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Testimony to House Judiciary and House Ways and Means on
Senate 2820 7/17/20

July 16, 2020

Dear House Judiciary Chair Claire Cronin and House Ways and Means Chair Aaron Michlewitz and Committee Members,

This bill the Legislature moves toward passing comes out as a response to the most massive set of marches and rallies Massachusetts has ever had. Tens of thousands of people have been out in streets and squares in cities and towns across the Commonwealth and often more than once. This legislation must have as a goal that it is a response to the reckoning of how we need to reshape our institutions to shed the institutional racism that is there.

There are many good institutions and good people but still so much is not right for too many people. For example, even AG Bill Barr's Department of Justice recently reported that a unit of the Springfield Police Department *routinely* uses brutal, excessive violence against residents of that city.

So, we need changes passed. And by July 31. We want to be able to say we did answer the call to respond to the generations of injustices that have occurred on these issues in our state.

Here are some of the elements that we hope will be in the House passed bill:

1. Use of Force: Having strong use of force standards as set out in Rep. Miranda's bill, *An Act to Save Black Lives*, including complete bans on the most violent police tactics.
 2. Qualified Immunity Changes: Putting strict limits on qualified immunity to ensure that police can be held accountable when they violate people's rights; the Senate bill has such language towards this goal.
 3. Justice Reinvestment: We support including Justice Reinvestment provisions for funding re-entry employment and prevention programs as the prison population declines, and we ask that the legislature be free to allocate more than the \$10 million per year that the Senate set as a cap. Our communities have been decimated by the psychological and economic effects of over-incarceration, and need substantial reinvestment to rebuild. In the face of Massachusetts' \$700 million annual prison spending, limiting that reinvestment to \$10 million is a slap in the face.
 4. Expungement: We support expansion of the right to expunge juvenile records because the current law is unworkable and limits expungement to juveniles who had a single charge
- Worcester Interfaith and faith leader's testimony

on their record although police routinely file more than one charge in cases they file. At present, even charges that were dismissed or ended in a not guilty finding can't be expunged if the person had more than one charge and young adults often have more than one case. The consequences of saddling youth with a CORI when they turn 18 that will limit their changes to get a job.

5. Banning Facial Recognition: We need to ban the use of dangerous facial recognition technology that would supercharge racist policing.

6. Black and Latino Caucus Recommendations: Please include other recommendations made by the Black and Latino Caucus, some of which are among what's above, and we thank them for their hard work on these issues.

We are a federation of faith-based community improvement organizations located in cities and regions across the state. We worked extensively on the Criminal Justice Reform legislation passed in 2018 and other work in this area before and since then. Our affiliates are Brockton Interfaith Community, Essex County Community Organization, Worcester Interfaith, United Interfaith Action of SE MA (Fall River & New Bedford), Pioneer Valley Project (Springfield), Prophetic Resistance Boston, and I Have A Future Youth Organizing Project (Boston).

Here is a statement from one of our faith leaders in the City of Worcester.

To Whom it May Concern,

I am the Reverend Judith K. Hanlon senior pastor at Hadwen Park Congregational Church in Worcester Massachusetts. Please, please pass this bill.

It is my belief that the history of policing has built a system that acts more military than protective. And, I believe that after the Emancipation Act, police were a part of the system that continued to enslave black people by rounding them up for prison for no reason and creating the work force that slavery was intended to eradicate. I think it is very hard for even the very best police officers to protect and serve rather than catch and jail.

Sadly, I can support my opinion. Our church houses a ministry called the LGBT Asylum ministry. Thus, for 11 years, our church has been blessed to be multi-racial, multi-cultural and intergenerational. When some of our young black asylum seekers began to tell me how many times they had been stopped for traffic violations (or for no reason) I couldn't believe it. One of our ministers, Al Green who is a black man from Jamaica and a graduate of Worcester Poly Tech as a civil engineer, has been stopped many times. One of the times, he was asked repeatedly if the car was his. I have never ever, when young or now as an older person, been asked if the car was mine. Al gave him the registration and license and the police officer continued to ask if this was his car. Al was so surprised because the car was nothing that he would have chosen to drive except that he was a student and struggling to both work and complete his degree. The cop did not arrest him but he was left, shamed with the assumption of poverty and crime aimed at him.

One of our young Ugandan men was picked up by State Police. He was not cited for any grievance, but they wanted to see his driver's license. He was driving, as is legal, on his Ugandan license. He was unable to get a license here because he did not yet, have a social security number. The law offers immigrants one year to drive on their license from their home country. I found him distraught and frightened. I met him at the towing company where his car was. I told them that his license was valid. They didn't care, of course. Told me to talk to the State Police. They would not accept my call. The only way for him to get his car was for me to pay \$200.00 out of my pocket. If I didn't, the cost would increase daily. I paid it. Michael went to court and of course, the State Police were wrong! I was never able to receive my \$200. There is no question that Michael was racially profiled. They refused to listen to him and simply took him in! Who were they serving and protecting?

A gentleman from Uganda who was a doctor there, was stopped 6 times in two months. I don't think anyone who hasn't worked with these amazingly courageous people understand how traumatizing it is to be targeted. One man said to me, "Pastor Judy, in Uganda, I was tortured and beaten by the police because I was gay; in the USA, I fear being tortured and beaten by the police (even killed) because I am black."

Another young man pulled over on Main Street in Worcester at about 11pm, because his mom from Uganda called him. He was arrested and accused of prostitution. He is gay! He begged the office to look at his phone and see his mother's number to prove that he was talking to his mom. He was shamed and the police refused to listen to him. He was black, in a neighborhood where prostitution was happening, but the police officer refused to simply look at his phone.

I could go on and on. We have had black folks speak in church since the death of George Floyd. We have heard from a black police officer who left the force due to racist slurs and pressure from other police officers in the Worcester police department. From them, he was called the "N" word daily!

Please, please reform. I do not believe that we can simply have some training packets and tell racist cops to follow the rules. We need a re-do on what it is to be a police officer and we need a re-do on who we hire.

All that being said, I would not want to be a police officer today. I believe that reform will help good police officers who wish to do a good job but can't due to the archaic and abusive guidelines under which they work.

I would be glad if this law is passed. I hope that many more will be coming in the future that will protect my good and beautiful parishioners; God's children who were made wonderfully by the God of diversity.

With respect and hope.

The Reverend Judith K. Hanlon

Signors:

Isabel Gonzalez-Webster, Worcester Interfaith
Rev. Aaron Payson, Unitarian Universalist Church, Worcester
Rev. Jose Perez, Rock of Salvation Church, Worcester
Rev. Clyde Talley, Belmont AME Zion Church, Worcester
Scott Larson, President, Straight Ahead Ministries , Worcester
Imam Asif Hirani, Muslim Islamic Center, Worcester
Rev. Mark Nilson, Salem Covenant Church, Worcester
Rev. Brent Newberry, First Baptist Church, Worcester
Rev. Rev. Natalie Webb, First Baptist Church, Worcester
Rev. Judith K. Hanlon , Hadwen Park Congregational Church, Worcester
Rev. Tom Sparling, The Journey Community Church, Worcester
Rev. Lina Michel, United Congregational Church, Worcester
Rev. Jose Encarnacion, Christian Community Church & the Shalom Neighborhood Ctr,
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Rev. Dr. Sarai Rivera, District 4 City Councilor and Christian Community Church & the
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Rev. Esau Vance, Mt. Olive Pentecostal Church, Worcester
Rev. Dr. Jesse G. Gibson, Throne of Grace Ministries, Worcester
Worcester City Councilor at Large, Khrystian E. King