

7/17/20

To Whom it May Concern:

I am writing to express my concerns regarding S.2820, the police reform package. My name is Stephanie Carr and my husband is a police officer and has been employed for the Town of Amherst for eight years. I have read the bill and I 100% disagree with the portion of the bill eliminating Qualified Immunity for the following reasons:

- The bill was passed very quickly by the Senate, indicating that this was a rushed decision.
- There was no input from the public, and law enforcement leadership.
- Public Servants are risking their lives to protect the well-being of our communities. I have seen not only in my husband's town, but in other towns and cities in Massachusetts as well, how thorough the municipalities are when selecting a candidate to become a police officer. Massachusetts does an amazing job with selecting the correct people for the position. They also have organized many different trainings to enhance the knowledge of police officers. This should continue! With very little incidents compared to the rest of the country, I myself feel grateful to live in Massachusetts.
- Any type of liability should fall on the town/ state if a community member feels they were treated unfairly. Similar to how a business is responsible for their employees. If a customer has a complaint, it would fall on the business to rectify the situation. Public Servants should not be held personally responsible. The financial burden alone is a cause of concern as if they were to be sued, they could lose their house, jobs, and cause pressure in the family, causing a collapse of what once was a stable environment. As you know the burden of proof in civil court is based on the preponderance of the evidence, 51% over 49%. This threshold is far lesser than criminal court, beyond a reasonable doubt. If civilians were held to the same degree for a criminal matter our Criminal Justice system let alone the correctional institutions would be flooded with persons who may be innocent but lack enough evidence to argue their case.
- Qualified Immunity is a layer of protection for public servants who made legal and justified decisions that could cause people who are affected by their actions and decisions to retaliate against the official in a personal and retributive manner. Cases of such actions have already occurred throughout the country involving criminal entities such as Sovereign Citizens who deliberately cripple the personal finances of officers who they encounter during the course of their duties. The United States Department of Justice warned officers of such incidents.
- If Qualified Immunity is removed, it would cause an increased exposure to public servants that many would have no choice but to leave their professions. Most of these men and women work in these professions because they want to help people, not because they make an exorbitant amount of money, and not for the power. They should be protected by their employer to complete the task at hand.
- I support change, I support a review and thorough investigation by our legislature into how police are trained across the state. I ask of you not to make a decision in haste as a result of the horrific tragedy of George Floyd's death but ask of you to be thorough investigators into our State's Law Enforcement practices. Please be thorough and take into account our State's community, each individual municipality and their communities, and the context of policing our home.
- Please, continue with Qualified Immunity. Have due process to charge a public servant if a situation arises. Please protect our public servants who are out there every day protecting us, teaching our children and putting out fires!

Should you need to contact me, my contact information is below.

Sincerely,
Stephanie Carr
413-272-3672