

Special Commission on Qualified Immunity Meeting Minutes
Friday, October 22, 2021, 11:00AM
(virtual meeting)

Agenda:

- I. Introduction/Roll Call
- II. Approval of Minutes from 9.24.21 Meeting
- III. Review of Statutory Charge
- IV. Discussion of Recent SCOTUS Decisions
- V. Discussion of Possible Report Recommendations
- VI. Schedule Next Meeting

Commissioners Present:

Chair Day
Chair Eldridge
Commissioner Peake
Commissioner Creem
Commissioner Xiarhos
Commissioner Reddy
Commissioner Cyr
Commissioner Ryan
Commissioner Segal
Commissioner DeRensis
Commissioner Sweeney

Commissioners Absent:

Commissioner Straus
Commissioner Tarr
Commissioner Espinoza-Madriral

Chair Day called the meeting to order, gave introductory remarks, and advised members that the commission's report deadline has been extended to December 31, 2021.

Chair Day invited a motion to approve minutes circulated for the September 24, 2021, meeting. No comments or edits were made. Motion made by Commissioner DeRensis, seconded by Senator Cyr, and unanimously approved by members present.

The Commission began by reviewing the statutory charge for qualified immunity under Section 116(a) of Chapter 253 of the Acts of 2020.

Chair Day opened discussion about recent U.S. Supreme Court and MA Appeals Court cases regarding qualified immunity and reiterated the importance of the commission's charge.

Chair Day then opened discussion to members about possible commission recommendations, including making no further changes to qualified immunity at this time, amending the legal standard for qualified immunity under the Massachusetts Civil Rights Act in several different respects, and abolishing qualified immunity.

Chair Day advised that the next hearing would take place on November 12, 2021, at 11 am.

Chair Day gave closing remarks and welcomed a motion to adjourn the meeting, which was motioned by Commissioner DeRensis and unanimously approved by present committee members. The meeting ended.