



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
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July 17, 2020

The Honorable Aaron M. Michlewitz
Chair, House Committee on Ways and Means
State House Room 243

The Honorable Claire D. Cronin
House Chair, Joint Committee on the Judiciary
State House Room 136

RE: S.2820, The Reform, Shift, and Build Act

Dear Chair Michlewitz and Chair Cronin,

Thank you for the opportunity to provide input and feedback on **S.2820, the Reform, Shift, and Build Act**. I appreciate the opportunity to share concerns and perspectives raised by members of the communities I represent and my local police chiefs, including the Towns of Westborough and Holliston, which have submitted testimony individually. This legislation is critically important to addressing structural inequities and raise policing standards, while ensuring that the Commonwealth can continue to attract and retain the most highly qualified and well-trained public safety professionals. We are at a unique moment in history and your leadership is greatly appreciated. I offer the following comments for your consideration.

First, I fully support the policy recommendations advanced by the Speaker of the House and the Black and Latino Legislative Caucus, and agree that focusing on priorities expressed directly by communities of color is essential, including the establishment of **Peace Officer Standards and Training (POST)**, a review of the **Civil Service exam system**, the creation of a **commission on structural racism**, and clarifying statutory limits on **police use of force**.

The bill before us is wide-ranging and I continue to engage with constituents who have questions and concerns. However, I would like to share the most pressing concerns that have been brought to my attention thus far relative to S.2820.

- **Qualified immunity:** I am concerned with current language in S.2820 revising qualified immunity. This is a complex and nuanced area of law. Numerous concerns have been brought to my attention by the public safety community, and these concerns need to be better understood and evaluated.
- **Enhancements to police training:** Ensuring that all of our public safety personnel are trained in the most current standards, including de-escalation, is essential to public safety and the protection of the civil rights of all of our citizens. I support increased opportunities for training and a consistent curriculum that is based in community needs. In addition, based on conversations with local public safety officials, I recommend that your committees consider including requirements that training, to the greatest extent possible, consist of

hands-on training rather than classroom-only hours. When making split-second decisions in the field, the benefits of interactive training may be helpful in leading to improved recall of essential training skills.

- **Increased accountability from the Department of Corrections:** I have several constituents who work at MCI-Framingham as corrections officers. They have consistently shared concerns about the need for improved accountability and transparency at DOC. I support measures to increase transparency around expenditures to ensure they reflect best practices, as well as the principles reflected by our legislative criminal justice reform efforts. I would support measures such as Section 63 and 67 of S.2820, or other similar measures that would improve transparency and accountability of funding and priorities in the department.

Thank you for your diligence and thoughtful work to address structural racism in our Commonwealth. I especially appreciate each of your committees placing a priority on public engagement prior to moving a bill to the floor. Such a commitment to transparency and public process is essential to gaining broad support for this landmark legislation. Please don't hesitate to contact my office with questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carolyn Bykema', written in a cursive style.

Carolyn Bykema