

Testimony regarding 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.”

Submitted by:
Francesco Torra
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Dear Chair Michlewitz, Chair Cronin and members of the House Committee on Ways and Means,

My name is Francesco Torra and I live at 11 Franklin Street, Wakefield, MA. I am the Recording Secretary for AFSCME Local 419 Suffolk County Correction Officers and also am a corrections officer and deputy sheriff at the Suffolk County Sheriff’s Department. I am writing regarding 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.” Although this bill has good intentions and several good aspects, there are portions of this bill that would be unnecessarily detrimental to those in law enforcement and other public workers.

Portions of this bill that I support are:

- The creation of a permanent commission on the status of african americans in Section 1.
- Having a Municipal Police Training Committee set policies and standards for training, background investigations, training requirements and maintain records of training in Section 3.
- Adding the teaching of history of slavery, lynching, racist legal institutions and racism in the United States to in service training in Section 4.
- Having the Municipal Police Training Committee shall establish and develop basic and in-Service training programs designed to train officers on the regulation of physical force. Such programs shall be included in basic and in-Service training for all officers for which the committee establishes training policies and standards in Section 5.

- In Section 9, "(b) If the attorney general has reasonable cause to believe that a violation of subsection (a) has occurred, the attorney general may bring a civil action for injunctive or other appropriate equitable and declaratory relief to eliminate the pattern or practice." If this language is in this bill, why must there be language eliminating qualified immunity?
- The creation of a community policing and behavioral health advisory council, in Section 16.
- The creation of a Criminal Justice and Community Support Trust Fund and a Justice Reinvestment Workforce Development Fund, in Section 37.
- Requiring an officer to intervene and report unnecessary use of force, in Section 55.
- Section 57. "Holding a law enforcement officer who has sexual intercourse or unnatural sexual intercourse with a person in the custody or control of the law enforcement officer shall be found in violation of subsection (b)."

Portions of this bill that I do not support are:

- In Section 6, the Police Officer Standards and Accreditation Committee does not include anyone from the sheriff's departments, even though deputy sheriffs are under their realm of oversight.
 - All members of this committee need a standardized law enforcement training themselves to properly understand the duties of law enforcement. For example, the actions of an officer during use of force encounters.
 - The elimination of due process and the right to appeal would be violating union rights.
- In Section 10, the elimination of qualified immunity would leave law enforcement and other public employees open to frivolous lawsuits that will put an unjust financial burden on us. For example, at the Sheriff's Department, many of us have encountered individuals who attempt to move forward with completely unsubstantiated and made up accusations. If it weren't for qualified immunity, we would have to spend thousands of dollars of our own money to have the charges dismissed in court. That is a burden we cannot take on.
- In Section 55, language outlining justified use of force is judged by the POSAC, some members who may not have been trained on the use of force continuum, as the law enforcement officers have. How will they understand the actions of law enforcement if they have not undergone the same training that will be standardized by the Municipal Police Training Committee?
- In Section 63, the commission created will have far too few members with corrections experience, training, or expertise to make recommendations for a field they may have no understanding of.

I urge you to amend the portions of this bill that would unnecessarily hurt the public, law enforcement, and public sector workers. Thank you to Chair Michlewitz, Chair Cronin, and the members of this committee for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Francesco M. Torra". The signature is fluid and cursive, with a large, stylized initial "F" and "M".

Francesco Torra