



## International Brotherhood of Police Officers

A DIVISION OF THE NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES

July 16, 2020

Representative Aaron Michlewitz  
Chair, House Committee on Ways and Means  
State House, Room 243  
Boston, MA 02133

Representative Claire Cronin  
Chair, Joint Committee on the Judiciary  
State House, Room 136  
Boston, MA 02133

Dear Chair Michlewitz and Chair Cronin:

Thank you for the opportunity to submit testimony on behalf of the International Brotherhood of Police Officers (IBPO) relative to Senate Bill 2820, "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."

As you know, the IBPO has been supportive of many of the proposals that have emerged in recent weeks from ongoing discussions between the Law Enforcement Policy Group and with stake holder groups including the Black and Latino Caucus on Beacon Hill. The bill that emerged in the Senate last week went far beyond the core principals that were discussed relative to certification/accreditation, reforms on the use of force and the duty to intervene.

Three areas of critical concern in the Senate Bill relate to due process, qualified immunity and the composition of the POSAC. We urge the House to proceed cautiously in evaluating any changes to these three areas. Police officers, like all public employees, should be entitled to due process and access to a thoughtful and effective appeal mechanism that allows for case by case deliberation.

We also urge the House to resist any changes to qualified immunity. The changes included in the Senate Bill have the potential for far reaching, unintended consequences by opening the door much wider to litigation for all public sector employees that could cost cities and town millions. If the House moves to support a provision on qualified immunity, we ask that it be in the form of a commission to study potential changes and ensure that our cities, towns, public employees and residents are protected from an increase in unnecessary lawsuits. Furthermore, qualified immunity pertains to civil law and does nothing to punish bad police officers who engage in criminal acts.

Lastly, we ask that the law enforcement representation on the POSAC be increased substantially so that the certification process mirrors the professional certification process for all other industries in Massachusetts. We understand the need for civilians to be represented on the board and we support the addition of civilian members, however as a professional certification board, the vast majority of the board should be law enforcement officers. Thank you for your time and consideration.

Sincerely,

David Bernard  
Director