

07/16/2020

The Honorable Claire Cronin
Massachusetts House of Representatives
Chair, Joint Committee on the Judiciary
24 Beacon St.
Room 136
Boston, MA 02133

The Honorable Aaron Michlewitz
Massachusetts House of Representatives
Chair, House Ways & Means Committee
24 Beacon Street
Room 243
Boston, MA 02133

Dear Chairs Cronin and Michlewitz,

My name is James Creed and I am a resident of Bridgewater, Massachusetts and a proud law enforcement officer of 15 years. Presently, I serve as a Lieutenant with the Plymouth County Sheriff's Department and I am assigned to the K9 Unit. I am writing you today to inform you that I am strongly opposed to several proposals contained in S.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).

Specifically, I vehemently oppose enacting any legislation that will diminish an officer's ability to safely and effectively do their job. This includes placing limitations on self-defense tactics in situations where deadly force is warranted. I am also against prohibiting law enforcement officers from using less lethal ammunition, tear gas, and K9s as a means of self-defense against violent agitators that disrupt peaceful protests. As an experienced law enforcement officer, I can confidently state that the above-mentioned tools are essential for maintaining law & order and for keeping police officers safe. Without them, we would be required to close the distance and go hands on with suspects (even when vastly outnumbered). This would result in serious injuries and deaths for both law enforcement officers and civilians alike.

It has come to my attention that a number of your colleagues have cited the events that unfolded in Brockton on the night of Tuesday June 2, 2020 as a reason for their desire to place restrictions on currently approved crowd control tactics. That evening, I was sent to Brockton to ensure the safety of a large peaceful protest at West Junior High School. Several hours after that protest ended, I responded to Brockton PD Headquarters to help disperse an increasingly raucous crowd that had been deemed an unlawful assembly due to the behavior of a sizable contingent of violent agitators.

I can personally attest that we were being bombarded by softball-sized boulders, frozen water bottles, and fireworks long before the use of tear gas was authorized. I find it sad how quickly many of your colleagues seem to have forgotten that Sgt. Michael Chesna was killed by an assailant who threw a rock just two short years ago. Even after tear gas was deployed, we had difficulty dispersing the crowd and directing them away from Brockton PD Headquarters. As we moved the crowd past the MBTA Bridge on Centre Street, we had cars and motorcycles intentionally driven at us. As we attempted to advance up to Dunkin Donuts, it was vandalized, doused with accelerant, and set on fire.

Consequently, once the fire was extinguished, Chief Gomes ordered a line of officers and K9s (of which I was a member) to move forward. (It is important to note that all K9s present were muzzled and that up until that moment they were purposely kept behind the front line of officers in an attempt to ease tensions and de-escalate the crowd.)

As we began to form a line in front of Dunkin Donuts, a moped deliberately drove towards us from our left flank and I narrowly avoided being struck. Subsequently, I watched helplessly as it collided with my friend (Sgt. Frank Pacheco Raynham PD K9) before it took off and attempted to drive through our line several more times. Thankfully, Sgt. Pacheco received only minor injuries from that collision.

Despite facing repeated violent attacks that easily could have resulted in officers being seriously injured or killed, we maintained our composure and ultimately restored order without seriously injuring anyone present. In my professional opinion, that outcome is directly attributed to the use of less lethal weapons (pepper ball guns, tear gas) and the mere presence of trained police K9s.

Lastly, I am not in favor of any legislation that curtails qualified immunity and opens the door for frivolous lawsuits. Police Officers acting in good faith cannot be expected to make split second decisions knowing that they could lose their ability to provide for their families in doing so.

In closing, I want to make it clear that I am not against this bill in its entirety. I am a strong advocate of Critical Incident Stress Management and Peer Support Programs. I welcome improvements to law enforcement training and increased police oversight. Furthermore, I am fully in favor of prohibiting law enforcement officers from utilizing “chokeholds” as a means to subdue suspects (outside of lethal force scenarios) and I am for instituting policies that establish an affirmative duty for police officers to intervene when they witness an excessive use of force.

Thank you for your continued support of law enforcement. I would be happy to meet with you or your colleagues to discuss my concerns. I look forward to your response.

Sincerely,

James M. Creed

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