

OFFERED BY COUNCILOR KENDRA LARA, ARROYO, BAKER, BOK, BREADON, FERNANDES ANDERSON, FLAHERTY, LOUIJEUNE, MEJIA, MURPHY, WORRELL



CITY OF BOSTON IN CITY COUNCIL

RESOLUTION IN SUPPORT OF H.225, AN ACT REGARDING THE USE OF AVERSIVE THERAPY

WHEREAS, The use of aversive therapy is illegal for abled neurotypical children and adults and pets and zoo animals. However, it is legal for children and adults who have intellectual disabilities, developmental disabilities, and are autistic; *and*

WHEREAS, Children and adults who have intellectual disabilities, developmental disabilities, and are autistic are subjected to cruel and unusual punishments known as aversives with the use of graduated electronic decelerators (GED) or electrical stimulation devices (ESDs) whose purpose is to cause pain or distress in the person with a disability in an attempt to control behavior; *and*

WHEREAS, Manfred Nowak, the UN's Special Rapporteur on Torture, has called the use of graduated electronic decelerators (GED) torture and made an urgent appeal to the United States Government to investigate; *and*

WHEREAS, According to William Maisel, M.D., M.P.H., director of the Office of Product Evaluation and Quality in the FDA's Center for Devices and Radiological Health, "Since ESDs were first marketed more than 20 years ago, we have gained a better understanding of the danger these devices present to public health. Through advancements in medical science, there are now more treatment options available to reduce or stop self-injurious or aggressive behavior, thus avoiding the substantial risk ESDs present"; *and*

WHEREAS, Graduated Electronic Decelerator devices are only used in Canton, Massachusetts, at the Judge Rotenberg Center (JRC), where children and adults who have intellectual disabilities, developmental disabilities, and are autistic are electrocuted for flapping their hands, standing up, swearing, not taking off a coat, and other noises or movements that they make because of their disability; *and*

WHEREAS, Due to the impact of systemic racism on communities of color and lack of support in our schools, health centers, and communities for children and adults who have intellectual disabilities, developmental disabilities, and are autistic, people of color are institutionalized more often than white disabled people, and comprise approximately 80% of the residents at the Judge Rotenberg Center (JRC); *and*

WHEREAS, The current state law does not offer the same protections against physical harm for children and adults who have intellectual disabilities, developmental disabilities, and are autistic as it does for those who are abled; *and*

WHEREAS, The passage of Bill H.225 will ensure that no program, agency, or facility funded, operated, licensed, or approved by any agency or subdivision of the Commonwealth shall administer or cause to be administered to any person with a physical, intellectual, or developmental disability any procedure which causes obvious signs of physical pain, including, but not limited to, hitting, pinching, and electric shock to change the behavior of the person; *and*

WHEREAS, During April, more organizations and individuals are celebrating Autism Acceptance Month, including the Boston Public School, as was announced by Superintendent Brenda Casellius at the April 7th, 2022 School Committee Meeting; *and*

WHEREAS, The right to dignity, accessibility, acceptance, and protection belongs to every human being;

NOW, THEREFORE BE IT RESOLVED:

That the Boston City Council condemns the use of Graduated Electronic Decelerators at the Judge Rotenberg Center and offers its support for An Act Regarding the Use of Aversive Therapy (H.225) and that the Clerk of the City of Boston is, and hereby is, respectfully requested to transmit a suitably attested copy of this Resolution to the Chairs and Vice-Chairs of the Joint Committee on Children, Families, and Persons with Disabilities, the Senate President, the Speaker of the House, the presenter of the proposed legislation Representative Danielle W. Gregoire, and the Boston Delegation to the General Court.

Filed on: April 13, 2022