

Honorable Representatives,

I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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 lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. 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, experts in law enforcement should oversee practitioners in law enforcement. There are only six law enforcement members on this committee of the fifteen members.

As a tax payer I am also greatly concerned with the cost of this bill which is not articulated in the bill.

The following Commissions are created by this bill with many of them allowing staffers to include lawyers being hired, reimbursement for expenses to include obtaining office space, and

contracts with academic institutions. Many of these Commissions are allowed to take donations to subsidize themselves and carry funds over from one fiscal year to the next.

Commission of the Status of African Americans- 11 members
Commission of the Status of Latinos- 9 members
Police Officer Standards and Accreditation Committee- 14 members
Community Police and Behavioral Advisory Council- 21 members
Criminal Justice and Community Support Trust Fund
Justice Reinvestment workforce Development Fund- 14 members
Commission to Review and Make Recommendations for training protocols- 15 members
Law Enforcement Body Camera Task Force- 17 members
Special Commission to study Facial Recognition- 14 members
Commission to study to dismantle structural racism- 31 members

These new ten commissions have at least 150 positions and each commission has a mission assigned to it which will cost the tax payer. There is no price tag in this bill for this because the price tag is unknown. Where are the tax dollars going to come from to fund all of this? Even with a low ball figure of a cost of 3-5 million per commission we are at 30-50 million dollars. But we all know that the cost will be much higher. This bill is being advertised as a Police Reform package but policing is only a small part of this bill. Five of the ten Commissions have nothing directly to do with law enforcement.

This bill allows for the Colonel of the State Police to be hired from outside the agency with a minimal requirement of ten years in law enforcement or the military and only five years of senior management experience. This will make the Colonel of the State Police a political appointee and not someone who has worked their way through the ranks of the State Police. When you look around at some of the best police chiefs around the country the majority have come up the ranks from inside that organization. Further, why would the Commonwealth want to hire a Colonel who has no allegiance to the organization? Why would we want the Colonel of the State Police to have no police academy training as is outlined in S2820 on Lines 788-790:

“No person, except the colonel, shall exercise police powers as a uniformed member of the department until they have been assigned to and satisfactorily completed the training program.”

The creation of a State Police Cadet program as created in lines 674-722 and 732-741 has me very concerned. What is going to be their function? Has this been negotiated with the State Police Association of Massachusetts? Will the cadets be performing functions that a fully trained trooper should be doing? Further, these cadets can be hand selected to enter the State Police Academy by the Colonel who by S2820 passing will be a political appointee. I can fathom that many of this new Colonel's selections will be to appoint friends of friends so as to avoid the Civil Service Testing process.

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. I again

implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they have earned and deserve.

Respectfully,

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