

Bill No. S2820

Title: An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

I would ask that you consider a nay vote on this bill as it is proposed. I do absolutely want you to support an amended bill that makes our profession of policing more professional and accountable. I believe we are overdue for that. However, I also believe that the senate version of this bill as written will seriously undermine public safety by limiting a police officer's ability to do their jobs while also allowing loopholes for criminals. Furthermore, the process employed by the Senate to push this through with such haste without public hearing or input of any kind was extremely undemocratic and nontransparent.

I was born and raised in Mattapan (during the early years of forced busing) and until just a few years ago I resided in Roslindale. I now live in Representative Garlick's district in the suburbs. I could easily sit and say that I don't care because I don't live there anymore. But I will not do that. I cannot do that. I moved out of Boston just a few years ago, in my early fifties. I spent my life in the city that will be hit hardest by the unintended outcome of a short-sighted bill. I grew up in a community of color and have spent the last 24 to 25 years of my life serving those same communities. The people in these communities want us there. They want us to be accountable but they don't want us to become invisible.

I saw on the news this morning that Berkeley, California is eliminating the ability for police officers to conduct car stops. I would like to think they realize the negative effects of a move like that on their community, but I am not sure they are thinking that clearly. I know that we are smarter than that here in Massachusetts. You as our elected officials are smarter than that. I beg you to please think long and hard with an open mind about all the decisions that each of you make in regard to this bill. I am of the age where I can retire but I don't want to. There are a lot of officers like me. We love our profession. We love the people in the city whom we work for. However, the talk of late is how fast officers can leave. That is not a good sign for any of us, certainly not for the communities where crime and violence is present. We have a commitment to fight crime and improve the quality of life in all the communities of Boston, and I for one, want to continue doing so.

I honestly don't think it even needs to be pointed out that Massachusetts police officers are among the most highly educated and trained in the country. Police all across this great commonwealth support uniform training standards and policies. I believe we absolutely should be accredited/licensed. I, along with all my sister and brother officers, support any reform that will make us more professional. However, I believe that those reforms should hold us accountable without opening us to unfair discipline and lawsuits. Not only do I believe it is unfair to us as officers, but unintended consequences of an overreaching bill it is even more detrimental to the communities we serve.

What I have seen over the years is that support for a bill like this one will negatively change the lives of the very people it is purporting to be written for. Unfortunately, the mastery of words by many elected officials will get most people to support it without really looking at the true end effect. I am not saying that these politicians are lying. I am saying that the use of the right words can be used to push people into supporting their agenda, and quite effectively I might add.

Not one police officer to whom I have spoken has an issue with improving race relations, our tactics and our procedures. What we do have an issue with is the manner in which it is happening. The fact that we are being held accountable for what a police officer did over 1100 miles from our city is, in many people's opinions, insane. We would never hold a member of the public accountable here in Boston for a crime that another person committed 1100 miles away. You would condemn us if we as police officers did anything even remotely like that. And quite frankly you would be correct to do so. That is in essence what is happening here with the murder of George Floyd, which every police officer to whom I have spoken, condemns.

The people around the city that I have spoken to and continue to listen to, are the intended beneficiaries of this bill and although they also agree there is room for change and improvement, they don't want to see the high quality of policing that they have become accustomed to, to stop. What I have witnessed over my time in this department is that those who have been convicted of crimes have a much louder voice than those who have been the victims. If you don't believe me come spend some time in a Boston courtroom for a few days and you can see for yourself. I am not saying that those who are suspected or convicted of crimes should not have a voice. However, the people who are victimized in their communities and homes by the criminal elements should have a voice also. It is their quality of life that is going to suffer if this bill is not HONESTLY debated and improved.

The issues on this bill cannot and should not be made and enacted at the pressure from a mob rule type of atmosphere. The residents of the communities of the 351 cities and towns in Massachusetts should not have the quality of their everyday life effected by a piece of legislation that has not been completely and honestly vetted just

because there are only a few days left in the legislative calendar. The residents of this great state deserve more than that.

This bill directly attacks qualified immunity and due process of the police officers. Qualified immunity does not protect bad officers. It protects good officers from civil lawsuits. I believe that you as elected officials should want our officers to be able to act to protect our communities without fear of being sued at every turn. Most law enforcement officers do the right thing and are good officers, yet there seems to be a real push to open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not and should not be covered by qualified immunity anyway.

Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard and bans unlawful use of force techniques which all police personnel unequivocally support. If the senate bill is passed in its current form the costs to municipalities and the State will skyrocket from frivolous lawsuits and potentially having a devastating impact on budgets statewide.

There are a lot of officers who are proactively trying every day to make a positive impact in the respective communities that they patrol. If you lessen the qualified immunity for these officers, I am not sure if they would continue to be proactive. And by the way, proactive policing makes a lot of difference in what happens in a community. Why would they put themselves at risk?

Also, the Senate version of a regulatory board is unacceptable as it strips officers of the due process rights and does away with protections currently set forth in collective bargaining agreements and civil service law. The Senate created a board that is dominated by anti-police groups who have a long-detailed record of biases against law enforcement and preconceived punitive motives toward police.

Their proposed makeup of the oversight board is one sided and biased against law enforcement. It is unlike any of the other 160 regulatory boards across the Commonwealth and as currently proposed, I believe the board will be incapable of being fair and impartial.

The purpose of this letter is not to state every section that I agree or disagree with. I am writing this letter because I respect and support the way our government operates and I am just asking that a fair process be employed with an honest result coming out in the end. The process should never be hijacked if we want to make laws that protect and serve all our residents and visitors, and police officers are also this state's residents.

And I totally believe that all lives cannot matter until black lives matter.

I respectfully thank you for taking the time to read my letter,

Frank McLaughlin
Detective, Boston Police Department
Homicide Unit
617-594-7535