

# Nicky's Law

S 71 H 101



*An act to protect individuals with intellectual and developmental disabilities from abuse*

There is presently no system to track individuals whose act of abuse against individuals with intellectual and developmental disabilities (I/DD) has been substantiated. **The Disabled Persons Protection Commission (DPPC) screened 11,395 cases in the past year. In FY 2017, a total of 2,571 investigations were deemed necessary through DPPC screening.**



Some individuals are referred for criminal prosecution, but there is no guarantee of conviction. Many victims are non-verbal or have communication challenges. **Less than 10% of cases referred to Massachusetts District Attorneys result in charges against the perpetrator.** The registry is an important addition to criminal background checks since most staff for whom there are findings of substantiated abuse are NOT prosecuted in court. It will prevent serial abusers.

Senator Michael Moore and Rep. Linda Campbell filed a *mandatory* registry bill known as “Nicky’s Law” initially targeted at the Department of Developmental Services (DDS). The bills are filed as Senate Docket 1836 and House Docket 3783 (“An act to protect individuals with intellectual and developmental disabilities from abuse”).

The registry bill will apply for those working in Department of Developmental Services (DDS) funded programs (state or private workers). It requires that the names of staff persons be placed onto a registry against whom a substantiated finding of abuse of a person with an intellectual or developmental disability has been issued by the DPPC. DDS and DDS funded providers would not be able to hire someone on that registry. The registry includes a comprehensive formal appeal process through DALA. Specifics on the registry are left to regulation.

Learn more at [arcmass.org/abuserregistry](https://arcmass.org/abuserregistry).