

Pain and Shock in America

POLITICS, ADVOCACY, AND THE
CONTROVERSIAL TREATMENT OF
PEOPLE WITH DISABILITIES

JAN NISBET

With Contributions by Nancy R. Weiss

BRANDEIS UNIVERSITY PRESS

Waltham, Massachusetts

Brandeis University Press

© 2021 by Jane A. Nisbet

All rights reserved

Manufactured in the United States of America

Typeset in Arnhem by Passumpsic Publishing

For permission to reproduce any of the material in this book,
contact Brandeis University Press, 415 South Street, Waltham MA 02453,
or visit brandeisuniversitypress.com

Library of Congress Cataloging-in-Publication Data

NAMES: Nisbet, Jan, author.

TITLE: Pain and shock in America: politics, advocacy, and the
controversial treatment of people with disabilities / Jan Nisbet,
Nancy R. Weiss; with contributions by Nancy R. Weiss.

DESCRIPTION: Waltham, Massachusetts: Brandeis University Press,
[2021] | Includes bibliographical references and index. | Summary:

“This book is a historical case study of the Judge Rotenberg
Center. It chronicles and analyzes the events and people that
contributed to the inability of the state of Massachusetts to stop
the use of electric shock and other severe forms of punishment on
children and adults with disabilities”—Provided by publisher.

IDENTIFIERS: LCCN 2021030975 (print) | LCCN 2021030976
(ebook) | ISBN 9781684580743 (cloth) | ISBN 9781684580750 (ebook)

SUBJECTS: LCSH: Judge Rotenberg Center. | People with mental
disabilities—Abuse of—Massachusetts—Case studies. | People
with mental disabilities—Behavior modification—Massachusetts
—Case studies. | Electric shock—Government policy—
Massachusetts—Case studies. | Electroconvulsive therapy—
Government policy—Massachusetts—Case studies. | Punishment
—Government policy—Massachusetts—Case studies.

CLASSIFICATION: LCC HV3006.M42 J865 2021 (print) |

LCC HV3006.M42 (ebook) | DDC 362.2/309744—dc23

LC record available at <https://lcn.loc.gov/2021030975>

LC ebook record available at <https://lcn.loc.gov/2021030976>

5 4 3 2 1

The Publisher is grateful for the generous contributions
of The International Center for Ethics, Justice and Public Life,
and the Legal Studies Department at Brandeis University
for their support in the publication of this book.

CONTENTS

Foreword	vii
<i>by Shain M. Neumeier and Lydia X. Z. Brown</i>	
Acknowledgments	xi
1 A Long Story	1
2 How We Got to This Place	21
3 Encouraged to Expand to California	36
4 Pushing Back	65
5 The Death of Vincent	84
6 The Food and Drug Administration Permits the Use of Electric Shock on People with Disabilities	136
7 Here Comes the National Institutes of Health: A National Outcry after the Office for Children’s and Mary Kay Leonard’s Loss to BRI	153
8 Staging the Next Battleground	181
9 Bad Faith or Responsible Government? Another Attempt to Limit the Use of Aversives	208
10 Contempt	234
11 More Legal Issues, and Advocates Take Action <i>by Nancy R. Weiss and Jan Nisbet</i>	257
12 The FDA Bans the Electric Shock Device: A Final Ruling? <i>by Nancy R. Weiss and Jan Nisbet</i>	295
Epilogue	318
Chronology	325
Notes	339
Index	417