

**SENATE . . . . . No. 1293**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Cynthia S. Creem*

*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 relative to training for law enforcement in dealing with individuals suffering from mental illness.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Cynthia S. Creem</i>	<i>First Middlesex and Norfolk</i>	
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	<i>1/31/2017</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/2/2017</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/3/2017</i>

**SENATE . . . . . No. 1293**

By Ms. Creem, a petition (accompanied by bill, Senate, No. 1293) of Cynthia S. Creem, Barbara A. L'Italien, James B. Eldridge and Sal N. DiDomenico for legislation to train law enforcement in dealing with individuals suffering from mental illness. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1244 OF 2015-2016.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act relative to training for law enforcement in dealing with individuals suffering from mental illness.

*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. Chapter 6 of the General Laws is hereby amended by inserting after section  
2 116F the following section:--

3 Section 116G. (a) The municipal police training committee shall establish within the  
4 recruit basic training curriculum a course for regional and municipal police training schools on or  
5 before January 1, 2018, for the training of law enforcement officers in the commonwealth in the  
6 handling of complaints involving mental health emergencies and victims, witnesses or suspects  
7 with mental illness or developmental disability and shall develop guidelines for law enforcement  
8 responses to incidents involving such persons. The course of instruction and the guidelines shall  
9 emphasize:

10 (1) The enforcement of criminal laws for the benefit of victims and witnesses with  
11 mental illness or developmental disability, the availability of civil remedies and community  
12 resources for persons experiencing mental health emergencies, and the protection of persons with  
13 mental illness or developmental disability, and for law enforcement officers engaging such  
14 persons;

15 (2) The laws regarding the defenses of responsibility and competency to stand trial, and  
16 the diversion of persons with mental illness or developmental disability for treatment instead of  
17 criminal prosecution;

18 (3) The provision of information to law enforcement officers about individuals  
19 suffering from mental illness or developmental disability, including common behaviors and  
20 actions exhibited by such individuals; strategies law enforcement officers can use for reducing or  
21 preventing the risk of harm arising from persons experiencing mental health emergencies, or  
22 from victims, witnesses or suspects with mental illness or developmental disability with the aim  
23 of seeking the least intrusive, restrictive and violent means of addressing such incidences and  
24 individuals while protecting the safety of the law enforcement officer and other persons present  
25 at the complaint scene.

26 Training presenters shall include certified mental health practitioners with expertise in the  
27 delivery of direct services to individuals experiencing mental health emergencies and victims,  
28 witnesses and suspects with mental illness and developmental disability and consumer-survivors.  
29 Training presentations may utilize the staff of community-based mental health or developmental  
30 disability treatment facilities.

31           As used in this section, “law enforcement officer” shall mean any officer of a local police  
32 department, the office of environmental law enforcement, the University of Massachusetts, the  
33 Massachusetts Bay Transportation Authority police department and state police. “Consumer-  
34 survivor” shall mean any individual suffering from mental health disability or developmental  
35 disability.

36           (b) All law enforcement recruits shall receive the course of basic training for law  
37 enforcement officers, established in paragraph (a) of this section, as part of their required  
38 certification process.

39           (c) The course of instruction, the learning and performance objectives, the  
40 standards for training, and the guidelines shall be developed by the municipal police training  
41 committee in consultation with groups and individuals having an interest and expertise in the  
42 field of mental health and community-based treatment.

43           (d) The municipal police training committee periodically shall include within its  
44 in-service training curriculum a course of instruction on handling complaints from or against  
45 persons with mental illness and developmental disability, consistent with the provisions of sub-  
46 paragraphs one through three of paragraph (a) of this act.