

October 12, 2005

««AddressBlock»»

Re: S.B. 376 “An Act to Ensure the Humane Treatment of Disabled Persons.”

Dear Chairwomen Spilka, Owens-Hicks and Members of the Joint Committee on Children and Families:

As you may know, I am the Founder and Executive Director of the Judge Rotenberg Educational Center, Inc. (“JRC”). I would like to respond to some arguments that were presented at the public hearing on this bill or that appeared in literature submitted to the committee by proponents of this bill.

### **1. Documents Submitted by Members of the Church of Scientology**

At the hearing on this bill, it was brought to my attention that members of the Church of Scientology had delivered literature to the committee in support of this bill. One was a letter from Kevin Hall and one was a letter from Christopher Garrison. This literature contained the following false statements. After quoting each statement in bold face, I give our response.

***“In 1994, the Boston Globe reported that JRC shocked a 52 pound autistic male 5,300 times in just one day.”***

The student that this report refers to was Brandon Sanchez, the nephew of Representative Sanchez, whom Representative Sanchez brought before the committee at the hearing on this bill on September 27, 2005. In 1994, Brandon was starving himself to death by constant ruminating and projectile vomiting of his food, instead of swallowing it. He had spent two weeks in Boston Children’s Hospital, but they could find no medical solution to his problems. In an attempt to keep Brandon alive, and with full approval from his parents and the Bristol County Probate Court, we tried the use of the SIBIS skin-shock device, a commercially available weak shock device, to control Brandon’s problem behaviors. Unfortunately it proved much too mild a shock to be effective. This was made clear by the fact that a large number of applications were made without showing any substantial effect on his behavior. Many of my staff could not feel the SIBIS applications when applied to them and this may have been the case for Brandon. At that point we sought and obtained court approval for the use of a different skin shock device which delivered a stronger shock. Fortunately, this device did prove strong enough to control Brandon’s problematic behaviors and as a result, saved his life. On average, Brandon receives less than 47 shocks per week from his latest device which has helped to keep him happy and healthy to this day.

***“At the time, committee vice chairman, James Vincent DiPaola (now sheriff of Middlesex County) asked JRC for the machine and shocked himself. This large former police officer screamed in pain...”***

I was present at that hearing. Mr. DiPaola was very hostile to JRC, and supported the bill to ban aversives. It was in his interest to respond dramatically as though the device administers an overwhelmingly painful shock. It was my distinct impression that Mr. DiPaola was clearly acting to make the skin-shock appear to be much more painful than it really is. Our psychologist administered the same device to his own arm on that same day and did not even flinch. Our parents routinely try out the device before approving it for use with their children. The device is never used on any child without a parent’s consent and without prior approval, on a case by case basis, by a Probate Court Judge.

***“Weeks later, former Governor Weld closed JRC...”***

JRC has never been closed. There have been two attempts by state agencies to close JRC, but in both cases the parents, together with JRC, brought suit against the agencies and prevailed in each case. The story of these two attempts is told in the accompanying paper, “History of JRC and its Licensing.” Governor Weld did fire then Massachusetts DMR Commissioner Philip Campbell upon reading the decision of the Massachusetts Supreme Judicial Court affirming the lower courts decision to put DMR into receivership for its contemptuous conduct in trying to close JRC.

***“Obviously this pain wouldn’t be allowed on regular children, prisoners or even animals...”***

There is no need to use skin shock on “regular children” because they are not in need of treatment for life-threatening self-abusive or other destructive behaviors that do not respond to drugs or counseling. JRC’s behavioral treatment supplemented with the skin shock is the safest form of treatment for severe behavior disorders. The other common form of treatment, antipsychotic medication, causes severe temporary and permanent side-effects such as lethargy, obesity, liver and kidney damage, and tremors.

***“The literature stated that an extensive investigation found that Linda’s [a student who died at JRC from natural causes in 1990] treatment had been ‘inhumane beyond all reason.’”***

Linda’s unfortunate death, which was from natural causes, had nothing to do with her behavioral treatment at JRC. The literature that makes this outrageous statement was prepared by the Church of Scientology which had no involvement with or access to the true facts of Linda’s case and which appears to have a philosophical objection to at least two important forms of psychiatric or psychological treatment—the use of aversive therapy and the use of drug therapy.

***“The same article asked that question of former JRC employee Colleen Seevo who stated ‘I got hit accidentally on my thumb (by the shock machine) and I had a tingling up to my elbow, on the inner part of my arm, I would say for four hours.’ ”***

When Ms. Seevo made that statement, she was a disgruntled former employee attempting to make her former employer look bad. The device has been used on hundreds of people, children and adults, with no one, other than a few people with an axe to grind, has ever reported that the effects of our skin shock device have been more than temporary in duration.

***“One autistic client died while being restrained face-down, another died of asphyxiation while being shackled and forced to wear a noise helmet...”***

JRC has a unique zero-rejection, zero-expulsion policy. JRC accepts all children, including those who have life-threatening medical conditions that may shorten their life expectancies. In that respect JRC is like the emergency ward of a hospital. No child who has died at JRC (there have been 5 deaths in 34 years of operation) has died from anything other than natural causes. No death of a JRC student has been in any way caused by JRC’s behavioral treatment procedures.

***“Matthew Israel promotes himself as having done his doctoral thesis under B.F. Skinner of Harvard University.”***

Christopher Harrison, the member of the Church of Scientology who wrote this, appears to have a strong philosophical objection to the field of behavioral psychology. Skinner, like Charles Darwin, attracted a lot of opponents who objected to his scientific work. I am proud to have studied under Dr. Skinner. His approach to psychology has enabled JRC to save the lives of hundreds of young people who have been fortunate enough to attend JRC.

## **2. Other Comments**

***One person who testified asserted that JRC has only anecdotal evidence for the treatment effectiveness of its skin-shock procedure.***

Skin shock is one of the most widely published procedure in the peer reviewed behavioral literature. The fact that it is not more widely used has to do more with the effectiveness of its politically correct opposition than with any lack of scientific proof of its effectiveness.

Accompanying this paper is a letter with enclosures from Dr. Robert Von Heyn, Director of Psychology at JRC, which answers other questions that

were posed by Committee members regarding our skin-shock treatment procedure. He includes a reference to a full bibliography of scientific articles, most of which are from peer reviewed journals, professional papers that have been written by members of the JRC staff, and behavior charts of students at JRC that make the effectiveness of the procedure obvious. Further information about our skin shock procedure, including a bibliography and scientific articles may be found on our website at [www.judgerc.org](http://www.judgerc.org) . Click on “Special Features” and then on “Optional Restrictive Procedures.” There are also hundreds of decisions on file at the Norfolk and Bristol Counties Probate and Family Courts which make judicial findings that the JRC treatment program has been extremely beneficial to hundreds of JRC students where all previous forms of alternative treatments failed.

Sincerely,

Matthew L. Israel, Ph.D.  
Executive Director

Enclosures