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Sent: Wednesday, July 15, 2020 9:04 PM

To: Michlewitz, Aaron - Rep. (HWM); Cronin, Claire - Rep. (HOU); hwmjudiciary@mahouse.gov

Subject: [External]: Police reform

Hello Representatives -- I hope this email finds you well and that you actually read this and it is not lost in the shuffle....As the first female sergeant and first female lieutenant in my department, I am volunteering to testify in person or zoom as it is, before the House on this very important police reform bill. Please call or write and I will respond.

I am in complete disgust that the police reform bill passed in the Senate with limiting qualified immunity. I'm in complete dismay that the public did not get to weigh in, including the black and minority police officer's union. Surpassing the legislative process that our democracy was built on. Nearly all of the senators said they are strong proponents of the police. This bill, in particularly the qualified immunity amendment, does not support the police! This bill puts handcuffs on the police as opposed to the criminals that deserve them. Please strongly consider striking down this bill and forming a bill that is not rushed, pushed by political pressure or agenda, and crunched by the turning pages of a calendar just to get something done.

I wanted to throw my two cents in as a concerned resident of Braintree and as a south shore police Lieutenant. I take issue with a lot in this bill but will only touch on one very important piece. As a police officer for the past 15.5 years, with more than half of my career in supervisory rank, I will adjust to legislation that makes the law enforcement profession harder. A lot I can tolerate in the bill, yet can still disagree with, but can learn to adapt to it. But ridding or even limiting of qualified immunity I cannot stomach. As I hope you are aware, qualified immunity ONLY protects good cops. Bad cops, cops like the one that murdered George Floyd are not covered under that umbrella. There is no cop in the country, and especially not in my Town or the surrounding cities/towns, that agree with what was done to Mr. Floyd. I like so many officers have never even heard of a choke hold in our business! Of note, police officers in the northeast, particularly in Massachusetts are well trained and very educated and we don't use force like the rest of the country -- President Obama concluded that during the 21st century policing task force. However, we want change. We want improved relations. We want more training. We want to be held accountable because we are public employees. What we don't want and need is frivolous law suits that hinder our jobs at protecting the communities that we love and work in. If qualified immunity is taken from good cops that is exactly what will happen - lawsuits just because, "ambulance chasers" if you will, law suits because the average person doesn't understand that years and years of constitutional law back what we can and cannot do. Good cops WILL second guess being proactive police officers and WILL second guess jumping into action based on having limited qualified immunity. Let me give you an example...right now as police officers we can break someone's door down to administer emergency aid to someone in their homes. In a state without or limited qualified immunity, that citizen can and now will sue the officer for trespassing and destruction of property. Officers will now second guess running in to help because they

are afraid of the repercussions against them financially and the impact on their families and their livelihood with their jobs. As a society, we cannot afford split second decisions being ignored or delayed for these decisions made by police officers (split second) are what we do day in and day out to help our communities. This law is reckless and only endangers the community. As a citizen, I am horrified that a police officer may second guess doing something to protect my family because they may become a defendant in a frivolous lawsuit. This law was supposed to help with community relations with the black community. It does not do that in the slightest bit -- what in it does? Instead it will get lawyers to be drooling with frivolous law suits against the police. Imagine a good cop doing everything "by the book" than being sued for plainly doing what the constitution and laws told him to do. It will happen and happen often, officers trying to do the right thing to defend the very communities that are against them right now will be sued over nothing.

Recruitment has been tough over the past 5 years or so because of how the police are portrayed in the media, by politicians, or by people that have no clue what real police work is. Retention of officers has also been down in recent years. Officers just aren't staying until retirement age (55 years old with 32 years of service -- which is a discussion that should also be changed). Young officers are leaving to join the business world where they aren't yelled at constantly or called racist for protecting victims. Ridding of or limiting qualified immunity will hamper recruitment and retention even more! Civil service was designed to help minority populations. The Quinn Bill was made to attract educated and well-rounded applicants and that was taken away. This bill will hamper efforts to attract qualified applications of all races and ethnicities because why would anyone take this job that the law doesn't protect.

I love my job. I strive everyday to make my department the best we can be but know we can always improve. I love my community that I work in. I lived there most of my life and have strong family ties to it to this day. I am proud that we are the most diverse community around and I want the Town to excel. I want to be a part of the change and bring all different communities of people together, and most importantly as a police officer, I want to keep EVERY resident and EVERY commuter that comes into the community safe! I am afraid that taking qualified immunity away from police officers will impact community safety. I believe the majority of people want law and order and to feel safe where they live. And I strongly believe that the men and women I work with and the men and women that work in Braintree want that too. We have all taken the same oath - to uphold the laws of the constitution, especially the Massachusetts Bill of Rights - for those cops who break that oath, they should be punished. For those of us who honor that oath with our hearts, we want to be protected to do our jobs the best we can - with improved training, improved equipment, new techniques in dealing with different populations, etc etc etc - qualified immunity helps to back our mission of doing what is right. I cannot emphasize it enough -- Qualified Immunity ONLY protects officers who do their jobs constitutionally, within the law -- good officers. Qualified Immunity does NOTHING for bad officers. Limiting this protection does nothing to weed out bad officers, they will still be "bad". It is the good officers that have everything to lose by taking away or even limiting qualified immunity. I have never seen or even heard of a police officer not intervening, or covering for an officer, or not coming to the aid of civilian that needs it. I can assure you that ALL good police officers want the bad out just as much as the average person because it makes our jobs so much harder. Hold the bad cops accountable and not punish the acts of very few to

the mass of good police officers everywhere. If a child gets in trouble in school, we don't punish the entire class, we deal with that student. Limiting qualified immunity does nothing to teach a lesson. It only hurts good cops trying to help.

Doctors and judges are reviewed by doctors and judges. Hold us accountable; but please make sure that accountability comes from other law enforcement officers who know all the intricacies of the profession. There is no reason why we can't be reviewed by other law enforcement officers. If there were a few civilians on the board, I can get behind that as long as they are willing to learn. We hold people's livelihoods in our hands and it is a large responsibility. There are thousands of case law decisions that outline what we can and cannot do, I would want the civilians to realize that.

To paraphrase some major case law - police officers make split second decisions in ever evolving, dynamic, and sometimes life-threatening situations. Then it is scrutinized in 20/20 hindsight. Being a police officer is one of the toughest jobs in the world. Policing in Massachusetts isn't the news, a tv show, a movie, or even like any other place in the country. We train differently, **we are well educated**, we already have strict laws here (criminal justice reform act, juvenile justice reform act, sro laws, domestic violence bills etc etc). I speak for thousands of police officers across the State when I say we want reform, more training, more techniques, standards, etc etc. And most importantly we want to be able to be protected to do what we all love and that is our jobs protecting the public. Please help protect the "good cops". Thank you for your time.

Melissa Greener
Randolph Police Department
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Below is a standard form letter in opposition of the bill that is coming to your House in the coming days. Above is written from my heart.

As your constituent, I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the

rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Melissa Greener

Sent from my Verizon, Samsung Galaxy smartphone