



Massachusetts Down Syndrome Congress

TO: Members of the Judiciary Committee
FROM: Maureen Gallagher, Executive Director, MDSC
RE: H. 1780 An Act to Require National Criminal Background Checks (Staff Who Work With Individuals Served by the Department of Developmental Services)
DATE: July 27, 2009

The Massachusetts Down Syndrome Congress (MDSC), a non-profit organization established in 1983 representing more than 5,000 people with Down syndrome in the Commonwealth, strongly supports House Bill 1780, An Act to Require National Background Checks. This bill will require a national criminal background check of candidates who apply for positions to work with individuals served by the Department of Developmental Services (DDS) (formally known as the Department of Mental Retardation.) We strongly encourage all members of the Judiciary Committee to approve this important bill, which will safeguard the human dignity of all persons with disabilities served by the Department of Developmental Services.

People with Down Syndrome are among those many consumers who receive services from the Department of Developmental Services. Life expectancy for people with Down syndrome has increased dramatically in recent decades – from 25 in 1983 to 60 today. Quality education programs, good health care, and positive support from family, friends, and the community enable people with Down syndrome to develop to their full potential and lead fulfilling lives. Under the current law, many of these persons are vulnerable to unthinkable acts of abuse that are happening in large numbers in the Commonwealth.

The Committee has the opportunity to protect the human dignity of all persons with Down syndrome and other developmental disabilities. Approval of House Bill 1780 would mean that persons employed by the Department of Developmental Disabilities and its vendor agencies would need to be first screened with a national background check, not just our state CORI check.

Right now, people who have committed significant crimes of violence or abuse in other states can come to Massachusetts and be hired in positions where they will be working with consumers with cognitive disabilities. There is no system in place to give DDS and their vendor agencies access to comprehensive criminal history of potential employees who have committed crimes outside of Massachusetts. Our DDS Commissioner, Elin Howe, supports House Bill 1780 to rectify this situation.

The numbers are staggering. Reports of abuse for persons served by the Department of Developmental Services total more than 2,000 substantiated cases since 1995. Frighteningly, of those cases, the majority of these abusers had been CORI cleared prior to hire. Similar legislation has already been successfully implemented in other states such as New York and Idaho; the time for Massachusetts is now.



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This bill is a human rights bill, asking for fundamental protections for a vulnerable population. On behalf of our entire organization and as the parent of an adult with a developmental disability, I thank you for taking the appropriate steps in ensuring a timely approval of this bill.

For further comment, I can be reached at 781-449-0024 or mgallagher@mdsc.org.



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TO: Members of the Judiciary Committee
FROM: Chuck Maranian, Member at Large, MDSC
RE: H. 1780 An Act to Require National Criminal Background Checks (Staff Who Work With Individuals Served by the Department of Developmental Services)
DATE: July 24, 2009

My name is Chuck Maranian. I am 22 years old and live in Boston, MA. I have Down syndrome. I am asking you to support H. 1780. It is important that all people with disabilities who live in Massachusetts are safe in their homes, jobs, and programs. It is our responsibility to do this. Please vote yes. Thank you.