



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1054

PAUL HEROUX
STATE REPRESENTATIVE
2ND BRISTOL DISTRICT

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RE: Concerns Regarding the Governor's Opioid Bill
DT: 20 October 2015

Dear Mr. Speaker,

I am writing today to voice my opinion over the Governor's proposal in *An Act relative to substance use treatment, education, and prevention*, which would allow a citizen to be involuntarily committed for up to 72 hours against his or her will. Allow me to draw a lesson from federal law. At the federal level, the FISA courts issue warrant to wiretap a suspect sometimes within a few hours, usually with a less than 24 hour turnaround time. In my opinion, there is no good compelling reason that the Commonwealth cannot have judges who are ready on a moment's notice ready to issue a civil commitment order, much like the way in which federal judges are ready on a moment's notice to issue a wiretap warrant.

I propose that if we need to civilly commit someone on a weekend or outside of normal court hours, that we have a process to get a court order. It would not be unreasonable to review how the FISA courts operate and then create a process that learns from the example and process of FISA courts and is customized to civil commitments in Massachusetts. The end result would be the same - a citizen in need of civil commitment would be committed. However, civil liberties would be protected.

Unless I am presented with a persuasive and compelling reason, not based on individual anecdotes, I would vote against the Governor's proposed legislation if it included involuntary commitment up to 72 hours against a citizen's will.

I ask that you consider my thoughts on this matter as the House formulates its own version of the bill or amends the Governor's proposal.

Thank you and I would be happy to speak to you further on this subject.

Sincerely,

A handwritten signature in cursive script that reads "Paul Heroux".

Paul Heroux