

Ladies and Gentlemen,

I hope you actually take the time to read the commentary sent in on Bill S. 2800. While some of the proposals in this bill are long overdue, others are nothing more than short sighted knee jerk reactions that will have far reaching consequences you haven't even taken the time to consider, putting the Commonwealth in danger of far more harm than good.

I ask, when was the last time any of you were involved in a trial, criminal or civil? When was the last time any of you were involved in a criminal investigation, or needed a well-being check on a family member? If never, then you need to talk to people that have done those things, to understand the practical implications of what you are proposing.

I write as a citizen, although the observations and experiences of my job will come into play, though I in no way write on behalf of my job, or the office I work for, the thoughts expressed are mine, although likely echoed by many of my friends and family.

Most importantly, the elimination of school resource officers. Folks, please consider the children here. Put aside the screaming voices of the enraged, and listen for the quiet voices of the future. I'm not even going to go into the realm of school shootings, because this isn't just about the violent acts that the media spews. Do any of you have any concept as to the challenges facing our children in schools these days? Thanks to school resource officers, there has a direct line of communication to schools when it comes to crimes against children. The average age of a female suffering from sextortion is between the ages of 9-12. For boys it's around 13. Are any of you familiar with the Amanda Todd story? She was a teen in Canada, she flashed a man she met on the internet and he saved the picture of her breasts, the child pornography. It was sent to all her friends at school. She had to change schools. Then it was sent to everyone at her new school, she had to change to schools again. Just as she was starting to get her feet back under her from the embarrassment and YEARS of bullying when she was bullied again. People from one of her old schools came to her new school and beat her up, the cyber-bullying was relentless, she tried multiple times to kill herself before she succeeded in 2012.

Do you know how many children engage in sexting? In Massachusetts it's literally the dissemination of child pornography among children. So far you have only ONE county in Massachusetts that has a diversion program in dealing with these cases. . Why does that program exist? Because too many schools were trying to handle sexting on their own, with no ability to search phones for images, no ability to assure the destruction and/or containment of those images. When the school tried to handle it alone those images would come back around to haunt and embarrass the girls and boys years later, because bullying doesn't always just end. So the DA's office worked with law enforcement to create a program, to help educate the children, and to give the police (and the school) an option to refer the case to the DA's office instead of trying to handle it "in house" as a school. Because every time a principal tried to keep the school resource officer out of it, they failed in keeping the children safe, because those images would come back around at a later time. Have any of you made a mistake when you were a child? Would you want that embarrassing mistake following you now? No? Then why are you putting our children at risk for it?

I fight against Human Trafficking. You cannot ignore that a large victim pool of trafficking victims is our children. If you remove police from schools, you're removing the people that are getting

training to recognize signs of victimization. You're removing the proactive approach of people trying to intervene with high risk kids that don't understand that the 30 year old man buying them new phones, and make up, and clothes is grooming the child to be a sex slave. You know why a guidance counselor can't do that? First, because there is no authority to demand a guidance counselor get trained, as one can push and push and push the police to be trained and work with the local district attorney's office. Second, because a guidance counselor can't share that type of information with a prosecuting office. Third, a DA's office cannot share with a school that they've been seeing that 30 year old man do the same with kids across the county, or the state and they are in the middle of an investigation regarding that 30 year old man. But they can share that with the school police, and the school police can share with other investigators and they work together to try to keep that kid safe.

I understand the need for justice reform. I've heard judges and lawyers claim that child pornography is a victimless crime. I've had judges say that the stigma of registering as a sex offender is "punishment enough" for the person that took away the ability of a 14 year old to feel safe in her own skin when he raped her. Hell, I've even cringed at some officers who claim that sex slaves choose prostitution and why should we care. I whole heartedly agree that reform needs to be ongoing and constant. But it needs to be thoughtful, and deliberate. It needs to be towards a goal of making things better, not a knee jerk reaction to horrific events. And NEVER at the risk of the safety of our children.

Your first section of the bill shows how narrow-minded you're being. While I agree that there should be a commission on the status of DIVERSITY, you cannot limit it to African Americans. Plymouth County has a large Cape-Verdean population, greater Boston itself has a large Haitian population. Their skin color may be black or brown, but many will identify as Cape-Verdean, or Haitian American, not African-American (read the state's own research on "invisible communities" from 2010 which highlights the Haitian-American community). Not to mention, can anyone at any point recognize the anti-Semitism in the world? Just for a second. Or will the injustices against them continue to be ignored because that population can't be distinguished by a color?

You want to create a commission of minorities to truly work on discrimination in policing and courts, great, do THAT. Do something with purpose and intention, not just something that is a good sound bite. But a commission that accepts gifts?? With no limits?? You're politicians, have you never heard of bribes? Set up some sort of ethics and accountability, just like for prosecutors, judges, or other political entities.

You want to create a state wide training, recertification, and information sharing about misconduct? It's about time. It should never have taken this long, that's a smart move. Please increase training for law enforcement (but determine how to fund it if you're going to take away financial resources from them). However, let's also recognize that some people make petty complaints. Again, you're politicians, I imagine you're all too familiar with those. Do any of you know how Police internal Affairs files are actually obtained? Let me educate you, there is a process on privileged records. A defendant has to make a showing (such as excessive force being used in his/her case) and therefore ask the court to order the records, and then, if the court determines, the court can order the records and then review them in camera, and determine if those records should be turned over. So the ability to access records is already in place, with a scrutiny level of a member of the judiciary. There's also the Freedom of Information Act, also overseen by judges. While I think the state wide database is great, if you don't think the information is accessible, then your problem is actually either with the judges, or

you don't know the system you're trying to regulate, and law enforcement shouldn't pay the price for your lack of knowledge.

Also, your move to limit qualified immunity. Even lawyers agree as recently as a training yesterday, you're not taking into account the unintended consequences, because it's too broad. Where does it end? Where does the public employee end? Does a prosecutor, get sued after a not guilty because the jury didn't convict a child rapist, despite evidence that she was 14 years old and his semen was found in her vagina when the rape kit was done? Should you all be sued for the government imposed shut down due to COVID-19? Should each of you be sued by every individual that lost their business because you forced a shut down and they don't believe it was as deadly as predicted, or alternatively should you be sued for the deaths that resulted for not shutting things down sooner? Does the firefighter get sued for breaking a rib during CPR? Because the prevention of those lawsuits are why qualified immunity exists.

Qualified immunity exists for a reason, if you think it's too broad of a shield, talk to the judges that rule it that way, don't try to re-legislate in a way that is so broad reaching it will take years for the courts to control it and determine the scope (again). You should know the mess this is going to create while the courts try to settle your meanings and terms. The lawsuit happy generation that will tie up EVERYONE, firefighters, nurses, and police in court preventing them from doing their jobs. There is already an avenue for those that violation the law and procedures of their job to be held accountable, it is lawsuits. If you think qualified immunity is being used too broadly, take it up with the judges that are finding it, or do you suddenly know better than them how to enforce and uphold the laws?

Do not rush this reform. Not at the safety of being able to protect our children and keep our communities safe. There are small steps that can be taken that will largely increase transparency and accountability, some of those are in this bill, but overall, you haven't taken the time you need to genuinely consider the ramifications of this legislation.

If you've read this far, thank you, and I ask one more time, please consider the sexually exploited children before you continue the bill.

Sincerely,

Amanda Fowle

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