

Special Commission on State Institutions

May 15, 2025
3:00PM – 5:00PM

Virtual / Zoom

Dr. Kate Benson
Co-chair

Anne Fracht
Co-chair

Agenda

1. Welcome
2. Recap of Last Meeting
3. Vote to Approve 5/8/25 Meeting Minutes
4. Recap of the work of the Special Commission
5. Discussion on remaining items
6. Next Steps
7. Vote to Adjourn

Welcome

**Senator Barrett and
Representative Garballey**

Commission Business

- ▶ Recap of Last Meeting
- ▶ Vote to approve 4/10/25 meeting minutes

Accomplishments of the Special Commission

June 2023- May 2025

Together we have:

▶ Research & Legal Work

- ▶ Conducted extensive interviews with descendants seeking to access their family member's institutional records
- ▶ Developed legal research scenarios for Harvard Law School students to explore historical and legal issues tied to patient records from state institutions.
- ▶ Drafted a formal letter to Governor Healey and Secretary Walsh regarding concerns about the Fernald State School.
- ▶ Analyzed the official response to the Commission's letter of inquiry and authored a comprehensive follow-up to Secretary Walsh.

▶ Records & Data Collection:

- ▶ Created a data collection tool to inventory records not currently held by the Massachusetts State Archives, for use by government agencies.
- ▶ Provided input on a gap analysis tool used to assess the condition of institutional cemeteries across the state.
- ▶ Researched best practices for handling the discovery of potential unmarked graves.

Accomplishments of the SCSI

▶ Burial Sites & Memorialization:

- ▶ Participated in presentations from five organizations on cemetery restoration and honoring former residents of state institutions.
- ▶ Compiled names of individuals buried in institutional cemeteries, including many previously undocumented.
- ▶ Collected names from publicly available sources for nine state institutions and from Massachusetts Archives records, including those buried at Bridgewater State Hospital or whose remains were donated to medical schools.
- ▶ Secured permission from the Department of Mental Health to access records from Foxboro State Hospital to reconstruct burial lists.
- ▶ These conversations deeply influenced our recommendations for how Massachusetts should move forward.

Accomplishments of the SCSI

► Overall

- Formed the first disability-led, disability-majority human rights commission of its kind in the world.
- Successfully held 16 Commission meetings over two years.
- Created small working groups tied to the goals of the Commission
 - Letter of Inquiry
 - Records and Records Access
 - Burials and Burial Locations
 - Framework for Remembrance
 - Recommendations
- Completed a report of approximately 400 pages, the most extensive of its kind in U.S. history.
- Completed our work on time and within budget.

24 Policy Recommendations

- ▶ 3 recommendations focused on memorialization and public acknowledgment, including:
 - ▶ Issuing a formal public apology,
 - ▶ Conducting a feasibility study for a disability history museum,
 - ▶ Incorporating disability history into Massachusetts K–12 social studies curriculum.
- ▶ 4 recommendations related to burial practices, including:
 - ▶ Improving maintenance of institutional cemeteries,
 - ▶ Identifying and marking unmarked graves,
 - ▶ Repealing Chapter 113 (governing anatomical donations),
 - ▶ Establishing a registry of former patients whose remains were donated to medical schools.
- ▶ 17 recommendations aimed at addressing systemic problems with records, including:
 - ▶ Reforms to record management, preservation, and access protocols,
 - ▶ Legal changes to improve transparency and access rights,
 - ▶ Enhancements to facilitate access for former residents, their families, and researchers,
 - ▶ Development of pathways for transferring institutional records to the Massachusetts Archives.

Discussion on Open Items

Open Items

- ▶ Vote on Publishing the Report
- ▶ Awaiting Response from Sec. Walsh to the Special Commission's letter
- ▶ Potential Continuation of the Special Commission
- ▶ Publicizing the Special Commission's report and recommendations
- ▶ Oversight and advocacy for the implementation of the Special Commission's recommendations
- ▶ Mapping of DMH Foxboro cemetery and identification with records

Next Steps

► Vote to Adjourn