

To: The Chair of the House Committee on Ways and Means, Rep. Aaron Michlewitz, in cooperation with Rep. Claire Cronin, Chair of the Joint Committee on the Judiciary

From: Megan E. Cloutier – Greenfield Police Department (Greenfield, Massachusetts)

Date: July 17th 2020

Re: Bill No. S2820 – 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

To Whom It May Concern:

During this crucial time of change, reform, and personal growth, I politely ask for you to take a few moments to acknowledge the concerns I have in regards to Bill No. S2820 as it is currently presented. I have been employed as a Police Officer for the last 12 years and am currently in a role as a Detective, specializing in Child Abuse and Sexual Assault cases. I have reviewed the above noted Bill and have concerns for those of us in this profession that work tirelessly to not only hold others accountable on the street, but to hold ourselves at a higher standard, as well as our brothers and sisters in blue. It is clear that change is necessary, but as currently written, this Bill will cripple those officers that have consistently acted in good faith and stood up against those that fail to wear a badge as it should be; with integrity, and professionalism.

The senate version of Bill S2820 will seriously undermine public safety by limiting a police officer's ability to perform their job while simultaneously allowing provisions to protect those that are breaking the law. Furthermore, the process employed by the Senate to push this current bill through with such haste, without public hearing, or input of any kind was extremely undemocratic and nontransparent. Police across the Commonwealth are in full support of uniform training standards and policies requesting such have been prevalent for several years.

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, as well as 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 towards police. As written, Bill No. S2820 does not include the same procedural justice safeguards members of the communities we serve demand and enjoy. The proposed makeup of the oversight board is one sided and biased against law enforcement. It is unlike any of the 160 other regulatory boards across the Commonwealth and as constructed incapable of being fair and impartial.

Massachusetts police officers are among the highest educated and trained in the country. Our current standards for training are a model for other entities across the nation to follow. As a Commonwealth, we can always do better, but the knee jerk reaction by the Senate to pass Bill No. S2820 is not the way effect constructive change. This bill directly attacks qualified immunity and due process. Qualified immunity should not and does not protect "bad" officers; it protects those officers who are working in

the scope of their profession with integrity from the liability of civil lawsuits. The majority of law enforcement officers do the right thing, and are already subjected to risk in the day to day work of policing due to the nature of the profession. Eliminating qualified immunity only creates more risk, both financially and emotionally, by allowing frivolous lawsuits against those officers that are doing the right thing. It does not make sense to endanger the livelihood of many for the actions of few "bad" officers which would never have been covered under qualified immunity regardless.

Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard that bans unlawful use of force techniques which all police personnel unequivocally support. If the Senate Bill No. S2820 passes in its current form; the costs to municipalities and the State will skyrocket from frivolous lawsuits and leave a potentially devastating impact on budgets statewide.

I sincerely thank you for your time and consideration in understanding that I am not in support of Bill S2820 as it is currently written. It is my hope we can collectively create a bill which enacts the proper reform that enables all of us to do our jobs safely, properly, and efficiently without fear.

Respectfully,



Megan E. Cloutier

Greenfield Police Department

National Fraternal Order of Police member

(413) 325-7601