funded technology project as well as the fifth year of an ongoing program of a federal grant-funded Sexual Assault Response (SAR) team.

## DPPC Hotline

The Disabled Persons Protection Commission (DPPC) operates a 24-hour Hotline to which citizens of the Commonwealth can report incidents of suspected abuse involving adults with disabilities by dialing 1-800-426-9009. Mandated reporters are *required* by law to report suspected abuse to DPPC when they have a reasonable cause to believe that a person with a disability is being abused or neglected. Mandated reporters are persons whose professions make them more likely to be aware of abuse or neglect of persons with disabilities. Mandated reporters must also file a written report within 48 hours of the oral report. Mandated reporters are also required to report deaths of persons with disabilities to DPPC's Hotline regardless of abuse or neglect. Although mandated reporters are required by law to report abuse and deaths of persons with disabilities, anyone can report abuse to DPPC's 24-hour Hotline.

The DPPC Hotline and the Intake Unit staff who operate it are a vital part of DPPC's efforts to protect adults with disabilities from abuse and neglect. DPPC Intake staff manage and processes the Hotline calls during business hours. A vendor agency which is contracted, trained and monitored by DPPC, answers the Hotline after hours and on weekends and holidays. DPPC staff members are readily available to manage emergency or complicated situations 24 hours a day, 7 days a week. Bilingual (Spanish, Haitian Creole) staff are available to take abuse reports, and all staff members are trained to communicate via Verizon's Telecommunication Relay Service.

Staff members working on the DPPC Hotline are responsible for receiving, documenting, and evaluating information provided by reporters. DPPC management reviews each report of abuse to determine the response needed to ensure the safety of the individuals involved. Reports are also evaluated to determine whether the situation meets the statutory criteria that establish jurisdiction under M.G.L. c. 19C.

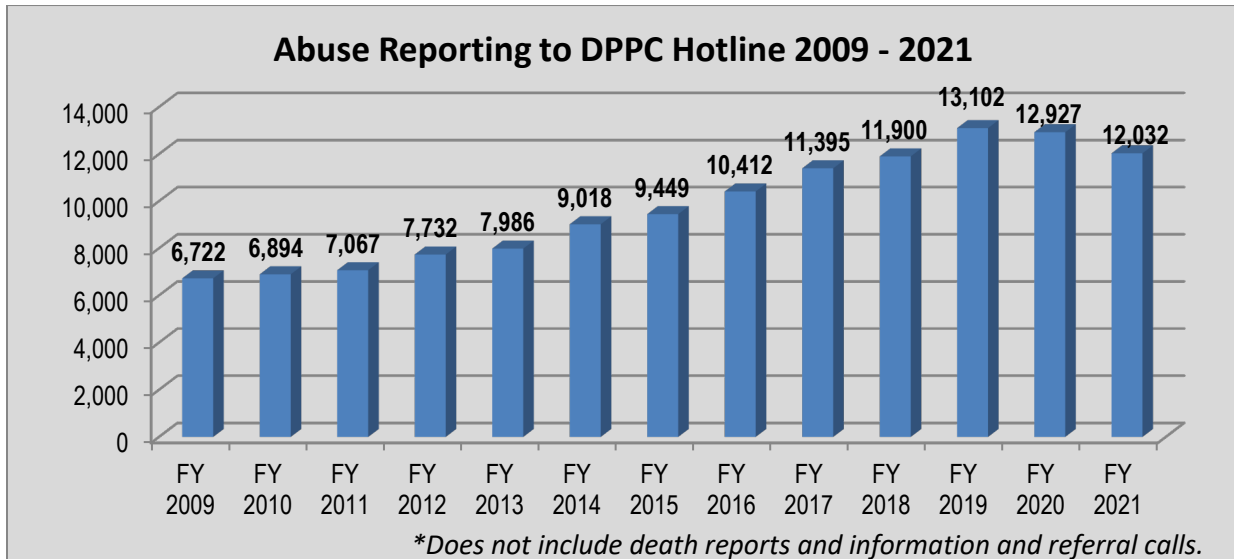
For DPPC to investigate abuse committed against persons with disabilities, the statute requires that the victim of the alleged abuse be:

- Between the ages of 18 and 59 years;
- Disabled by means of mental illness, intellectual/developmental disability or physical impairment; and
- Require the assistance of a caregiver to accomplish daily living needs as a result of the disability.

To establish jurisdiction, the Hotline staff must also examine the nature of the incident. DPPC's enabling statute, M.G.L. c. 19C, and the DPPC regulations, 118 CMR, require that the incident must:

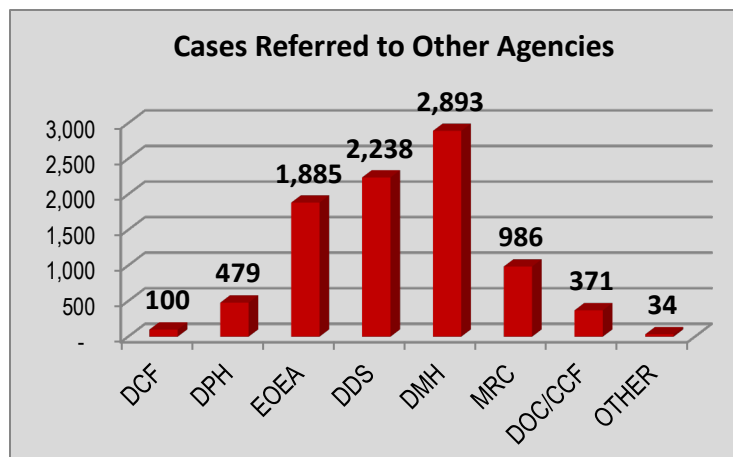
- Include an act or omission by a caregiver, and
- Result in a serious physical or serious emotional injury, or abuse *per se*.

The graph below depicts the historical data in reporting dating back to DPPC's inception in 1987.



If a reported situation does not meet the criteria to establish jurisdiction under M.G.L. c. 19C, a copy of the DPPC Intake Form is forwarded for review to the service providing agency appropriate to the individual's age and/or disability.

The graph on the right indicates that in FY2021 there were 8,986 reports that did not fall under DPPC jurisdiction and illustrates to which state agencies they were referred.



A member of the State Police Detective Unit (SPDU) assigned to the DPPC reviews every report made to the DPPC Hotline. The review by the SPDU is to determine whether the information suggests a crime may have occurred and whether a criminal investigation is necessary. Suspected criminal activity is reported by the SPDU to the appropriate District Attorney's office for their review and action as needed.

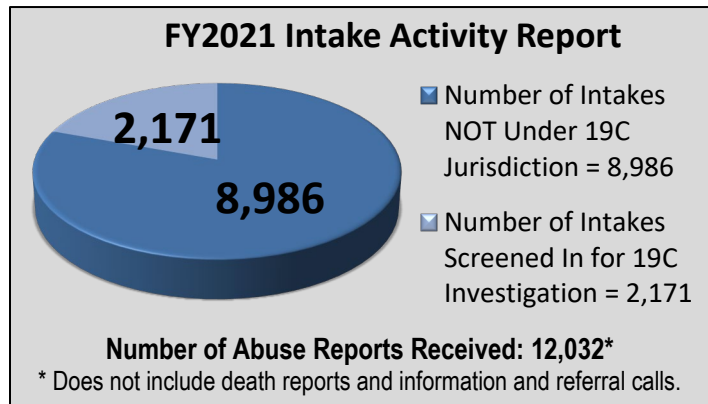
### Death Reports

The DPPC statute requires that any caregiver that is a state agency or an agency of any subdivision of the Commonwealth or a private agency contracting with the Commonwealth shall immediately orally notify the DPPC and local law enforcement of the death of any person with a disability under its care.

A written report of such deaths must also be forwarded to DPPC and local law enforcement officials within 24 hours of the death. This information is assessed to determine whether the cause of death may be related to abuse, and if so, an investigation is conducted. Each report of a death is entered into a database specifically for this purpose.

The graph on the right illustrates that during FY2021 the DPPC Hotline received 12,032 reports, not including death reports and information and referral calls, resulting in 2,171 intakes being screened in for investigation.

Each month the DPPC Hotline received an average of 1,970 calls, including reports of abuse and deaths.



## DPPC Investigations Unit

Reports of alleged abuse determined to be within the jurisdiction of DPPC are assigned to an Adult Protective Service (APS) investigator and a DPPC oversight officer. The APS investigator may be one of DPPC's investigators or an investigator from the Department of Developmental Services (DDS), Department of Mental Health (DMH) or the Massachusetts Rehabilitation Commission (MRC).

The DPPC Investigations Unit and the Investigations Units of DDS, DMH and MRC conduct abuse investigations under the authority of M.G.L. c. 19C. The DPPC regulations, 118 CMR, further clarify and operationalize the criteria established by the statute.

The most important goal of any DPPC investigation is to provide protection to anyone who has been, or is, at risk of abuse or neglect by his or her caregiver. To accomplish this protection, the DPPC relies on the services of other state agencies like DDS, DMH and MRC. Working collaboratively with staff from these agencies, DPPC works to ensure effective protective measures for people with a range of disabilities. During the course of the investigation, APS investigators also look for systemic issues that may contribute or lead to abuse.

APS investigators conduct civil, not criminal, investigations. They work in collaboration with DPPC oversight officers, service providers, law enforcement and others to ensure that victims of abuse are protected. Investigators collect information by interviewing witnesses, reviewing relevant documents and collecting all of the information necessary to develop an appropriate course of action to protect victims of abuse.

Based upon the collected information, the investigator completes an investigation report. In the report, the investigator documents his or her activities and presents conclusions based on the facts. When the facts indicate that an abusive situation exists, the investigator must include specific recommendations in the investigation report to resolve any circumstances that create risk for adults with disabilities, including the subject of the investigation and others.

## **DPPC Oversight Unit**

The DPPC Oversight Unit oversees cases screened in for investigation. These cases are monitored according to the statute and regulations. The type of monitoring/oversight necessary for each case is dependent on the nature of the situation. The Oversight Unit also works in collaboration with the State Police Detective Unit (SPDU) assigned to the DPPC and with the Sexual Assault Response (SAR) team.

The overall goal of the Oversight Unit is to ensure that individuals who are identified as victims or are at risk of abuse or neglect are protected. The Oversight Officer is available to the investigator, service providers and law enforcement as a resource, supplementing their work and providing another perspective. An Oversight Officer may at times accompany an investigator on site visits during the course of an investigation.

The DPPC Oversight Unit is primarily responsible for the following:

- Assessing risk to victims throughout the investigative process;
- Backing up DPPC's Hotline staff by answering the 24-hour abuse Hotline, collecting and evaluating information from reporters and making decisions regarding the actions necessary;
- Maintaining an extensive database of reports of abuse and deaths;
- Reviewing completed APS 19C investigation reports for compliance with DPPC's governing statute and regulations;
- Evaluating recommendations and protective service actions made during and as a result of an investigation; and
- Ensuring that appropriate and adequate protective service measures are put in place.

## **DPPC Sexual Assault Response (SAR)**

In July of 2017, the Sexual Assault Response (SAR) team was created at the DPPC to increase access to trauma informed support services for persons with disabilities thanks to the Massachusetts Office for Victim Assistance (MOVA) through the Office for Victims of Crime,

Office of Justice Programs, U.S. Department of Justice Victims of Crime Act of 1984 (VOCA) funding. SAR provides navigation, peer support and clinical matching services to survivors of sexual assault. SAR works with individuals with disabilities, families and support teams by providing information, resources, referrals and supports. The goal of SAR is to increase access to trauma services for persons with disabilities to aid in their recovery of sexual abuse.

In addition to navigation, peer support and clinical matching, SAR also benefits from a robust and active volunteer Advisory Council. The volunteer Advisory Council's role is to advise the DPPC in its ongoing development of SAR. The Advisory Council members share their professional/experiential wisdom to guide and enhance SAR operations. Advisory Council members also serve as ambassadors for SAR within the members' own spheres of influence by taking action within their own organizations to prevent and effectively respond to sexual violence against persons with disabilities. Further, the Advisory Council members are called upon for assistance with introductions to stakeholders in the fields of disability services and advocacy, sexual violence, law, mental health, criminal justice, law enforcement, medical health, education and employment. DPPC and SAR have benefited greatly from the collective experience offered by the individual members of the volunteer Advisory Council.

## DPPC Outreach and Training Unit

DPPC defines prevention as: ***“Any action taken to prevent abuse or neglect from occurring ...or any action taken to protect the individual from risk of further abuse, once it has already occurred.”*** DPPC is committed to addressing the problem of abuse and neglect as it relates to persons with disabilities. To accomplish this, DPPC uses education and awareness as primary tools in its effort to prevent, recognize, report and effectively respond to abuse committed against persons with disabilities.

Some of DPPC's ongoing activities include:

- Curricula development and trainings designed to educate Adult Protective Services (APS), law enforcement, mandated reporters, caregivers, persons with disabilities and other professionals regarding the identification and reporting of abuse of persons with disabilities;
- Providing consultation or information to agencies interested in the development of abuse prevention programs;
- Collaboration with agencies to develop presentations, programs and services related to abuse prevention and improving the quality of life of persons with disabilities;
- Development and distribution of educational materials to introduce DPPC operations, the role of mandated reporters and indicators of abuse and neglect; and
- Participation in local, statewide and national conferences to increase knowledge and share information related to the protection of persons with disabilities.

**For DPPC Training Contact:**

Disabled Persons Protection Commission  
Outreach and Training Unit  
300 Granite Street, Suite 404  
Braintree, MA 02184

Email: [DPPCinfo@massmail.state.ma.us](mailto:DPPCinfo@massmail.state.ma.us)

Phone: (617) 727-6465

Fax: (617) 727-6469

Web: <http://www.mass.gov/dppc/>

**DPPC Legal Unit**

The DPPC Legal Unit provides legal advice and guidance on a variety of matters pertaining to the core functions of DPPC. This includes providing general advice and support to staff investigators from DPPC, DDS, DMH and MRC who conduct investigations on behalf of DPPC.

Specifically, DPPC Legal Counsel provide:

- Information and assistance to other state agencies regarding protective services and guardianship; and
- Advice, support and training with regard to investigation issues and legal interpretation of the terms and mandates contained in M.G.L. c. 19C and 118 CMR.

DPPC attorneys work in coordination with legal counsel from DDS, DMH, MRC and other agencies, including District Attorneys' Offices (DA), the Office of the Attorney General (AG), Executive Office of Elder Affairs (EOEA), Department of Children and Families (DCF), Department of Public Health (DPH), Division of Professional Licensure (DPL), Department of Corrections (DOC), Medical Examiner's Office (ME) and others.

The DPPC Legal Unit also provides information to the public about DPPC's functions and mandate and handles record requests and court interventions when necessary. In addition, the

Legal Unit performs the following specific functions within DPPC:

- Obtains judicial protective orders when an alleged victim of abuse is at immediate risk of harm and is not able to consent to the provision of protective services due to a mental or physical impairment;

- Secures access warrants when law enforcement and/or DPPC investigators are unreasonably denied access to an alleged victim of abuse;
- Responds to reports of mandated reporters' failure to report abuse as required by M.G.L. c. 19C and other reporting issues;
- Conducts reviews of the conclusions of DPPC Investigation Reports pursuant to 118 CMR 14.00;
- Acts as the DPPC's Keeper of Records and ensures that DPPC responses to requests for DPPC records are compliant with all statutory requirements;
- Responds to formal legal demands for statutorily protected records, pursuant to court process or court order; and
- Assists Executive Director in advancing and advocating for legislation implicating or affecting DPPC's ability to efficiently perform its core functions.

## **DPPC State Police Detective Unit**

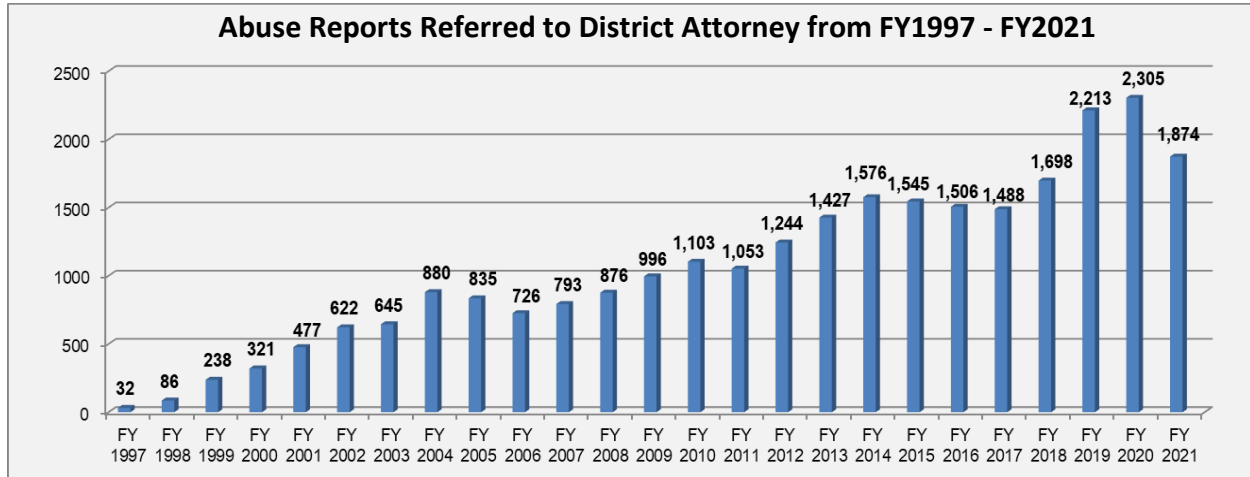
The State Police Detective Unit (SPDU) assigned to the DPPC is comprised of a Sergeant and four troopers and became fully operational on May 1, 1998. The SPDU provides a statewide mechanism to ensure an effective and rapid response to potential criminal complaints of abuse and neglect against persons with disabilities by coordinating the efforts of adult protective services (APS), human services, state and local law enforcement and the Commonwealth's District Attorneys.

The SPDU assigned to DPPC reviews 100% of all abuse reports to DPPC's 24-Hour Hotline. Reports identified as criminal are referred to the applicable District Attorney's Office. As defined in each Memorandum of Understanding (MOU) established in each of the eleven district attorney jurisdictions, the SPDU assigned to DPPC, the state police liaisons within each of the eleven District Attorneys' Offices, and the municipal police are assigned to investigate crimes against persons with disabilities as determined by the District Attorney.

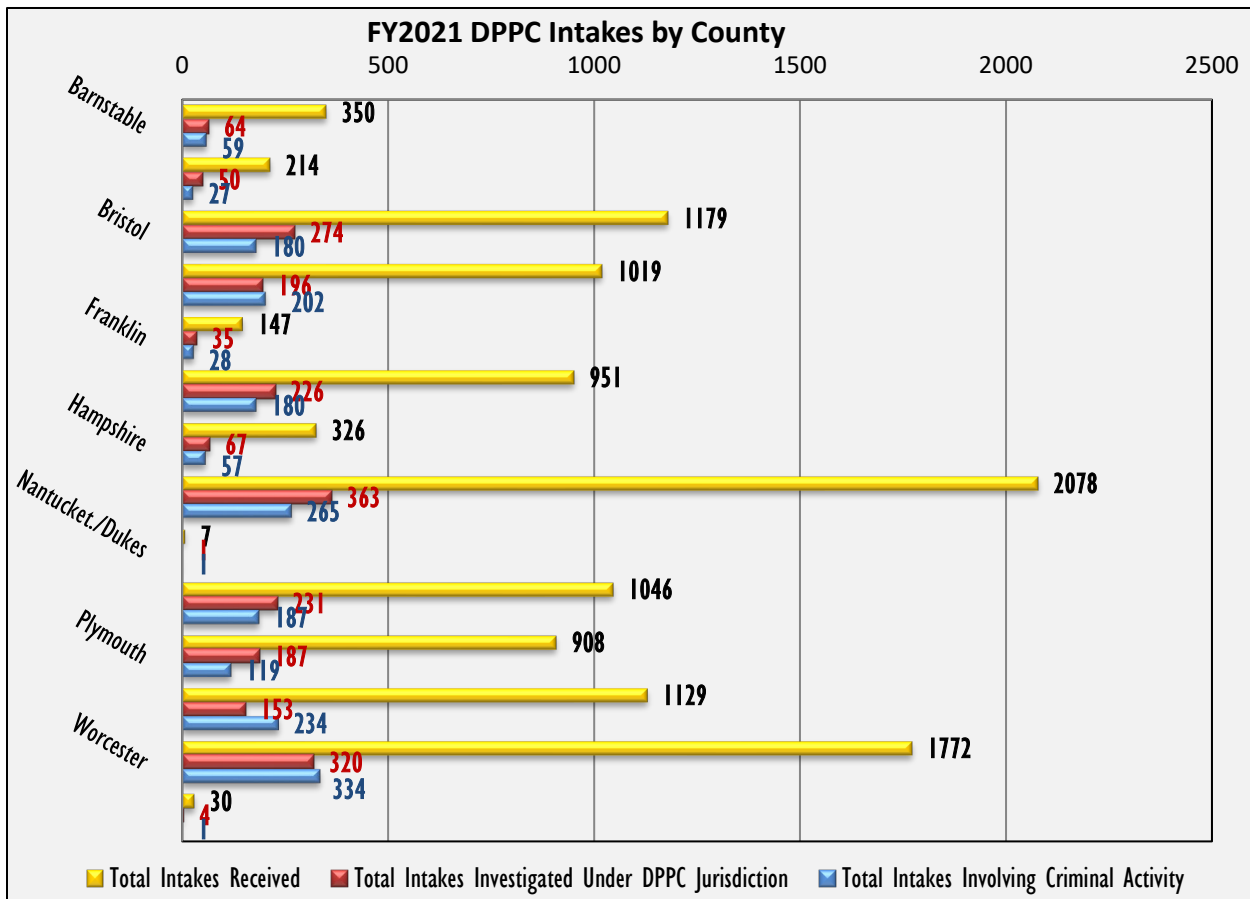
Within Fiscal Year 2021, the SPDU reviewed 11,157 allegations of abuse. Of the 11,157 reports reviewed, 1,874 were referred to the District Attorneys for further review/assignment for a criminal investigation.

# DPPC FY2021 Annual Report

The following graph shows the number of reports referred to the District Attorney for possible criminal investigation from fiscal year 1997 to 2021. In 1997 there were 32 reports referred and in 2021 there were 1,874 abuse reports referred.



The graph below is a breakdown by county of the number of intakes received by the DPPC Hotline, reports meeting the jurisdiction for 19C investigation, and number of intakes referred to the District Attorney for possible criminal investigation.



In addition to investigating criminal complaints committed against persons with disabilities, the SPDU is actively involved in training agency staff, law enforcement and other professionals. Training is provided on recognizing and reporting abuse and on what to do and what not to do when abuse or a crime committed against a person with a disability is suspected. Training of recruits and seasoned officers throughout the Commonwealth is provided at the request of the Municipal Police Training Committee and the State Police Academy.

## **To File a Report of Abuse, Call DPPC's 24-Hour Hotline:**



### **Abuse Reporting Hotline Numbers:**

- **Department of Children & Families (DCF)**  
*Ages birth to 17*  
Phone: 1-800-792-5200
- **Disabled Persons Protection Commission (DPPC)**  
*Ages 18 to 59*  
Phone: 1-800-426-9009\*  
*\*Deaf and hard of hearing callers, please use VRS or MassRelay (711) to contact the DPPC hotline*
- **Executive Office of Elder Affairs (EOEA)**  
*Ages 60 & above*  
Phone: 1-800-922-2275
- **Department of Public Health (DPH)**  
*Patients in Long Term Care Facilities*  
Phone: 1-800-462-5540

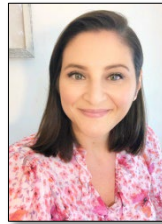
## **DPPC COMMISSIONERS**

### **IN CLOSING**

The Honorable James T. Brett, Chairman and Commissioners of the Disabled Persons Protection Commission would like to take this opportunity to acknowledge Governor Charles D. Baker and the House and Senate members for their ongoing commitment and support in protecting adults with disabilities in the Commonwealth of Massachusetts against abuse and neglect. We would also like to recognize and thank the many hard-working men and women who dedicate their work to enhancing the quality of life of people with disabilities.



The Honorable James T. Brett  
*Chairman*



Kacy C. Maitland  
*Commissioner*



Mary Beth McMahon  
*Commissioner*

*Thank you for taking the time to review DPPC's FY2021 Annual Report.  
If you have questions or require additional information,  
please contact the DPPC at (617) 727-6465.*

