

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Alan Silvia

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing the Massachusetts Violent and Dangerous Persons Mental Health Information System.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Alan Silvia</i>	<i>7th Bristol</i>	<i>12/8/2025</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>	<i>1/12/2026</i>
<i>Christopher M. Markey</i>	<i>9th Bristol</i>	<i>1/13/2026</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>1/13/2026</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>1/13/2026</i>

HOUSE No.

By Representative Silvia of Fall River, a petition (subject to Joint Rule 12) of Alan Silvia for legislation to establish a violent and dangerous persons mental health information system within the Executive Office of Public Safety and Security. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act establishing the Massachusetts Violent and Dangerous Persons Mental Health Information System.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 6A of the General Laws is hereby amended by inserting after
2 section 18W the following section:-

3 Section 18W½. (a) For purposes of this section, the following words shall, unless the
4 context clearly requires otherwise, have the following meanings:-

5 “Participating agency”, (i) the department of mental health; (ii) the department of
6 correction; (iii) the office of probation; (iv) the department of criminal justice information
7 services; (v) the parole board; (vi) each sheriff’s office; (vii) all municipal and state law
8 enforcement agencies; and (viii) and any other agency, office or department of the
9 commonwealth determined by the secretary of public safety and security to be necessary to carry
10 out the purpose of this section.

11 “System”, the Massachusetts violent and dangerous persons mental health information

12 system established pursuant to subsection (b).

13 “Violent felony offense”, any crime punishable by imprisonment in state prison, or any

14 act of juvenile delinquency involving the use or possession of a deadly weapon that would be

15 punishable by imprisonment for such term if committed by an adult, that: (i) has as an element

16 the use, attempted use or threatened use of physical force or a deadly weapon against the person

17 of another; (ii) is burglary, extortion, arson or kidnapping; (iii) involves the use of explosives; or

18 (iv) otherwise involves conduct that presents a serious risk of physical injury to another.

19 “Violent or dangerous person”, an individual who has been: (i) convicted of a violent

20 felony offense; (ii) adjudicated as posing a substantial risk of harm to self or others as

21 determined by a qualified mental health professional under chapter 123; or (iii) subject to a court

22 order of commitment to a mental health or forensic facility due to violent or dangerous behavior.

23 (b) There shall be established within the executive office of public safety and security a

24 centralized, secure information database to be known as the Massachusetts violent and dangerous

25 persons mental health information system. The purpose of the system shall be to improve public

26 safety, facilitate coordination among participating agencies, and provide timely information to

27 assist participating agencies in the monitoring, treatment and supervision of individuals who

28 pose a demonstrated risk of violence due to severe mental illness.

29 (c) The system shall collect and maintain relevant identifying, behavioral, and treatment

30 information necessary to monitor violent or dangerous individuals.

31 (d) All participating agencies may access the system for the limited purpose of assisting

32 participating agencies with: (i) ensuring public safety; (ii) monitoring probation, parole, or

33 release conditions; (iii) coordinating treatment, housing, and supervision plans; and (iv)
34 preventing acts of violence or harm.

35 (e) The sharing of information shall comply with all applicable federal and state privacy
36 laws, including the federal Health Insurance Portability and Accountability Act of 1996 and 42
37 CFR Part 2, provided that such privacy laws shall not be construed to prevent the disclosure of
38 information necessary to protect the safety of the public or individuals involved.

39 (f) The secretary of public safety and security, in consultation with the commissioner of
40 mental health, shall promulgate regulations governing: (i) criteria for inclusion and removal of
41 information and records from the system; (ii) standards for data entry, maintenance, and
42 retention; (iii) interagency protocols for access and confidentiality; and (iv) procedures for
43 individuals to appeal or review their inclusion.

44 (g) A multi-agency oversight committee shall be established to review the operation of
45 the system annually, issue recommendations to the Governor and General Court, and ensure
46 compliance with civil rights and due process standards.

47 (h) The secretary of public safety and security may seek federal grants or public safety
48 funding for technology integration and training.

49 SECTION 2. The secretary of public safety and security, in consultation with the
50 commissioner of mental health, shall promulgate the regulations required pursuant to 18W^{1/2} of
51 chapter 6A of the General Laws within 18 months after passage of this act.

52 SECTION 3. Section 1 shall take effect 18 months after passage of this act.

53 SECTION 4. This act shall be known as Flanagan's Law.