



Danvers Police Department

July 17, 2020

Via e-mail to: Testimony.HWMJudiciary@mahouse.gov

Re: Concerns to Senate 2820 as Amended

Dear Chairwoman Cronin and Chairman Michlewitz:

Please accept the following testimony with regard to SB2820 – “*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*”.

The Danvers Police Department was the first nationally accredited municipal police agency in the commonwealth. We have continuously maintained our accreditation since 1986. In order to maintain this standard, we have continuously needed to update our policies and procedures and training standards. These changes have allowed us to practice the most modern-day best practices in policing. I say this in order to demonstrate that we are not unwilling to change or adapt to the needs of our communities and to show that we are not opposed to any legislative changes. However, in reviewing SB2820 as amended, I have several serious concerns which I would like to express to you.

- The construction of this bill was done so without input from law enforcement. MCOPA should have had a seat at the table in order to assure all viewpoints were considered.
- **SECTION 6 (line 282):** The Senate Bill states that POSAC shall be comprised of “14 members”, however as outlined there are actually 15 positions. The MCOPA is strongly advocating for two (2) seats on the POSAC to be appointed by the MCOPA Executive Committee.
- **SECTION 6 (line 321):** The POSAC committee was given the power to conduct “*independent investigations and adjudications of complaints of officer misconduct*” without providing any language as to how or why an investigation would be conducted. This section also fails to address any review or oversight of the system.
- **SECTION 10:** Section 10 or SB2820 calls for a new standard for the defense of “qualified immunity”, a standard which has been well established for 50 years. This new standard would provide police officers with substantially less protection when doing their jobs. This I strongly believe will have the most devastating effect on policing. Police

productivity will be lowered for the fear of being sued simply for doing your job. Communities in the commonwealth are already struggling to find qualified candidates to become police officers and these efforts will become much harder with these proposed changes.

- **SECTION 49:** This section calls for the end of information sharing from school departments to law enforcement. In this day and age that approach defies logic and will only decrease the safety of our children while attending school.
- **SECTION 55:** The MPTC does not teach, train, authorize in any way the use of choke holds or neck restraints during the course of arrest or restraint. However, this section fails to provide any deadly force exception. I would ask that the wording of “unless the officer reasonably believes that his/her life is in immediate jeopardy of imminent death or serious bodily injury” be included in this section.

Although there are other concerns in this bill, I feel these are the most notable. I appreciate the opportunity to express my concerns and recommendations.

Respectfully,



Patrick M. Ambrose

Danvers Chief of Police