#### Special Commission on State Institutions

**May 8, 2025 3:00PM – 5:00PM**

**Virtual / Zoom**

**Dr. Kate Benson Anne Fracht Co-chair 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
    - 100th Anniversary of the opening of the Belchertown State School Cemetery- Memorial Service on May 23rd 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

