

# Special Commission on State Institutions

**May 8, 2025  
3:00PM – 5:00PM**

**Virtual / Zoom**

**Dr. Kate Benson  
Co-chair**

**Anne Fracht  
Co-chair**

# Agenda

1. Welcome and Announcements
2. Recap of Last Meeting
3. Vote to Approve 4/10/25 Meeting Minutes
4. Proposed Recommendations
5. Next Steps
6. Vote to Adjourn

# Welcome and Announcements

- ▶ Announcements
  - ▶ 100<sup>th</sup> Anniversary of the opening of the Belchertown State School Cemetery- Memorial Service on May 23<sup>rd</sup> at 1:30 pm
  - ▶ Recent fire on the grounds of the former Fernald State School
- ▶ Recap of Last Meeting
- ▶ Vote to approve 4/10/25 meeting minutes

# Stakeholder Feedback and Updates

# **Records and Records Access**

## **Proposed Recommendation**

# Recommendation: Records and Records Access

- ▶ Modify Laws Regarding Restricted Medical Records
  - ▶ Change existing laws to allow family members/descendants to access medical records within 50 years of an individual's death upon proving the person is deceased.
  - ▶ This would eliminate the need for court orders, which can be costly and complex, and ensure records are made available with privacy protections in place.

# Discussion

## Modify Laws Regarding Restricted Medical Records

# Burials and Burial Locations

## Proposed Recommendations



# Recommendation Groupings

- ▶ Recommendations Related to Known & Unknown Burial Grounds
- ▶ Recommendations Related to Disabled Dead Practices and Laws

# Recommendation: Locating Unmarked Graves on Former Institutional Properties

- ▶ The Commonwealth of Massachusetts should initiate a formal effort to:
  - ▶ Investigate and map the potential locations of unmarked graves
  - ▶ Focus on former state institutional properties where deceased individuals may have been buried without markers
- ▶ Why This Is Important
- ▶ Understanding the scope and location of unmarked graves is essential for:
  - ▶ Historical accountability
  - ▶ Respectful memorialization
  - ▶ Addressing long-standing community concerns
  - ▶ Enables future restoration and protection efforts

# Recommendation: Guidelines for Institutional Cemetery Stewardship

- ▶ The Commonwealth should establish clear, formal guidelines governing:
  - ▶ Investigation of institutional cemeteries
  - ▶ Restoration practices
  - ▶ Long-term maintenance and protection
- ▶ Why This Is Important
  - ▶ Prevents irreversible damage or desecration, even from well-intentioned efforts
  - ▶ Provides consistent standards across all state institutional cemetery sites
  - ▶ Ensures that restoration and maintenance practices are respectful, coordinated, and informed by disability justice principles

# Recommendation: Establish a Perpetual Care Fund

- ▶ Dedicated to the long-term maintenance of institutional cemeteries and cover upkeep activities such as:
  - ▶ Landscaping
  - ▶ Road maintenance
  - ▶ General grounds care
- ▶ Award grants to community groups to support creation of memorials at burial sites of former patients and residents of Massachusetts institutions.
- ▶ Why This Is Important
  - ▶ The state must take long-term responsibility for cemetery care
  - ▶ Ensures respectful remembrance and upkeep of burial grounds tied to the history of state institutions

# Discussion

## Recommendations Related to Known & Unknown Burial Grounds

# 5 Minute Break

# Disabled Dead Practices and Laws Recommendations

# Recommendation: Repeal Chapter 113

## Overview of Chapter 113

- ▶ Requires state institutions to transfer unclaimed bodies of deceased patients to medical schools
  - ▶ Bodies were used for anatomical dissection and educational purposes
- ▶ Why This Is Important
- ▶ No longer reflective of current medical education practices
  - ▶ Today, requests for unclaimed bodies from state institutions is rare/replaced by voluntary body donation programs
- ▶ Repeal would protect the dignity and rights of the deceased



# Recommendation: Formal Apology & Registry of Remains

- ▶ Medical schools, institutions, and government agencies that used the bodies of disabled individuals without consent for research must:
  - ▶ Create a public registry of any remains or related materials
  - ▶ Issue a formal apology for these past practices
- ▶ Registry would allow descendants and loved ones to locate remains and understand the history
- ▶ Why This Is Important
  - ▶ Acknowledges and addresses past harm done without consent
  - ▶ Ensures transparency and accountability for those who benefited—financially or intellectually—from these practices
  - ▶ Supports healing for families and communities impacted by the historical treatment of the disabled dead

# Discussion

## Recommendations Related to Disabled Dead Practices and Laws

# Framework of Remembrance

## Proposed Recommendations

# Recommendation: Museum & Memorialization Initiatives

Create a statewide museum and resource hub to:

- ▶ Preserve institutional history and honor former residents
- ▶ Tell the stories of the independent living movement, deinstitutionalization, and disability inclusion
- ▶ **Recommend** forming a member-led feasibility committee to Deliver a report on potential physical and digital models

# Discussion

## Museum & Memorialization Initiatives

# Recommendation: Formal State Apology

- ▶ The Commonwealth of Massachusetts should issue a formal apology to address:
  - ▶ Neglect of institutional cemeteries
  - ▶ Mishandling of records
  - ▶ Systemic harm done to disabled individuals in state institutions
- ▶ Why This Is Important
  - ▶ Acknowledges that while some received care, many others were harmed
  - ▶ Confronts a legacy of institutionalization that often failed to prioritize the well-being of disabled people
  - ▶ A formal apology would be a powerful act of recognition, helping survivors and descendants begin to heal
  - ▶ Reinforces the state's commitment to accountability and disability justice

# Discussion

## Formal State Apology

# Recommendation: Integrating Disability History into K–12 Education

- ▶ Commit to incorporating disability history in Massachusetts into the public-school social studies curriculum with a focus on:
  - ▶ Institutional history and its impact on individuals and communities
  - ▶ The evolution of disability rights, advocacy, and inclusion
  - ▶ Connections between past injustices and present-day progress
- ▶ Why This Is Important
  - ▶ Ensure that disabled students see themselves reflected in the historical narrative
  - ▶ Help all students understand:
    - ▶ The mistreatment and resilience of disabled people
    - ▶ How this history informs our current values, systems, and reforms



# Discussion

## Disability History into K–12 Education

# Other Recommendations?

► What else should we consider?

# Next Steps

► Vote to Adjourn