



Massachusetts Down Syndrome Congress

TO: Members of the Judiciary Committee
FROM: Maureen Gallagher, Executive Director, MDSC
RE: H. 523 An Act to Require National Criminal Background Checks (Staff Who Work With Individuals Served by the Department of Developmental Services)
DATE: June 8, 2011

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 523, 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.)

People with Down syndrome are among the many children and adults 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.

Many services provided to people with Down syndrome and other developmental disabilities operate under the jurisdiction of the DDS and their vendor agencies which employ approximately 14,000 workers who provide these services.

Under the current law, people with developmental disabilities are vulnerable to unthinkable acts of abuse that are happening in large numbers in the Commonwealth. In FY2010 alone, the Massachusetts Disabled Persons Protection Commission received over 3,500 reports of abuse of persons with developmental disabilities.

Our society has a responsibility to do everything within its power to protect people who cannot or will not speak out for themselves.

The Committee has the opportunity to protect the human dignity of all persons with Down syndrome and other developmental disabilities.

Approval of House Bill 523 would mean that persons employed by the Department of Developmental Disabilities and its vendor agencies must first be screened with a national background check, not just our state CORI check.



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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 people 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 523 because it rectifies this gaping hole in the state's ability to protect its most vulnerable citizens.

We are simply 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.