

ASSOCIATION OF CHIEFS OF POLICE

STATE UNIVERSITIES OF MASSACHUSETTS

FORMAL TESTIMONY OF CHIEF GENE LABONTE, PRESIDENT

TO THE HOUSE COMMITTEE ON WAYS AND MEANS, IN COOPERATION WITH THE JOINT COMMITTEE ON THE JUDICIARY:

(via email at Testimony.HWMJudiciary@mahouse.gov)

RE: Senate Bill No. 2820 (Formerly S.B. 2800); “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”

Dear Chair Michlewicz, Chair Cronin and Honorable Committee Members:

I am submitting this written testimony on behalf of the Association of Chiefs of Police of the Massachusetts State Universities in regard to the pending consideration by the House of S.B. No. 2820, the police reform bill.

Unlike other governmental police forces in the Commonwealth, state university police departments (at Bridgewater State University, Fitchburg State University, Framingham State University, the Massachusetts College of Art and Design, the Massachusetts Maritime Academy, the Massachusetts College of Liberal Arts, Salem State University, Westfield State University and Worcester State University) are not specifically named in the current iteration of the bill – and we would like to be included. We want no more or less than to be considered equivalent in position with all other bona fide law enforcement agencies within the state.

Starting at line 80, S.B. 2820 lists a variety of law enforcement agencies as covered in the treatment of the bill: municipal police, environmental police, UMass police, “campus” police officers, and some deputy sheriffs.

Later in the bill, starting at line 144, the list of covered law enforcement officers is further defined to include “special state police officers” receiving their authority under sections 56 to 68 of chapter 22C and also “campus police officers employed by a public or private institution of higher education.”

But state university police are not the same as UMass police, and existing law does not use or define the term “campus police officers” anywhere. Senate 2820 itself does not define that term. Further, although some state university police departments extend “special state police” powers to their officers, this is supplemental authority only. Current law specifically refers to state university police officers simply as “police officers,” without qualification. For example, G.L. c. 73, § 18 states that “state university trustees may appoint ... police officers.” Indeed, the statute is at once extremely specific and unambiguous: it does not say that the universities may appoint “campus” police officers – but just that they may appoint “police officers.” This statutory authority is substantially reiterated in G.L. c. 15A, § 22. Separately, but relatedly, G.L. c. 90C, § 2 refers to “state university ... *police departments*,” and not “campus” police departments. [Emphasis added.]

Therefore, state university police officers are not, precisely speaking, “special state police officers,” and we are not otherwise anywhere legally defined as “campus police officers.” Accordingly, in order to eliminate all confusion as to this point, we would like to be explicitly named within the bill along with all other governmental police departments that operate under their own, independent, statutory authority scheme.

This is important because we want to ensure that, legally, we are on an equal footing with other governmental police forces within the Commonwealth; that we will be subject to the exact same training and certification standards; and that we will have access to police training that is identical to other police officers in the state.

We also seek, albeit secondarily, but not less importantly, to clarify that all police officers currently employed in any police department named in the bill are considered “certified” as of the date of adoption of the bill.

Accordingly, we are asking, simply (1) that, first and foremost, state university police officers receiving their authority under G.L. c. 73, § 18 and G.L. c. 15A, § 22 should be particularly named in the bill along with the other police departments already mentioned; and (2) that

some appropriate language should be inserted into the bill to ensure that all officers currently employed in the Commonwealth continue to be considered certified as of the day the bill becomes law.

Thank you.

