From: Chris Counihan <cwcounihan@verizon.net>
Sent: Friday, July 17, 2020 7:31 AM
To: Testimony HWM Judiciary (HOU)
Cc: Hecht, Jonathan - Rep. (HOU)
Subject: Testimony on Senate Bill 2820 - Police Reform

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Finally, as a social worker whose career has been in public mental health, I support training in de-escalation techniques when interacting with people whose behavior may be based on psychiatric symptoms or relate to being under the influence of substances. There are examples of best practice program involving mental health clinicians "riding along" with police and rapid response by trained emergency service psychiatric clinicians across many communities in Massachusetts. Trainings is Crisis Intervention or "CIT" are also the safest ways to de-escalate persons who may be a danger to themselves or others but NOT a threat to commit acts of violence in a criminal way that requires use of force to prevent those actions.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Thank you for your service in these most challenging times.

Christopher Counihan, MSW

74R Cushing Street
Cambridge, MA 02138

617-230-0714

From: Barbara Macdonald <bmacdonald55@yahoo.com>
Sent: Friday, July 17, 2020 7:31 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

SincerelyBarbara Macdonald,

Sent from my iPad
From: John M Rooney <jrooney@norwoodma.gov>
Sent: Friday, July 17, 2020 7:29 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

I hope this is read and not discarded. I urge you to please vote against S2820. This bill was rushed and there are way too many problems with it.

I’ve been a police officer for 5 years and started at the age of 38. This was my dream job. Seeing what is happening with the way our elected officials trying to “reform” how we do our jobs has turned this job into a nightmare. This bill is dangerous and not only puts officers at risk but it is ensures that the public will be much less safe.

Before anything is said about the contents of the bill, the obvious issue is that Massachusetts police officers are not a problem worth passing emergency legislation over. An issue happened 1200 miles away and the way the media and social media is portraying 99.9% of police officers is insulting. Does anyone voting on this bill know any facts about any officer involved killing in Massachusetts over the past 5 years? You should. How about facts involving excessive force in Massachusetts? You should. If you’re trying to create legislation regarding policing, these are things that should be well known. If you do look at the facts, you’ll realize that every state should be looking at the way officers in mass do their jobs and it would become a model for everywhere else in the country.

A few issues that stood out in the bill that are troubling:
-Ending qualified immunity. Doing a job that requires split second decisions during the highest stress, is extremely difficult. How about a lawmaker try the police simulator at the Brookline PD and come back to report about what happened? Qualified immunity is imperative for police officers. We should be afforded as much protection as possible. If there’s anything less, there will be an entire new breed of lawyers advertising on TV and the amount of frivolous civil lawsuits against officers will be crippling.

- use of choke holds. This needs to be addressed. Are you telling me that if my life is in imminent danger, a criminal is on top of my choking me out as my last breath of oxygen is escaping my body, that I’m allowed to shoot and kill the person but I couldn’t choke him? How does that make any sense? If my life is on the line, and my firearm is out of reach. Let’s say at that moment I could maybe try and put on some kind of chokehold to save my own life or the lives of the public....but I’m not allowed to because of this bill? I’m supposed to just sit there and die? Hopefully you have something nice to tell my family when you have to notify them of my killing.

This is on the heels of the 2nd anniversary of Sgt Chesna’s murder. A Purple Heart recipient, war hero, and veteran officer. He hesitated to shoot a criminal that was threatening to hit him with a boulder. Sgt Chesna and every officer knows that is a lethal use of force situation. He hesitated and I’m sure it had to do with the climate of improper reporting and public sentiment about police brutality. It cost him his life. Anything you do that puts officers lives in danger is insulting and criminal. Take away your qualified immunity while we’re at it.

- make police officers part of any process that involves proposed legislation about policing. Do you make changes to education without educators? Medical care without doctors? Have you consulted any minority officers to get their perspectives?

- pat frisks. Pat frisks are crucial to officer safety. Part of the bill would require reporting if I check someone for a weapon when I have the right to do so? Every winter when I am at a scene, it's cold. People are bundled up and their hands are in their pockets. To put everyone at ease and to help keep everyone warm, I ask if I can check to make sure they don't have weapons so they can put their hands back in their pockets and be bundled up to keep warm. Now I have to report that? All this is going to do is make sure we do less of these and it puts us and the public in danger. Not to mention it'll make every incident less comfortable for all involved when I have to order people to keep their hands where I can see them at all times, even if it's 10 degrees outside.

Obviously we are just touching the tip of the iceberg here. This legislation needs to be put away until this can be addressed properly and thoroughly. I urge you to read the testimony sent in by Chief Brooks about this legislation. He brings up many valid points much more eloquently than I did.
Don't punish the great officers of Massachusetts for the sins of someone 1200 miles away.

John Rooney
Norwood Police Department.

Sent from my iPhoneFrom: Andrew Leblanc
<andrew_f_leblanc@raytheon.com>
Sent: Friday, July 17, 2020 7:27 AM
To: Testimony HWM Judiciary (HOU)
Subject: Objections to S.2800

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street <x-apple-data-detectors://3>

Boston, MA 02133 <x-apple-data-detectors://3>

Dear Chair Michlewitz and Chair Cronin,

My name is Andrew LeBlanc and I live at 41 Beaver Brook Rd in North Andover, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should

be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Andrew LeBlanc

From: Bob Rinn <rrinn6490@gmail.com>
Sent: Friday, July 17, 2020 7:27 AM
To: Testimony HWM Judiciary (HOU)
Subject: House Bill 2820

Good morning Representative McMurtry and all members of the House.
My name is Robert Rinn and I am a retired police officer. I retired after serving 38 yrs. I have a son who has been a police officer for 6 years and a daughter waiting to enter the Police Academy.
I am writing today to ask for you to vote against this bill for many reasons. This bill was hastily written without input and discussion from many groups that it will affect.
I agree that there may be change needed but if you look at our Commonwealth there have been very few incidents of Police Officers abusing citizens. I know that may not be the case in other states, but it is the case here. So I don’t think a bill that has not had input from so many people, Mass. Police Training Council, Mass. Chiefs of Police Assoc. , Mass. Coalition of Police, Mass. Police Assoc. , and so many others should be passed hurriedly just to appease certain special interest groups. There is time to craft a bill of real, true, informed, and well thought out substance during the next session instead of pushing through a poorly put together, rushed bill to appease the very vocal special interest groups screaming for change.
I am asking you for 2 things; a Nay vote on this bill, and then to work with everyone and craft a real, workable bill in the next session that will serve everyone in the Commonwealth better.
I know we can do better than this. Please vote no so. We can do better.

Sincerely,

Robert W. Rinn
Sent from my iPhoneFrom: Mcnamara, Sean (POL)
<sean.mcnamara@pol.state.ma.us>

Sent: Friday, July 17, 2020 7:26 AM
To: Tran, Dean A (SEN); Testimony HWM Judiciary (HOU); Zlotnik, Jon - Rep. (HOU)
Subject: Concerned Citizen

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you’re going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Respectfully submitted,

Tpr. Sean P. McNamara
Massachusetts State Police
Division of Homeland Security and Preparedness
Technical Services Unit
978.771.2924 (c)
sean.mcnamara@pol.state.ma.us
From: Julie Dellolio <juliedellolio@yahoo.com>
Sent: Friday, July 17, 2020 7:27 AM
To: Testimony HWM Judiciary (HOU)

Please take your time to have your family, friends and all others who support police and correction officers, to copy this post and send it to: Testimony.HWMJudiciary@mahouse.gov

July 16, 2020
Dear Chair Michlewitz and Chair Cronin,
My name is (Julie Dellolio) and I live at (113 Hurley Ave in Dracut,Ma) and I work at Dracut Police Dept) . As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public. Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.
The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.
While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that

have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.
I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.
Sincerely,
Julie Dellolio

Sent from Yahoo Mail on Android
<https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=HwTUg-33zroiolK8tFun8vZCKXLktoPEGOmoyH5AXTE&s=VjoqGffqJgZKlxtkAIrOre1d8f0H8aMkddN1M08Ha7o&e=>
From: Tina Baccari <t.baccari@comcast.net>
Sent: Friday, July 17, 2020 7:26 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPhone
From: Kristin Campbell <kecmm582@gmail.com>
Sent: Friday, July 17, 2020 7:25 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate bill S2800

Dear Speaker DeLeo,

Good morning, my name is Kristin Campbell. I am the proud wife of James, a Quincy Fire Lieutenant. James is also a paramedic at South Shore Hospital, he works both jobs so that I can be home to raise our little girls.
The past 4 months have been like none other for us. However, while most of us were staying "safe at home" during the quarantine, James went out everyday to work and serve the public.
His department changed shifts to 48 hours straight. There were of course tears from our already scared and confused little girls, Molly(7) and Meredith(4). On top of their worlds being turned upside down they missed their daddy at bedtime.
I was worried James may get sick and possibly expose me and our girls to it. Their were discussions about finding somewhere for him to stay, possibly a hotel paid for out of our own pockets. In reality, as a first responder family, we couldn't "stay safe" at home like many others. But as always, James and I worked through it together. James is the calm presence in our lives.
I've often thought, he's helped so many people not just with his years of training but his calm demeanor. I've been approached by many people over the years that they were so relieved to see James walk in when their dad was having a heart attack or their mom had fallen. It brings me comfort to know that at least when he's at work and I'm nervous for him, he's helping those people with his calming reassuring way.
This week we are together as a family vacationing in NH. We look forward to this trip every year when all our worries just seem to roll off our shoulders. This year was different.
When I heard that the Senate had taken a vote on the controversial S2800 in the middle of the night, I was confused and disgusted. That was such a cowardly act. My husband isn't a coward. He has risked his life several times over his 20 year career to save the life of a stranger.
I speak to you today also as the family and friend of many law enforcement officers. I am appalled at the treatment they are receiving. They put their lives on the line everyday to protect us. But ignorance is bliss. People don't truly appreciate them and what they do until your time of need comes and they are there.

I spent 8 years working for the Commonwealth of Massachusetts, 4 years at the Suffolk County District Attorney's Office. I was so affected by some of the things I read and saw during my time at the DA's office. Officers seeing children abused, seeing people die in the most violent ways, and elders abused and exploited by the very people entrusted to their care. Police officers trying to help while being abused and vilified by a portion of the public that hates them, and going back everyday to do it again. I too had a heart to serve, but tapped out after 4 years. I commend the public servants that march forward everyday in their calling.
This bill is a rushed, emotional reaction to the current climate in society and it's wrong. These public servants have fought for decades to get safer working conditions through collective bargaining and now that is being limited by this bill. That qualified immunity is being limited so that they question their responses and training in an emergency situation or may be civil sued is downright frightening to me. I've seen many refer to malpractice by doctors and that first responders should be held accountable like them. Well, physicians are covered by malpractice insurance paid for by their employers in the fees charged to patients. How will malpractice insurance be paid for the first responders to be covered? By their employers? So, the taxpayers?
Senator Keenan, who represents my district spoke of corruption within the Springfield Police Department as part of his motivation for voting yes on this bill. While I would agree that in every profession there is room for improvement and change, this is not the way.
I would ask that it be mandatory for every member of the Legislature to ride along for a shift with the Springfield Fire and Police Department prior to their vote being recorded.
Thank you for your time and attention.
Sincerely,
Kristin Campbell
Quincy, MA

From: Leah Mulrenan <mulrenanl@gmail.com>
Sent: Friday, July 17, 2020 7:25 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support for SB.2800, Reform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Leah Mulrenan. I am a lifelong resident of Woburn, Mass. I am writing this to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety.

I am a white woman that has always felt safe with police, however, I have seen discrimination and have seen countless examples where the police, like every other section of society, are flawed people. We cannot allow this if it result in unnecessary death. If the mission of the police is to protect and serve, everyone should feel confident that they are safe in their presence.

There are a lot of reasons I support this bill, that I'm sure you won't have time to read, so I will keep my words to a minimum.

Massachusetts has been on the right side of history for many things. I am proud of my state. And I do feel that the majority of our police are good. However, we cannot have bad cops. That's just not something that should be allowed. It is my opinion that this bill will protect everyone, police included. And that is something that everyone should want.

I urge you to ensure that all of this bill stays intact. It is my hope that Massachusetts continues to be on the right side of history.

Thank you for your time, I hope that you will give SB.2800 a favorable report.

Sincerely,

Leah Mulrenan
937 Main Street
Woburn, MA 01801

From: Larisa Itina <larisaitina@hotmail.com>
Sent: Friday, July 17, 2020 7:24 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please do not confuse Reform with Destruction

I live and work in Boston for 20 years and have not seen anything bad from the police
They helped me several times.
Please do not confuse Reform with Destruction
Russia went this way 100 years ago and has not yet recovered.
Do not help harm America.
The police deserve respect and gratitude
Where necessary, look for and fire people with elements of sadism
Make a public council working with the police and discuss sensitive topics widely in society
But DO NOT follow the idealists, they will release a genie of violence and it may be impossible to drive him back
Sorry - I have poor English and maybe my wording is not quite generally accepted
thank
with respect
L Itina (617 990 43 31)

From: Carly Skorupa <clkinnas@gmail.com>
Sent: Friday, July 17, 2020 7:23 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Dear Sir or Madam,
I write to express my disappointment, sadness and outrage, really, over the "Police Reform Bill" that was hastily crafted and then railroaded through the State Senate earlier this week in the wee hours of the morning. That alone is nothing short of OUTRAGEOUS. If passed into law, this will literally (without exaggeration) cause police officers to become

unable to perform the most important duties required of them in order to maintain public safety.

The rush to permanently amend Massachusetts General Law is essentially an over the top emotional and ignorant reaction on the part of many local Legislators to recent issues in the news. Massachusetts already has the highest standards across the board for all 14,000+ police officers that work in this state - period. Only California has similiar standards on a statewide level. There is no legitimate reason to prompt such drastic upheaval of the law and the police's ability to enforce it aside from the fact that a loud and tumultuous group of anti-government/anti-police/anti-capitalist centric protestors has seized the airwaves and is dominating the conversation via social media.

The 72 page Bill contains numerous constraints that are not practical and not able to be implemented without causing irreparable harm to our otherwise well balanced system of governance.

Police Officers, our heros, are being attacked both figuratively (with this bill) and literally as they are being physically attacked on a daily basis.

Please take this into consideration,
Carly Skorupa

From: Lianne Duffy <lianne.duffy@gmail.com>
Sent: Friday, July 17, 2020 7:23 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

Good morning,
I am completely baffled by the cowardly bill that was passed at 4:11am so they could avoid the pushback.

I completely support the police and that this bill, written as is, is dangerous for the police, their families, and the communities they live in.
There is no way this bill will help anyone except those looking for a way to break the law.
We accept change that will make the wold a safer place to live. This is not that kind of change.

Do people not realize that police officers are going to stop running in and saving lives If they are not supported and protected??

I will assure you that if this bill passes, my family will be moving out of state and you will lose MANY good, qualified, police officers that are putting their life on the line every single day!

Please think about this and realize that it is something that you have been bullied into and is NOT the change that we need!

Lianne O'Day
978-804-4364 From: Jane Hirschi <janehirschi@gmail.com>
Sent: Friday, July 17, 2020 7:22 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform in Massachusetts

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Jane Hirschi. I am a resident of Cambridge, MA and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

This reform is urgent because it affects everyone. An unsafe community anywhere makes all of us less safe. Trust in our police is essential, and can only happen when fair and just practices are in place and police are held accountable

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Jane Hirschi

39 Rindge Avenue, Cambridge, MA

March like a Mother: for Black Lives

From: mattydale78@verizon.net
Sent: Friday, July 17, 2020 7:22 AM
To: Testimony HWM Judiciary (HOU)
Subject: SB 2800

I am a retired Arlington Deputy Fire Chief. While this bill has well intentioned and overdue reform, there is some concerning language in SB 2800 that is potentially detrimental to fire fighters. Specifically the threat to eliminate or drastically change Civil Service and restrictions on collective bargaining. Please be respectful and considerate to your fire fighters' concerns regarding these issues when you next debate this bill. Thank you.
Respectfully,
Wayne Springer
Arlington Local 1297

Sent from my iPhone
From: MARGARET G KEARNS <maymay466@comcast.net>
Sent: Friday, July 17, 2020 7:22 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,
From: Gilbert, Lisa <lisa.gilbert@aubuchon.com>
Sent: Friday, July 17, 2020 7:19 AM
To: Testimony HWM Judiciary (HOU)
Subject: Engrossed Bill S.2820

Good Morning,
I only received this information this morning with a deadline of today Friday July 17th @11:00 am. In which I am sure there are many citizens that would also like to express their opinions to this Bill, but will not have the chance to. I feel this should have been as publicly informed as much as Covid-19. I am one of many that are asking you to rethink this bill. I fully support ALL LAW ENFORCEMENT. We need to protect our Law Enforcement so they can continue to PROTECT US! Please reconsider!

Respectfully,
Lisa M. Gilbert

Lisa M. Gilbert · W.E. Aubuchon Co., Inc
95 Aubuchon Drive, Westminster MA 01473
(P)978.874.6560 · (F)978.874.6617
lisa.gilbert@aubuchon.com · hardwarestore.com
<https://urldefense.proofpoint.com/v2/url?u=http-3A__hardwarestore.com_&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=tedHDuPOBqodXY_MADGL_wc1bCyOlERCZBc16WHQPu4&s=B-4VfwYJKaJ87ZyuqQWDMlLSRpMJiRM7bCx_1xfdxKk&e=>

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From: Deborah Olsen <bizza411@yahoo.com>
Sent: Friday, July 17, 2020 7:19 AM
To: Testimony HWM Judiciary (HOU)
Cc: Collins, Nick (SEN)
Subject: S2800

Dear Legislators,
Please do not pass bill S2800! Ending qualified immunity is not the answer to the problem we are facing right now. It would be a knee jerk reaction to the country & states current climate of BLM. We need a more through discussion of policies & procedures and real time training for our police. Our Boston police department has been " community policing" for a very long time.The Boston Police have many different ways to engage the youth & communities you are so worried about. We did not have a "George Floyd" incident here!! Are there bad cops absolutely as in every profession but to handicap our police officers for the actions of one man in Minneapolis or a few in Kentucky is just wrong.
You as a legislators need to hold public hearing & get testimony over a period of time like most things passed in our state. Just going to say I

was so disappointed in your overnight session to ram this bill through.
Thankfully my Senator Nick Collins voted no.
Please hold hearings but hopefully in the end you will not remove qualified immunity from our police, fire & medical & public officials.
Sincerely,
Deborah Olsen
38 Laban Pratt Road
Dorchester, MA 02122
Sent from my iPhone
From: Randy Kershaw <rkershaw@admin.umass.edu>
Sent: Friday, July 17, 2020 7:19 AM
To: Testimony HWM Judiciary (HOU)
Subject: Objections to S.2820

Subject Line: Objections to S.2820

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street

Boston, MA 02133

Dear Chair Michlewitz and Chair Cronin,

My name is Randy Kershaw and I live at 13 Darrel Ave. in Granby, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal

precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Randy Kershaw

From: Sean Deady <sdeady23@yahoo.com>
Sent: Friday, July 17, 2020 7:19 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you’re going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee

teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Sean Deady
22 Knoll Street,Roslindale
857-719-4981

From: Rita Costa <ritamcosta1@gmail.com>
Sent: Friday, July 17, 2020 7:17 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: MA Bill S.2800

I am Hoping that we can cout on you on this Bill S.2800

I am writing to you regarding Massachusetts Bill S.2800. I am very disturbed about how this bill is being quickly pushed through in the middle of the nigh, while it will have tremendous repercussions on our police departments, tying their hands, and preventing them from doing their jobs. While there are portions of the bill that may bring about higher standards for our officers, removing qualified immunity as one of their rights is simply unacceptable. As a registered and active voter, I am disheartened by the actions of politicians that I have voted for, who are responding with a knee jerk reaction to the loud actions of the few, while ignoring the majority of the population. I look forward to your reply, and I respectfully ask that you consider not supporting the removal of qualified immunity for our police officers.

Regards,

Rita Mendonca Costa

From: Michael Sullivan <msullivan0565@gmail.com>
Sent: Friday, July 17, 2020 7:16 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Dear Honorable Members of the Massachusetts House of Representatives,

I write to you as a life long resident of Massachusetts and 12 year police officer in the City of Worcester. I am hoping for you to please consider making serious changes to Bill S2820. This bill is an anti-policing and anti-labor bill that has dire consequences to the safety of the commonwealth and the rights of all labor unions.

One of the key areas I hope you will consider is the elimination of qualified immunity for police officers. As currently stated qualified immunity only protects those good officers who act within the law and the constitution. Changes or elimination of qualified immunity will prevent good cops from being able to do their job. Please do not eliminate something for Police that you would not eliminate for yourself.

Another key area of the Bill is the make up of the Posac board and the lack of Due Process. I can not think of any other profession who's over sight committee is made up of anything but members of said profession. The board should consist of persons from the criminal justice fields and with criminal justice backgrounds.

The lack of the ability for appeal in any decision made by the board would strip Police of their Due Process rights that are otherwise afforded to all Americans.

While I do feel more training is always a positive, and good cops need to speak up against bad cops, I appeal to you to please not rush to a bill with dire consequences. Massachusetts Police Officers should not be punished by the actions of other Officers from thousands of miles away. Please Consider retaining Qualified Immunity, Due Process and maintaining a Posac board made up of members of the criminal justice world. Please also refrain from rushing to pass a bill merely for the sake of saying you passed something without realizing the impacting consequences.

Thank you for your time and consideration. Please do the right thing by Massachusetts Police Officers and the safety of all Commonwealth Residents

Michael Sullivan
City of Worcester From: stephanie Andrews
<andrews.stephanie@gmail.com>
Sent: Friday, July 17, 2020 7:14 AM
To: Testimony HWM Judiciary (HOU)

To Whom it May Concern,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity

and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Stephanie Andrews

38 Canterbury Hill Rd

Topsfield, MA 0`983

Andrews.stephanie@gmail.com

From: Jim Morris <morrisj891@yahoo.com>
Sent: Friday, July 17, 2020 7:13 AM
To: Testimony HWM Judiciary (HOU)
Subject: In favor of law enforcement

I am writing this email in regards to taking a stance in favor of law enforcement officers and fellow brothers who uphold the law.
Sincerely
James Morris

Sent from Yahoo Mail on Android
<https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMCaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=LIxdZGK8laORYlECa8baujskHpakqv0Ww9XR44h7NHw&s=yClKRCeISeRtBQVNJTw31U_gk-z2T4PN7P-TvUCeDvc&e=>
From: Ashley <arando87@comcast.net>
Sent: Friday, July 17, 2020 7:12 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear House of Representatives,

My name is Ashley McCarthy and I live at 130 N Washington St. Apt 302 North Attleboro, MA 02760. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Ashley McCarthy

Sent from my iPhone
From: Paul Berkeley <prberkeley@gmail.com>
Sent: Friday, July 17, 2020 7:08 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800 comments

Good morning,

It is with great interest as a citizen of the Commonwealth of Massachusetts that I urge our state's leadership to reform our practice of qualified immunity. Qualified immunity is a well intentioned concept that was created to protect our public service immunity from civil suits unless it can be "clearly established statutory or constitutional rights of which a reasonable person would have known."

While this language sounds innocent, the application of qualified immunity has evolved, or devolved, into protecting those public servants including police who have performed egregious abuses of their commitment to serve and protect our public. It is not enough to protect an officer's actions that were in "good faith" or that the office "believed their actions were lawful" or that violation of those affected by police action was not "clearly established." I work in health care and if I had harmed a patient intentionally or not, none of those excuses would protect me from liability.

Qualified immunity creates a loophole for those who would intentionally or not violate the public's rights and cause harm to escape liability. There is much room for reform and improvement and I hope you will consider removing the current standard for qualified immunity to better protect the Commonwealth.

Sincerely

Paul R Berkeley
617-347-1943
Beverly, MA
From: Margot Sonia <margotjsonia@gmail.com>
Sent: Friday, July 17, 2020 7:07 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony for S2800

Dear Representatives,
I hope this reaches you well and I hope you have the chance to read this all the way through. I am reaching out because the bill you are looking to put through regarding police reform has caught my eye and I've become very concerned for what this means for the future of our Commonwealth.
While I am sixteen years old please do not let my young age invalidate my opinion. I am the daughter of a state police officer as well as an honors student with a devotion to community service and I hope you will take some time for deep consideration of my viewpoint.

First of all, Senator Tran has brought to the public's attention that this bill is being put forward with no public hearing (ironic, because a portion of it requires law enforcement to endure public hearings before making weaponry/monetary decisions), and no input from communities of color or law enforcement. So please let the voice a young girl concerned for her father's life and the wellbeing of her community ring clear if none else.

Senator Tran's amendments or similar must be passed for this bill to have an ounce of dignity. Please know that I am not purposely directly supporting Senator Tran. I simply feel very strongly towards the statements he has made about this bill and I commend those who have made similar statements. These amendments are, in the Senator's own words:

- chokehold in self-defense: to allow officers to defend themselves.
- teaching of the history of racism: if law enforcement is mandated to have this training, legislators should as well.
- collective bargaining: this bill shall not impact the current municipal and state contracts.
- grant programs for municipalities: provide funding for municipalities to implement the bill.
- qualified immunity: removes the section in the bill that impedes on qualified immunity. This section allows civil lawsuits against officers, jeopardizing the public safety service they provide to you.

Allow me to speak from the heart when I say I need my dad. He works his tail off to protect the state . And he works just as hard to be a great dad. Last year 89 police officers were killed in the line of duty. This year, half way through, 120 have already been killed. Another 90 have committed suicide. With more divisiveness and violence than we've seen in decades, family members like me are scared and we need our legislators now more than ever to keep our loved ones safe. This means allowing appropriate self defense, qualified immunity, and due process of law that allows them to perform their job. Qualified immunity is what allows an officer to make their best judgements, the judgements in those split second decisions where lives are on the line that I hope you have the

empathy to put yourselves in. If you want to improve these judgements it happens in the foundation of the training. Help them structure a training system that gives you faith in protecting their judgements. Many of these judgements happen during a life or death situation, and the lack of qualified immunity increases the danger for not only the officer but all the people they are trying to protect. While I believe qualified immunity should not protect actions that are clearly in violation of a law or someone's rights (it does not, unless misinterpreted by the court system), it is a necessary concept due to intensity of the job and possible debates over what's right and wrong according to the law. It is overall best for an officer to be removed from a case while the municipality continues examination for future instances so that they can focus on their judgements and actions as their training has taught them. From all I have seen and researched, Massachusetts already has a strong law enforcement education system in place. Understand that my dad is a crisis negotiator. This is the unit specifically trained to deescalate situations. It is their job. Almost any dispatch call can include violence, and while cops signed up to put their lives on the line, the social workers that other communities ask to be put in did not. I ask that you take the time to look at it closely at the education and examine whether it falls short in any area so that these cops can do what they signed up to do in a way that increases the communities faith in their actions. Senator Tran is right that both legislators and law enforcement need to be educated on racism as they both will affect the future of justice and equality.

I'd like to also touch upon the parts of this bill that "prohibits schools from cooperating with law enforcement agencies" and "removes the requirement for a school resource officer." While the lack of requirement is seemingly acceptable, I will be questioning my return to school if my district chooses to remove our school officer. We did multiple school shooting training sessions last year. For the last two years a huge "what if" has loomed over every school in the country as shootings rapidly increased and now they threaten to take away our best resource in such an instance. And school shootings are only the extremes of the situations in which I hope we have an officer beside us. I also believe that collaboration with law enforcement, especially among young people, is what will eventually lead to a more unified and peaceful future. The partnership between law enforcement and students has often proved to be one that fosters care in replacement of fear and a better understanding of one another.

Another concern with the current S2800 is "creates a licensing board with no law enforcement representation." This entire bill screams "lack of democracy." The people that understand law enforcement the best are the ones that have been in it for years. It is simply ridiculous to not include them in these important decisions regarding their job. You would have people make decisions on this system who have never lived a day in it. To build a more united society you need conversation and collaboration. I am disappointed in the lack there of.

While your efforts to improve police training, limit racial profiling, and establish a commission on the status of African Americans are admirable, this bill has multiple harmful aspects as it stands. You are pulling five million dollars annually from taxpayers for a bill that not only more-so

attacks law enforcement than it does address racial inequality, but also could pass with no voices of those who will be affected by it heard.

I ask that you proceed carefully. Instead of thinking politics, think people. Think of the 16 year old girl who just wants her dad to come home and wants communities across the state to be safer than ever. This only comes with collaboration. Please work with our law enforcement and our communities of color to find the best solution. I look up to politicians who fight for their people and I believe you all have the seats you do because you have done so, but when you lose the democracy you start to lose my respect. This bill is important. Please let it be so for the right reasons.

With much appreciation for your service to our Commonwealth,
Margot SoniaFrom:Jack Bergeron <jackbergeron@gmail.com>
Sent: Friday, July 17, 2020 7:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 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

Massachusetts House Judiciary Committee Members:

I cannot urge you strongly enough not to support Senate Bill 2820 now pending in the House. This bill endangers and cripples the ability of our state and municipal police officers, firefighters and other public safety professionals to perform their sworn duty to uphold and enforce the duly enacted laws and regulations of our Commonwealth. In so doing this bill will endanger the well-being of all the residents of this Commonwealth. The bill, among other things, removes qualified immunity from these public servants. All of you, as elected officials in this Commonwealth, benefit from absolute immunity. Imagine if you were subject to personal lawsuit every time you proposed or voted upon legislation that a citizen deemed adversely affected their rights or well-being and what the consequences and expense you would be subject to as you tried to defend your action. I doubt that you would vote for a law that would take away your absolute immunity or one that would reduce it to a qualified immunity. While serving as Fire Chief in the City of Lawrence I, along with the City's Electrical Inspector, were personally sued for enforcing laws of this Commonwealth. Without the protection of qualified immunity I would not have been able to defend myself. Defending and losing the suit could have potentially financially ruined both the electrical inspector and myself. I never would have accepted the position of Fire Chief (or firefighter) nor would I ever recommend an aspiring firefighter or police officer to apply for either of those positions without the protection of qualified immunity. My son is a nine veteran of the Massachusetts State Police. We are closely watching this bill and discussing what his alternatives will be to protect himself, his family and his home from frivolous lawsuits.

Besides removing qualified immunity Senate Bill 2800 also makes it very difficult for a police officer to physically defend him or herself. While I served as a Deputy Fire Chief and Fire Chief in the City of Lawrence for twenty-four years I daily wore a uniform similar in appearance to that of a police officer. I had an incident at the Lawrence Post Office where I

had to wrestle to the floor an unruly individual as he imposed physical harm to an elderly woman and then to myself. I cannot remember if I had to temporarily employ a choke hold to subdue the individual, but at that time I would not have hesitated to do so to protect myself and others. I had no other alternative. Earlier this week I watched a video from the morning's news wherein a New York City police officer was placed in a headlock by a thug. Here's a link to the video https://www.breitbart.com/crime/2020/07/12/video-nypd-cop-placed-headlock-trying-disperse-crowd/ <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.breitbart.com_crime_2020_07_12_video-2Dnypd-2Dcop-2Dplaced-2Dheadlock-2Dtrying-2Ddisperse-2Dcrowd_&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=LmBBMhxKyQs2oLsJp9upTghHn5ppbn5iv5PrhoIwukI&s=JqfyfEWoU-OiKzpa8FmTTDmkjYebD3nzaRPoFrMs0SY&e=>

In addition this bill perpetuates the supposed differences between people because of the color of their skin. Why does our government continue to differentiate citizens of the United States? Labels such as "African American" or "Hispanic American" applied to a person or a group of persons who are natural born citizens of these United States should not be incorporated into our laws. No matter what circumstances brought our grandparents here we are all now United States citizens. Organizations, such as the NAACP and Black Lives Matter (BLM) are by their very names inherently racist. This must be called out for what it is and not incorporated into our laws. Senate Bill 2820 as titled and written will serve to further divide citizens from one another. This is the root of "systemic racism!" Senate Bill 2820 is a misdirected knee jerk reaction by the Commonwealth's Legislature. All the people of this Commonwealth deserve better.

Respectfully,
Jack Bergeron
Retired Fire Chief City of Lawrence
240 Forest Street
Methuen, MA 01844
978-457-4746
From: Gene Theroux <gene.theroux@verizon.net>
Sent: Friday, July 17, 2020 7:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Gene H. Theroux

20 Bugbee Road

Southwick, MA 01077

From: Greg Mailloux <greg.mailloux@yahoo.com>
Sent: Friday, July 17, 2020 7:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified Immunity Police reform Bill

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street <x-apple-data-detectors://2>

Boston, MA 02133 <x-apple-data-detectors://3>

Dear Chairs Michlewitz and Cronin,

My name is Gregory Mailloux and I live at 111 Gay Road in Groton Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard in the Massachusetts House of Representatives tomorrow for consideration.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority,and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant (most likely a police officer) before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendantwould have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits.

The erosions of S.2800 place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far-reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Very truly yours,

Gregory P Mailloux

111 Gay Road

Groton, MA 01440

From: Charles Moore <moore_charlesl@yahoo.com>
Sent: Friday, July 17, 2020 7:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to S.2800

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street

Boston, MA 02133

Dear Chairs Michlewitz and Cronin,

My name is Charles Moore, and I live at 28 Ampere Avenue in Ludlow, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard in the Massachusetts House of Representatives tomorrow for consideration.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant (most likely a police officer) before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits.

The erosions of S.2800 place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far-reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Very truly yours,

Charles L. Moore

28 Ampere Avenue

Ludlow, MA 01056

Sent from Yahoo Mail. Get the app
<https://urldefense.proofpoint.com/v2/url?u=https-3A__yho.com_148vdq&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=dvUKR_gTU548ccPDGukun69iRyGIIQKsy90v4LLr4GA&s=s8cq3xvwR0aPUvTV8TPHbZkILxL8DxLM3do6M49tC5w&e=>
From: lindsayharrington2@gmail.com
Sent: Friday, July 17, 2020 7:05 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.28.20

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens.

This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Lindsay Harrington
1 Hersey Street, Salem, MA 01970
Lindsayharrington2@gmail.com

Sent from my iPhoneFrom: Russ Weiss-Irwin <russ.weissirwin@gmail.com>
Sent: Friday, July 17, 2020 7:04 AM
To: Testimony HWM Judiciary (HOU); Walsh, Erin (HOU); Hunt, Daniel - Rep. (HOU)

Subject: Please put decisions about student safety in educators' and families' hands

Dear Chair Michlewitz, Chair Cronin, Rep Hunt (my own representative), and the rest of the House Ways & Means Committee, and the House Judiciary Committee,

I know that today you will be considering the "Reform-Shift-Build" bill that the Senate passed a few days ago. I hope you will pass a strong version of it, and in particular, I would like to ask you to include certain provisions.

First, there's a section in the Senate bill which addresses public school student information privacy. It became part of the bill as Amendment 108 (Protecting Students from Profiling), introduced by Sen Jehlen. As a teacher in the Boston Public Schools, this area is very important to me. The senate bill restricts what information schools can pass to law enforcement and the BPD Gang Database. This is extremely important, and has been needed for a long time. Strengthening the firewall between schools and police is critical to allowing students to feel safe and comfortable at school, and to allow teachers to feel safe doing our jobs, without worrying that we will accidentally do or say something that puts our students at risk. I urge you to maintain that section from the senate bill.

Second, there's a portion of the Senate bill which gives local school committees power over decisions regarding school resource officers and school police (rather than the superintendent or local police chief). This is a really important shift, because local school committees are much more accountable to the public, and the use of police in schools is one of the biggest decisions that can affect how students are channeled into the school-to-prison pipeline or whether students are safe from police violence at school. Recently, Boston City Councilors, the Boston NAACP, and the Boston Teachers Union have all affirmed that we should no longer have police in the Boston Public Schools. Please maintain the section of the senate bill that would actually allow the Boston School Committee to make that decision.

Third, there is a lot of misinformation about what the senate bill does to outlaw qualified immunity that is currently circulating on social media. Please act based on the facts and maintain the senate bill's approach to qualified immunity, which introduces some basic accountability for public officials who violate people's civil and human rights.

Fourth, please help fix one mistake the senate made. They did not really ban chokeholds, since the definition of a chokehold is so narrow that many abusive, dangerous chokeholds would still be allowed. NO POLICE CHOKEHOLDS SHOULD EVER BE ALLOWED. If we didn't learn that from the tragic death of Eric Garner, we certainly should have learned it from the tragic death of George Floyd.

Thank you for your consideration, and for taking up this crucial piece of legislation.

Best,
Russell Weiss-Irwin
Dorchester, MA
Boston Public Schools teaceher

Russell Weiss-Irwin
Pronouns: He, Him, His
Russ.Weissirwin@Gmail.com
(781) 866 1418
From: aehanderson <aehanderson@gmail.com>
Sent: Friday, July 17, 2020 7:04 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony re S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

As a teacher in a public high school, I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Amy Anderson

781-648-2123
37 Berkeley Street

Arlington, MA 02474

From: Suzan Young <sly@umass.edu>
Sent: Friday, July 17, 2020 7:04 AM
To: Testimony HWM Judiciary (HOU)
Subject: Objections to S.2800/S.2820

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street

Boston, MA 02133

Dear Chair Michlewitz and Chair Cronin,

My name is Suzan Young and I live at 89 Montague Road in Shutesbury, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard today by you in the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action, when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Suzan Young

Suzan Young

IT Coordinator

Unversity of Massachusetts Police Department

585 East Pleasant Street

Amherst, MA 01003

(413) 577-0289

(413) 992-7783

sly@umass.edu

From: Femino, Amy <Amy_Femino@DFCI.HARVARD.EDU>
Sent: Friday, July 17, 2020 7:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: DO NOT PASS POLICE REFORM BILL!!!

To whom it may concern:

Stripping Law Enforcement of qualified immunity takes away their protection and due process. This state is in for some tough times if that happens. It would be safer for police and fire to do the bare minimum if this bill is passed and the public deserves more!!

Do NOT pass this bill!!!

?Amy

The information in this e-mail is intended only for the person to whom it is
addressed. If you believe this e-mail was sent to you in error and the e-mail
contains patient information, please contact the Partners Compliance HelpLine at
http://www.partners.org/complianceline . If the e-mail was sent to you in error

but does not contain patient information, please contact the sender and properly
dispose of the e-mail.

From: Dan FitzGerald <dpfitzmsp@verizon.net>
Sent: Friday, July 17, 2020 6:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you’re going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law

enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Daniel FitzGerald,
11 Patrica Dr.,
Grafton, MA

From: Tina MacIntosh <tmacintosh@me.com>
Sent: Friday, July 17, 2020 6:58 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down qualified immunity in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum it should specifically eliminate any provisions similar to sections 10, 49, and 52, as well as amend Section 63 to have more police representation.

Sincerely,

Tina Macintosh

Sent from my iPhoneFrom: Peter Szwaja <pszwaja@comcast.net>
Sent: Friday, July 17, 2020 6:58 AM

To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
From: Billy <BILLYPURCELL781@hotmail.com>
Sent: Friday, July 17, 2020 6:56 AM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified immunity

I am against taking away qualified immunity for law Enforcement officers

Billy purcell 5 Delano revere 02151

Sent from my iPhone
From: ChristIs KingOfKings <supaforza@gmail.com>
Sent: Friday, July 17, 2020 6:55 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform testimony opposition to bill 2820

Dear Chair Michlewitz and Chair Cronin,

God bless the Commonwealth! We need God first and foremost and His laws in these times. My name is Francesco Rondinelli and I am a

Massachusetts native but currently reside at 100 Hill Street, Coventry, Rhode Island 02816. I work at MCI-Norfolk state prison as a Correction Officer. I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public and our communities.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to aquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits. Also, the stress of everyday correctional work (daily verbal abuse and at times physical) with the additional stress of pending lawsuits for staff on a regular basis will only add negative effects and suicides to law enforcement families who are literally putting their lives on the line for our community on a daily basis.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop" when being assaulted or preventing a riot or escape, to hands on tactics and/or using your firearm. I'm asking you to please imagine in your mind a 6'5, 350 lb, all muscle individual charging at you what options would be most effective in that scenario for law enforcement staff? We are all for de-escalation 1st and foremost but if you take away these tools the amount of injuries and deaths would without a doubt rise. Our job is very complex, unruly tension and outbursts of very strong gang members is played out on a daily basis in our communities and at our prisons EVERYDAY and we as Correction Officer's have to weather that storm DAILY. K9's are essential to that as well. Please don't let the mistakes of one foolish officer change tactics WE NEED. The public doesn't realize the grand scope of what law enforcement deals with, the atrocities you see are extremely heart breaking for both victims and people who commit crimes causing generational devastation. MORE LAW ENFORCEMENT OFFICERS HAVE DIED HERE ON OUR SOIL FROM VIOLENT OFFENDERS THAN SOLDIERS DID OVERSEAS THROUGHOUT THE WAR ON TERROR. We need to demote crime but i fear this bill promotes it by disabling officers from doing their job efficiently.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. THE NEED FOR RESPONSIBLE AND QUALIFIED INDIVIDUALS ON ANY COMMITTEE SHOULD BE FIRST AND FOREMOST.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer. Who do we need to keep our streets safe from as well? Please don't dismantle proven community policing practices. Classes on racism should be taught but disarming your police should not be part of this bill. Please think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time and God bless.

Sincerely,
Francesco Rondinelli
From: CAROL DZENGELEWSKI <carol2of2@comcast.net>
Sent: Friday, July 17, 2020 6:53 AM
To: Testimony HWM Judiciary (HOU)
Subject: Do Not Strip Police, Fire and Nurses of Qualified Immunity

I just learned that you are including Nurses and Firemen in this bill. Nurses who have just spent the last several months making incredible sacrifices and at great riske taking care of COVID 19 patients and were and still are at great risk to themselves and their families. Fire Dept. Personnel who risk their lives rescuing people and preserving their homes and so many other things they do on a daily basis. Seeing them on the news in the dead of winter with icicles hanging from their helmets and uniforms or in the summer in the heat and humidity carrying 100 lbs of protective equipment.

Police, Fire and Nurses, the very people and their families that make great sacrifices every day for an ungrateful public. I can't believe you all are even considering a bill like this. Anyone who votes to pass this bill should hang their heads in shame.

Carol Dzengelewski
39 Concannon Circle
Weymouth MA

---------- Original Message ----------
From: CAROL DZENGELEWSKI <carol2of2@comcast.net>
To: "Testimony.HWMJudiciary@mahouse.gov" <Testimony.HWMJudiciary@mahouse.gov>
Date: 07/16/2020 6:02 PM
Subject: Do Not Strip Law Enforcement of Qualified Immunity

I am 100% against stripping Law Enforcement of qualified immunity. This action would take away their protection and due process. The good men and women who serve the people of this Commonwealth and it's cities and towns put their lives on the line every day and have continued to do

so even though they have been unjustly vilified in the news media. Prejudice, judging a group of people by the actions of a few, based on race, religion, the language that someone speaks or even the uniform they wear is wrong, And there seems to be a lot of that happening here. If you take away qualified immunity, you need to ask yourself how many good law enforcement personnel will continue on the job and who, if anyone, will take their place.

The men and women in Law Enforcement deserve our respect and our support and the public deserves well-trained dedicated Law Enforcement personnel. Do not strip them of qualified immunity.

Carol Dzengelewski
39 Concannon Circle
Weymouth MA 02188

From: Elena Messina <elena_messina17@yahoo.com>
Sent: Friday, July 17, 2020 6:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Supporting the Reform, Shift + Build Act

Hi,

I am a recent graduate for Northeastern University. I have lived in Boston for the past 5 years and I have seen how harmful and disgusting systematic racism is. I fully support the Reform, Shift + Build Act. We need to redirect police funding into communities and move away from a system of criminalization.

Thank you,
Elena Messina
973-349-0636
From: Eileen Starrs <eileenstarrs@yahoo.com>
Sent: Friday, July 17, 2020 6:53 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Eileen Starrs

Sent from Yahoo Mail on Android
<https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMCaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=ehJ2UkFbRuFcqb20ZU3TqALk3YXERsqWf54_pZGlhe8&s=AmiYQwFQcEE-Hya-_XfDL5xLVxBh-gYDReD7XW35oQE&e=>
From: Corey Pramas <cpramas345@gmail.com>
Sent: Friday, July 17, 2020 6:52 AM
To: Testimony HWM Judiciary (HOU)
Subject: First responder support

Dear State Representatives,

Thank you for taking the time to read this testimony. I am a firefighter/EMT in the Commonwealth. Passing this bill is an absolute danger to first responders police and fire. No one in this Country is arguing police reform. Accountability is needed in all professions and the ban of chokeholds is an absolute necessity. This bill goes far beyond that and strips first responders ability to their job SAFELY. No one should need reminders of the line of duty deaths to police officers in this state in the last three years. More will occur if this bill passes. Good outweighs evil and we should not lose sight of that. The police officers in this state have acted nothing short of heroic anytime duty calls running into an active bomb scene at the marathon, facing COVID-19 face on with little protection, and showing up daily to do things little sign up

to do. This bill also affects all unions and there has been little if any transparency from the Senate in passing this.

Please read that bill carefully because if it passes we are stripping safety to public service gravely. The people who sign up to run towards what everyone fears.

Best, Corey Pramas
--

Corey Pramas COTA/L RNEMT
From: Deb Friedman <jwanddf@juno.com>
Sent: Friday, July 17, 2020 6:50 AM
To: Testimony HWM Judiciary (HOU)
Subject: pass the same bill as S.2820

The only way to help prevent abusive policing in Massachusetts is for the House to at minimum preserve, if not strengthen, the language that was passed by the Senate in S.2820 (Reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color),

Sincerely,
Deb Friedman
Easthampton, MA
From: Tia Tucker <tia.tucker@gmail.com>
Sent: Friday, July 17, 2020 6:50 AM
To: Testimony HWM Judiciary (HOU)
Subject: holding police accountable

July 17, 2020

The Honorable Rep. Aaron Michlewitz
Chair, House Committee on Ways and Means

The Honorable Rep. Claire D. Cronin
Chair, Joint Committee on the Judiciary

Re: Testimony in Support of Police Accountability -- Use of Force Standards, Qualified Immunity Reform, and Prohibitions on Face Surveillance

Dear Chairs Michlewitz and Cronin,

I write in strong support of the many provisions in S.2820 designed to increase police accountability. In particular, our organization urges you to:

Adopt strict limits on police use of force,
End qualified immunity, because it shields police from accountability and denies victims of police violence their day in court, and
Prohibit government use of face surveillance technology, which threatens core civil liberties and racial justice.

George Floyd’s murder by Minneapolis police brought hundreds of thousands of people into the streets all around the country to demand fundamental changes to policing and concrete steps to address systemic racism. This historic moment is not about one police killing or about one police department. Massachusetts is not immune. Indeed, Bill Barr’s Department of Justice recently reported that a unit of the Springfield Police Department routinely uses brutal, excessive violence against residents of that city. We must address police violence and abuses, stop the disparate policing of and brutality against communities of color and Black people in particular, and hold police accountable for civil rights violations. These changes are essential for the health and safety of our communities here in the Commonwealth.

Massachusetts must establish strong standards limiting excessive force by police. When police interact with civilians, they should only use force when it is absolutely necessary, after attempting to de-escalate, when all other options have been exhausted. Police must use force that is proportional to the situation, and the minimum amount required to accomplish a lawful purpose. And several tactics commonly associated with death or serious injury, including the use of chokeholds, tear gas, rubber bullets, and no-knock warrants should be outlawed entirely.

Of critical and urgent importance: Massachusetts must abolish the dangerous doctrine of qualified immunity because it shields police from being held accountable to their victims. Limits on use of force are meaningless unless they are enforceable. Yet today, qualified immunity protects police even when they blatantly and seriously violate people’s civil rights, including by excessive use of force resulting in permanent injury or even death. It denies victims of police violence their day in court. Ending or reforming qualified immunity is the most important police accountability measure in S2820. Maintaining Qualified Immunity ensures that Black Lives Don’t Matter. We urge you to end immunity in order to end impunity.

Finally, I urge the House to prevent the expansion of police powers and budgets by prohibiting government entities, including police, from using face surveillance technologies. Specifically, we ask that you include H.1538 in your omnibus bill. Face surveillance technologies have serious racial bias flaws built into their systems. There are increasing numbers of cases in which Black people are wrongfully arrested due to errors with these technologies (as well as sloppy police work). We should not allow police in Massachusetts to use technology that supercharges racial bias and expands police powers to surveil everyone, every day and everywhere we go.

[Insert a personal story, or a story of how these issues have impacted or connect to your organization’s members, clients, or partners]

[Insert information here about other aspects of the bill your organization supports, such as divesting from policing and investing in communities, or reducing the role of police in schools]

There is broad consensus that we must act swiftly and boldly to address police violence, strengthen accountability, and advance racial justice. We urge you to pass the strongest possible legislation without delay, and to ensure that it is signed into law this session.

Sincerely,

--

Tia Tucker Herrera, MD, MPH
Tufts University Family Medicine Residency at Cambridge Health Alliance
From: Tricia Cariofiles <triciamag63@gmail.com>
Sent: Friday, July 17, 2020 6:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Tricia Cariofiles
218 Central Ave
Dedham, MA 02026
triciamag63@gmail.com

From: Sarah Roscioli <sarahroscioli@gmail.com>

Sent: Friday, July 17, 2020 6:50 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please Pass Important Police Reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means;

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Good morning! My name is Sarah Roscioli with the Greater Boston Interfaith Organization (GBIO). I live at 65 Border Street, #2, East Boston. I am writing to urge you and the House to pass police reform that includes:

* Implement Peace Officer Standards & Training with certification
* Civil service access reform
* Commission on structural racism
* Clear statutory limits on police use of force
* Qualified immunity reform

Thank you very much.

Sarah Roscioli

sarahroscioli@gmail.com

774-200-8170

65 Border Street

East Boston, MA 02128

From: scotland@reagan.com
Sent: Friday, July 17, 2020 6:48 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school

officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely, Dean Porteous

From: Leslie Colburn <jamlboston@aol.com>
Sent: Friday, July 17, 2020 6:48 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass SB 2800 - Reform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Leslie Colburn I am a resident of 8 Church St, Boston, 02116 and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

This is the time to act to move towards a more equitable society to end systemic injustices with important and practical reforms in policing and all aspects of life in our country, our Commonwealth, and the City of Boston.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Leslie Colburn

8 Church Street, Boston, MA 02116

March like a Mother: for Black Lives

Sent from my iPhone

From: Aaron Jette <aaronjette@gmail.com>
Sent: Friday, July 17, 2020 6:46 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony re S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Aaron Jette
617-909-9369
Belmont, MA

From: Rachael Z <rachael.zanni@gmail.com>
Sent: Friday, July 17, 2020 6:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Opposition

Good Morning,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you’re going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way

doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Rachael Zanni

Holden, MA

Rachael.Zanni@gmail.com

From: Pj Curran <pjcurran4@gmail.com>
Sent: Friday, July 17, 2020 6:42 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please support Police Reform Bill

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Patrick J Curran with the Greater Boston Interfaith Organization (GBIO). I live at 9 Rockland Road, Danvers. I am writing to urge you and the House to pass police reform that includes:

-Implement Peace Officer Standards & Training with certification

-Civil service access reform

-Commission on structural racism

-Clear statutory limits on police use of force

-Qualified immunity reform

Thank you very much.

Patrick J Curran

pjcurran4@gmail.com

978 774 2147

9 Rockland Road, Danvers, MA 01923

From: Erin Sullivan <erinemily530@gmail.com>
Sent: Friday, July 17, 2020 6:42 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reform bill

Good Morning

Thank you for the ability to submit testimony on this bill. As I am in favor of checks and balances, the qualified immunity or lack there of is a different issue. It seems it will make it easier for criminals to break the law and try to sue the police departments that are trying to uphold it. Police officers have very difficult jobs and have to make split decisions based on unlawful people putting them in that situation. The use of body cameras would absolutely help to make sure the checks and balances are in place but please do not make it easy for criminals to sue the state. Criminals should not have more rights than the people upholding the law. Too many police officers are being killed in the line of duty especially lately with all the defunding and reform. Violence will continue and will grow if more and more are taken away from our police officers. Thank you so much for listening!

Erin Sullivan

Sent from my iPhoneFrom: philipgrady52@aol.com
Sent: Friday, July 17, 2020 6:42 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Anne Aumueller <anne.aumueller@gmail.com>
Sent: Friday, July 17, 2020 6:41 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

Hello, my name is Anne with the Greater Boston Interfaith Organization (GBIO) and I am your constituent. I live at 26 Winter St, Stoughton MA 02072. I am emailing to urge you and the House to pass police reform that includes:

* Implement Peace Officer Standards & Training with certification

* Civil service access reform

* Commission on structural racism

* Clear statutory limits on police use of force

* Qualified immunity reform

I would like to know your position on the proposed legislation. Please email me back At your convenience.

Thank you very much.

Anne Aumueller

From: Ron Tibbetts <rontibbetts@yahoo.com>
Sent: Friday, July 17, 2020 6:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: SB 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Rev. Ronald Tibbetts and I live at 283 Smith St, North Attleboro, 02760. I am the parent of a son who is currently serving as a corrections officer at MCI-Norfolk and I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous

lawsuits causing officers to acquire additional insurance and ultimately tie up the justice system with frivolous law suits costing the Commonwealth millions of dollars to process.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also as that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt.

I'm asking you to stop this bill, take time to see the dangers first hands police and correction's officer live with each day. Maybe even stand with just one Corrections officer in "the yard" carrying only the weapons the officer has with 100 to 200 potentially violent men.

Sincerely,

Rev. Ronald Tibbetts

From: S Starrett <starrett@hotmail.com>
Sent: Friday, July 17, 2020 6:39 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reform Shift Act

Hello,

I am writing to voice my support for the Reform-Shift-Build Act. As a resident of East Boston, I have seen racist acts against BIPOC by leaders and police. Let's send the message that no one is above the law. It's time.

Please support the Reform-Shift-Build Act for my family, for East Boston.

Thank you for your time.

Respectfully,

Susanna Starrett, East Boston

From: barbara karras <thetilebabe@yahoo.com>
Sent: Friday, July 17, 2020 6:33 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.
Don't give "Our Country" away!

Sincerely,
Barbara Priest
20 Wilson Street
Clinton, MA 01510
508-769-8326
From: Hugh Devlin <hdevlin5635@gmail.com>
Sent: Friday, July 17, 2020 6:34 AM

To: Testimony HWM Judiciary (HOU)
Subject: Repeal S2800

To whom it may concern,

Please do not allow Qualify immunity, collective bargaining and altering the JLMC in any way. Courageous men and women go to work protecting us every second of everyday and need our support now more than ever, not our opposition. There will be a huge negative impact that affects every person in the commonwealth that may not recover if this bill passes the house. Please vote no on S2800. Thank you.

Sincerely,

Hugh Devlin, medfield mass
From: Kimberly Cuozzo <Klcuozzo@outlook.com>
Sent: Friday, July 17, 2020 6:32 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Senator,

My name is Kimberly Cuozzo and I live at 53 Falmouth Sandwich Rd Mashpee Ma. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Kimberly Cuozzo

From: Paul Leeber <paulleeber@comcast.net>
Sent: Friday, July 17, 2020 6:32 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my Samsung Galaxy smartphone.

From: Millie Sosa <mllsos@yahoo.com>
Sent: Friday, July 17, 2020 6:32 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
Millie Sosa: We don't want to become CA or NY or any other sanctuary state!

Sent from my iPad
From: Ken Kocerha <kr.kocerha@gmail.com>
Sent: Friday, July 17, 2020 6:31 AM
To: Testimony HWM Judiciary (HOU)
Subject: SB 2820

Good morning! My Name is Ken Kocerha and I am a Firefighter with the Quincy Fire Department, Local 792. This bill needs to keep Full Qualified Immunity in place for all of our first responders. If full Qualified Immunity is not in place, it may affect how first responders provide care to our citizens that we protect and serve.

Respectfully,

Kenneth Kocerha
145 Dagmar Dr
Brockton, MA 02302
From: Jessica Cruz <user@votervoice.net>
Sent: Friday, July 17, 2020 6:29 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Jessica Cruz
30 Shirley St
New Bedford, MA 02746
cruzjess256@aol.com

From: jon p stronach <privatedetail@comcast.net>
Sent: Friday, July 17, 2020 6:29 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission

to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,Kelly Stronach 01830

From: Leslie Colburn <jamlboston@aol.com>
Sent: Friday, July 17, 2020 6:29 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please pass Meaningful Police Reform

?Hello, my name is Leslie Colburn with the Greater Boston Interfaith Organization (GBIO). I live at 8 Church Street, Boston 02116. I am writing to urge you and the House to pass police reform that includes:

* Implement Peace Officer Standards & Training with certification
* Civil service access reform
* Commission on structural racism
* Clear statutory limits on police use of force
* Qualified immunity reform

Thank you very much.

Leslie Colburn

jamlboston@aol.com

617-962-7147

8 Church St., Boston, MA 02116

Sent from my iPhone

From: MSN <aaronncook1@msn.com>
Sent: Friday, July 17, 2020 6:23 AM
To: Testimony HWM Judiciary (HOU)
Subject: House / senate Bill S2800

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Aaron Cook and I live at 4 Paul Avenue, Salem Ma. I work at The Dracut Police Department and am a Police Officer.As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

???????????????? ????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

???????? ???????? ??????????? ??????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

???????????????? ?????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve

the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don’t dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I’m asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Aaron Cook

Sent from my iPhone
From: jbphan8@netscape.net
Sent: Friday, July 17, 2020 6:19 AM
To: Testimony HWM Judiciary (HOU)
Cc: Howitt, Steven - Rep. (HOU)
Subject: Testimony submission on Bill 2820 to Chair of the MA House Committee on Ways and Means, Rep. Aaron Michlewitz, in cooperation with Rep. Claire Cronin, Chair of the Joint Committee on the Judiciary,

Good morning Representatives,

I am submitting this written testimony against Bill 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. I have tried very hard to educate myself and read the related materials on this bill and the version that moved through the Massachusetts Senate (Bill 2800). I cannot believe the extent to which these bills attempt to change policing in Massachusetts, in my opinion not for the better of all, and I especially cannot believe how it has been done thus far with the process lacking any public hearing or even significant consultation with actual working police officers, be they from large cities or small towns, patrol divisions or school based. I very strongly support the need to address some areas of policing in Massachusetts and even throughout the nation, but that relates to areas of public policy and societal difficulties that could be better addressed through non-police resources or in conjunction with police resources.

I am urging you to please consider the many facets of our current situation and not allow this bill and it's knee jerk response to make long lasting changes that I believe will only add further woe to the situation. The challenges that we all face and want to see improved upon can be far better worked through cooperatively and beneficially than what is attempting to be done with these bills.

I am in my twenty fifth year as a police officer serving the Town of Norton. I have lived here since I was six and have raised my family here. I became a police officer with the goal and drive to help people, to work to enhance the quality of life in my community. My beliefs of policing and my approach to it are firmly founded in the principals of community policing and I have committed myself throughout my career to do it the right way and be an example for others, both my fellow police professionals and general community members. I have spent more than half of my career working cooperatively with our schools and for the past six years I have had the distinct honor of serving as our full time School Resource Officer. This role has allowed me to engage in Community Policing at its absolute best. I treasure this role and the chance to work with our youth to help them and guide them and of course - protect them.

Through my examination of information relative to the current legislative efforts, I want to note that I firmly believe the senate version of this bill as written will seriously undermine public safety by limiting police officer's ability to do their jobs while simultaneously allowing provisions to protect criminals. Furthermore, the process employed by the Senate to push this through with such haste without public hearing or input of any kind was extremely undemocratic and nontransparent.

I know first hand that police across the Commonwealth support uniform training standards and policies and have been requesting more training for years. Training is often one of the first areas to be cut when funding issues arise. In Massachusetts we are fortunate to have better training than is offered in many other places around the country but it still lacks in many topic areas and my profession and our communities would be well served if this were to be better addressed.

I am very firm in my believe that the Senate version of a regulatory board is unacceptable as it strips officers of the due process rights and does away with protections currently set forth in collective bargaining agreements and civil service law. The Senate created a board that is dominated by anti-police groups who have a long-detailed record of biases against law enforcement and preconceived punitive motives toward police. I am not favorable to any bill that does not include the same procedural justice safeguards members of the communities we serve demand and enjoy.

I am open to the idea of more oversight but feel their proposed makeup of the oversight board is one sided and biased against law enforcement. It is unlike any of the 160 other regulatory boards across the Commonwealth and as constructed incapable if being fair and impartial. Those two principals have to be addressed and I find that ironic given it stems from an incident which occurred in Minnesota where those two issues are strong candidates for what lies at the base of what might have lead to that incident in the first place. Speaking of that incident, let me be absolutely clear about my feelings on what we all have seen happen in those nearly nine minutes. Plain and simple, it was egregious. It goes

against everything I believe as a law enforcement officer but moreover as a person. Policing sometimes results in use of force but even in the most difficult and challenging incidents, even when lethal force may be required, we must remain professional and responsive to the basic principles of humanity. Once a threat is ended, we must resume our roles of helping, of reassessing the situation and deescalating.

This bill directly attacks qualified immunity and due process. Qualified immunity does not protect bad officers, it protects good officers from civil lawsuits. We should want our officers to be able to act to protect our communities without fear of being sued at every turn, otherwise why would they put themselves at risk? Like I strive to do and be, the overwhelming majority of law enforcement officers do the right thing and are good officers, yet there is a real push to end qualified immunity to open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not be covered by qualified immunity anyway. I believe a better way to address concern relative to this aspect would be for the legislature adopted a uniform statewide standard and bans unlawful use of force techniques. I strongly support that notion and know that that is shared throughout all law enforcement.

I truly hope we are able to make constructive and beneficial improvements to my profession and our Commonwealth for the benefit of all of our citizens, but these bills fail to do that and I hope you will consider the many reason to do so and not support S2820.

Thank you for allowing the time to share my thoughts. I am grateful for the opportunity.

Respectfully submitted,

Jacob Dennett
Resident of Norton, Massachusetts
Sergeant with the Norton Police Department
School Resource Officer serving the Norton Public Schools

From: Tammy S. <tsocha60@gmail.com>
Sent: Friday, July 17, 2020 6:16 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Dear Massachusetts State Representatives,

I am asking you to reconsider the contents of the proposed Bill S.2800 regarding Police Reform. I do believe review and proper punishment of officers with habitual infractions is a good thing. The issue of reducing qualified immunity is the section I have concerns about. I have been witness to the daily life of a Worcester Police Officer over the past few

years. My future son-in-law has been an Officer for almost 3 years. I know the Worcester Police Academy delayed the start of his classes at least twice due to the fact that they could not find enough qualified candidates. The training was rigorous, both physically and mentally and, once graduated, the on the job learning with their training officers was very thorough. My future son-in-law was a Marine and is following in his father's footsteps as a Massachusetts Police Officer. He has proudly served the city of Worcester. He has run into burning buildings and saved a man's life while working a traffic detail.The Worcester Police have had a good relationship with the minority communities and, up until recently, the main problems they have had to deal with are gang violence, drugs, and domestic problems. Since the protests he has had fireworks and flares thrown at him and a man spit in his eyes. With the proposed challenge to immunity, he is considering leaving the state and going somewhere where they support their officers. All he ever wanted was to serve- in the Marines and as a Police Officer. Now he is concerned about defending himself against unscrupulous individuals who will lie to retaliate against him for doing his job. He doesn't think it would be worth it to put his home on the line now that thugs and even spiteful protesters feel emboldened by the Defund the Police movement. Many good cops will be looking to get out because it won't be worth the risk. Police will be reluctant to act due to fear of retribution by the perpetrators for the Officer's actions even though they would be done with the best intentions. Passing this bill as is will put the general public at greater risk due to a reduction in effectiveness of our state's police. Our police are being disrepected like never before by our citizens and now by our government. Please don't use statistics that aren't reflective of what goes on in this state to make your laws. We don't have incidents here like those that have fueled the Black Lives Matter movement. Our police have done a good job of policing themselves. Please don't create a bill in haste because you feel like you have to. Massachusetts's safety will suffer if you do.
Thank you for your consideration,
Tammy Socha
32 Carleton Rd
Rochdale, MA 01542

(508) 527-1496
From: PAMELA WOOD <pamelawood25@comcast.net>
Sent: Friday, July 17, 2020 6:10 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it

hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,
From: Sean Phelan <SPhelan@colantonioinc.com>
Sent: Friday, July 17, 2020 6:09 AM
To: Testimony HWM Judiciary (HOU)
Subject: RE: S.2820 and What Should Be Done

Sorry, had to fix a typo

Sean Phelan

Project Superintendent

Colantonio Inc.

16 Everett Street

Holliston, MA 01746

t: 508.429.8666

f: 508.429.8699

c: 774.217.0655

From: Sean Phelan
Sent: Friday, July 17, 2020 6:05 AM
To: Testimony.HWMJudiciary@mahouse.gov
Subject: S.2820 and What Should Be Done

Sean M Phelan

22 Naples Road

S. Hamilton, MA 01982

July 17, 2020

Massachusetts House of Representatives

Bill S.2820

To the Representatives of the People of Massachusetts,

As a citizen of Massachusetts, not part of any special interest group, I respectfully want to remind you all that your job as elected officials is to fight for the rights of all citizens. It is not your job to single out any one group for good or bad. Removing qualified immunity for 1st responders is not the approach to solving any problem. There is nothing wrong with implementing different methods to help society move forward in a more peaceful and respectful way. However, taking away protection from 1st responders is the opposite of trying to help. You all as all of us should be standing tall against the hysterical call to see 1st responders as the enemy. Stop the need to follow what the mobs and the media want. Follow what you were sworn in to do, fight for ALL of us. Please do not allow qualified immunity to be removed from our 1st responders.

Respectfully

Sean M Phelan

Sent from Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMFAg&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=fx8-NMeUavz1Xcsowb5GFGmJWec_XsouIaCyK_37kQ8&s=WaJ_BUStNl7SZlABXyGvsxEgp_5w2Shpi1fAPasPjO4&e=> for Windows 10

From: Laverne Evans <smoothcancer32@gmail.com>
Sent: Friday, July 17, 2020 6:09 AM
To: Testimony HWM Judiciary (HOU)
Subject: SB 2800 the Reform, Shift Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Laverne Evans, I am a resident of Saugus and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Laverne Evans

863 Broadway

Saugus Ma 01906

March like a Mother: for Black Lives

--

Sent from Laverne Evans
From: David Benoit <dcb007@comcast.net>
Sent: Friday, July 17, 2020 6:06 AM
Subject: Amendments needed to House of Reps bill proposal HD5128

1. Line 168. Although not intended by the bill, the present wording of a person having a right against the unlawful use of force, would wrongly allow that a person and other persons the right to immediately exercise that right during the action of an arrest or force used, when the true meaning was intended to be subsequent, by legal criminal actions. To correct this, insert after the word have and before the word right "a subsequent criminal action".

2. Lines 171 & 180. Insert "unless unable due to justified circumstances" at the beginning of both paragraphs.

3. Lines 190-193. Remove the words "identifiable person" twice.

4. Line 194. Remove "a vehicle itself shall not be imminent harm".

5. Line 230. The word " of" needs to be changed to the word " by" to correct the intent of the section that police must intervene, not others.

If you are going to ask 1% of the public to risk and dedicate their lives as police officers, to protect the other 99% that are incapable and unwilling to do so, the only lawful stipulation can be that any force used must be minimal and reasonable force necessary. There are really dangerous people in our midst, some of which rise to the definition of terrorists, which have in the past, caused massive casualties and thousands of deaths here. Have you forgotten that terrorists have used planes as weapons on 9-11-01, and a bomb filled truck in the Oklahoma bombing. There have been several other deadly terrorist events here. Our police, who are willing to risk their lives for society and humanity, are our front line not only against terrorists, but dangerous organized criminal groups, dangerous gangs, and the lone dangerous criminals. The military is their backup, but their response is not immediate. Politicians need to be always considering the worst case scenario when making laws. Those "never will happen" scenarios have and do happen.

My best local example would be the extraordinary life and death events faced by officers of many departments in Watertown with terrorists. In the totality of circumstances, an MIT Police Officer had been executed, bombs were exploded in Boston which killed civilians, the terrorists were now in a street battle with police, bombs were being thrown, and shots fired. Knowing this, how can any politician or Citizen of Massachusetts, logically tell a police officer that he may not use all/any means necessary and justified to save him/herself, or citizens. Preventing their escape at all costs in this and future similar cases should be the rule, even if the terrorists were attempting escape on foot or in a vehicle then unarmed. These new law proposals of use of force would defeat success and cost lives. Never underestimate a criminal mind.

You cannot ask the police to do their job with one hand tied behind their back when so much is at stake. When innocent lives are immediately on the line including theirs, you can't have them balking because of some law that was written that didn't take that situation into account. Don't even think you can write laws to cover all incidents police will face. There is no book big enough. All the books and laws can be tossed and replaced with just one word of guidance in all situations. "Reasonableness" is and always will be the legal term for which judgments are made.

99.9% of police are professional and dedicated. It is and should be an honorable profession. No other profession can have such a positive effect on the public. Few other professions does this term mean so much, "having authority commensurate with responsibility". Without the safety and security provided by police, absolutely all other national and local issues are irrelevant. If you pick good police candidates, train them well, pay them well, support them, have faith in them, and remove the rare rogue wrongdoers, all citizens will have peace and prosperity.

Police are the first responders to absolutely all emergencies, and when not doing that, they are engaging in helping people, deterring and preventing crimes, and deadly car crashes. They are expected to perform emergency care until medical personnel arrive, arrest dangerous criminals, and be social workers. In spite of whatever they encounter, they are expected to get over it immediately and be in a good mood. They are

expected to be experts at everything with little or no notice, yet often judged in hindsight. They are also often the targets of false allegations by people with grudges against society or desperate to avoid prison or court dispositions. Police already are open to criminal prosecution for which they accept. Now there are proposals the officers will be liable civilly, by eliminating qualified immunity, that would then imperil an officers family. Given that most complaints are false, and that on occasion, citing recent events, prosecutors are driven by political agendas and pressure, rather than the rule of law, police will not accept the added jeopardy of civil responsibility. Police have recently been told by political leaders to stand down in humiliation as they have been battered, threatened, and insulted, as criminals rioted, looted, and burned. Police are human. They are us. If they lose, we all lose. Now they are being told by politicians, cowardly driven by criminal mobs and uninformed protesters, that they must bear unworkable conditions and rules. Surely a sign of non-support and no appreciation. The politicians are about to go beyond a point of no return. When the police lose trust in their leaders to back and support them, it will never be regained until those politicians are replaced.

In my opinion, if the direction doesn't change, police will retire or leave the job in droves, recruiting qualified applicants will be impossible, police remaining on the job will be apathetic, demoralized, not pro-active, and shut down. Pro-active/self initiated policing as opposed to reactionary, is critical to intervening in tragedies before they happen. All this will result in dramatic crime increase, vehicular deaths, and a very upset public.

We need a respected leader, it should be the governor, and leaders of other groups, to immediately tell the public in a press conference, before another unrest spark happens, that as we are always working on making Massachusetts better with new law proposals, that when any controversial or questionable event takes place involving police in Massachusetts, that they can be assured we already have rules, laws and mechanisms in place to deal with it justly after a thorough investigation. That can unfortunately take time and should not be seen as an intent to avoid justice. Legal and peaceful protests are welcome, but as can be seen in the past and recently, those protests come at a high cost to us when infiltrated by people of ill intent. To protect the citizen's and their property, law and order will always be the rule of the day hence forth.

7. Having had a career in the military and law enforcement, I personally have experienced all the life and death use of force situations this bill now attempts to manage. I also, being in touch with great numbers of active and retired police officers, have a great pulse as to morale, and what they do and don't need to protect and serve.

Sincerely,
Retired Mass State Police Sgt/Investigator David C. Benoit
dcb007@comcast.net

From: Sean Phelan <SPhelan@colantonioinc.com>
Sent: Friday, July 17, 2020 6:05 AM

To: Testimony HWM Judiciary (HOU)
Subject: S.2820 and What Should Be Done

Sean M Phelan

22 Naples Road

S. Hamilton, MA 01982

July 17, 2020

Massachusetts House of Representatives

Bill S.2820

To the Representatives of the People of Massachusetts,

As a citizen of Massachusetts, not part of any special interest group, I respectfully want to remind you all that your job as elected officials is to fight for the rights of all citizens. It is not your job to single out any one group for good or bad. Removing qualified immunity for 1st responders is not the approach to solving any problem. There is nothing wrong with implementing different methods to help society move forward in a more peaceful and respectful way. However, taking away protection from 1st responders is the opposite of trying to help. You all as all of us should be standing tall against the hysterical call to see 1st responders as the enemy. Stop the need to follow what the mobs and the media want. Follow what you were sworn in to do, fight for ALL of us. Please do not allow qualified immunity to be removed from out 1st responders.

Respectfully

Sean M Phelan

Sent from Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMFAg&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=iMnHVKDrq52ZsZiT3y-cUd4Vhs_G8PxHRDwcZ58zr-Y&s=IMMYXIazDG7XukucptqiG5yci8s5uRAT4XwtNcxcbu4&e=> for Windows 10

From: Christopher Conroy <conroypt@verizon.net>
Sent: Friday, July 17, 2020 6:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: S. 2820,

Hello,
I am commenting on this bill to support law enforcement. I and no one in my family is a police officer.
Please do not reduce qualified immunity for first responders. This would be a disaster for public safety.
Also please do not listen to mob demands from people whose ultimate goal is to abolish the police. They do not speak for people who live in the poorest high crime neighborhoods. Thank you.

Respectfully,

Chris Conroy
West Roxbury, MA

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com
<https://urldefense.proofpoint.com/v2/url?u=http-3A__mail.mobile.aol.com&d=DwMCaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=uW_ckNlkt2NMN3Oz9IFKD3notVcJQ4HZ6KorBZbDfCo&s=iNBEmkhvM_EyG5CPL-i1YEwO73NeBDM_XdSxjB9nKYo&e=>
From: Jeannine C <jaconway777@gmail.com>
Sent: Friday, July 17, 2020 5:57 AM
To: Testimony HWM Judiciary (HOU)
Subject: PLEASE FOLLOW UP: LACK OF A PUBLIC HEARING CONCERN, Police Reform Bill (S 2800)

To Whom It May Concern:

I am a citizen, a taxpayer and a voter of the Commonwealth. I and am writing to express my concern on the lack of a public hearing on the Senate's bill (S 2800) which is a major point of contention for police unions and other critics who felt excluded from the development of the bill. I would ask that police unions and We The People be allowed to have input on the bill as it directly effects police and the safety of our citizens.

I can be reached at 617-640-2044 if you have any questions.

Respectfully,

Jeannine Conway
From: Mike Gintz <mgintz@gmail.com>
Sent: Thursday, July 16, 2020 11:39 PM
To: Testimony HWM Judiciary (HOU)
Subject: Strengthen Senate bill S.2820

To whom it may concern:

I am a Massachusetts resident and voter, and I am writing to you because I want to see a strong Senate police bill. If the ongoing protests across our country have demonstrated nothing else, they have demonstrated that even when all eyes are upon them, police in the United States are often violent and escalatory, and they believe themselves to be above the law.

We have seen incredibly out-of-proportion, dangerous and even deadly over-reactions to non-violent protests - and who knows what we haven't seen.

We need strong legislation to rein in this culture and reimagine our police force as one that truly protects public safety, rather than one that is unaccountable to it. Massachusetts likes to think of itself as a leader, but it is no better than any other state if it refuses to take meaningful action.

Massachusetts must: ban chokeholds (without exception), ban no-knock warrants, ban tear gas and chemical weapons (which are outlawed for use in war, but are currently being used by American police on our own people, in this state), strengthen the rules around police use of force, and ensure that data about police misconduct is not hidden from public view. Qualified immunity is a societal cancer, too, but the ship may have already sailed on that one.

None of these proposed restrictions will negatively impact police departments' ability to do their jobs properly, and any police officer (or strong-arming police union lobbyist) who claims otherwise is simply trying to preserve their ability to commit egregious acts without reprisal or risk of censure. Please do not mistake their political influence for public safety, and please remember that voters also wield political power - and we have had enough.

Sincerely,
Mike Gintz
9 Park Place
Somerville, MA 02143
From: Renee K <rkorgood@gmail.com>
Sent: Thursday, July 16, 2020 11:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony in Support of Police Reform in MA

Hello,

My name is Renee Korgood, and I am a resident of Waltham (02451). I'm writing to you to ask that you support and build on the reforms to our police that were recently passed in the Senate. It is vital that we act

now and act drastically to protect Black and Brown people across our commonwealth.

While some of our communities pride themselves on “community policing,” even this model imposes surveillance and harm that disproportionately affect Black and Brown families, by leading to incarceration, housing instability, physical injury and more. In this moment, if we do not take drastic action, we are failing to reckon with the ways that racism manifests in our communities here in the Commonwealth.

I know that there are violent acts that happen in a community - just last year, there was a stabbing around the corner from my apartment, which our police force responded to. These measures, however, will not limit the ability of the police to solve and respond to such crimes. It will make our police officers more accountable, provide more resources for our community, and, most importantly, decrease the danger and burden that is faced by Black and Brown communities who interact with the police.

Therefore, I am asking you to support the following measures that are present in the Senate version of the bill:

* Creating an independent and civilian-majority police certification/decertification body
* Limiting qualified immunity so that victims of police brutality can sue for civil damages
* Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
* Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities
* Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody, which can obviously never be consensual and is strikingly not yet illegal

And, in addition, I am calling on you to take the following actions, which have not been included in the Senate bill:

* Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas
* Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)
* Lifting the unnecessary cap on the Justice Reinvestment Fund
* Promoting measures to limit the number of SRO’s present in Massachusetts public schools

Thank you for your time. I look forward to seeing these reforms implemented in your version of the bill.

Best,
Renee Korgood
rkorgood@gmail.com

From: Beth Bazler <bazlerb@gmail.com>
Sent: Thursday, July 16, 2020 11:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please support Bill 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

We can do better. Holding police accountable for their actions and the actions of there coworkers, and having a system that licenses and weeds out bad cops is essential to both BIPOC Massachusetts residents and to the many good cops in our Commonwealth.

All the best,

Beth Bazler
Erving, MA
413-835-1843

From: Keith Crowley <keithncrowley@gmail.com>
Sent: Thursday, July 16, 2020 11:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820.
I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified

Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Keith Crowley
18 Landmark Dr
Methuen, MA 01844

Keithncrowley@gmail.com

From: Nicholas Pickunka <npickunka@gmail.com>
Sent: Thursday, July 16, 2020 11:35 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Nicholas W. Pickunka

Easthampton, MA

From: Patti Lencki <pattilencki@yahoo.com>
Sent: Thursday, July 16, 2020 11:34 PM
To: Testimony HWM Judiciary (HOU)
Subject: opposition to Police Reform bill S.2820

My name is Patricia Lencki, I am a constituent and Voter in Quincy, I am also a mother of 2 children in the public schools and the wife of a Police Officer. First off I condemn the actions of the Minneapolis Police Officers who killed George Floyd and their actions as I am sure most of you know are not representative of 99.9 percent of police officers in America today. Bill #S2820 as presently crafted will prevent good police officers from doing their jobs. To eliminate or change qualified immunity for police officers would cause a chilling effect on policing and the ability for our profession to protect the public when needed. I am not against transparency in policing as long these as these new measures are implemented fairly to both the public and the police officer. Police Officers need to retain their due process rights just like any other

citizen and should have a right of appeal if they are de-certified. A convicted first degree murderer and some of the worst criminals have a right of appeal however under this bill a police officer will not. My husband worked many of the protests in Boston and the surrounding communities and each night he had frozen water bottles thrown at him, he was spit on and called vile things toward police. I am sure many of our legislators saw what the media called “Peaceful Protest” well Peaceful they were not. I believe history will look back at this time of demonizing all police officers as disgraceful and comparable to when the Vietnam Veterans returned home and were vilified. The thought that my family could be financially ruined for any good faith decisions my husband would make on a daily basis is terrifying. With the increased scrutiny on police officers I think any police reform bill should mandate that all police officers in Massachusetts wear body cameras to protect them from false allegations. Body cameras would also provide a better picture to the public on what officers have to deal with on a day by day basis. Moral among Massachusetts police officers is at an all time low and I hope you will listen to our concerns about this bill. This bill will stop the schools and/or teacher from contacting police about a student that is affiliated with gangs as a mother I am horrified that you the legislators would approve an amendment and have this included. Every day my husband leaves and I never know if he will come home, he leaves his family to go out and protect yours. I think this bill S2820 and the Senate Bill S2800 coming for a vote on the day of and day after the Anniversary of the murder of Officer Michael Chesna of the Weymouth Police Dept and Vera Adams is a slap in the face of law enforcement. This bill will take away the ability of officers to use non lethal force such a pepper spray, how will an officer be able to defend himself from a criminal that is attacking him? The police officers of Massachusetts are the best trained in the United States and we should all be thankful to them for going out and do their job under these circumstances . If this bill passes you will see many officers retire and leave the job and I shutter to think what kind of officers will replace them. Four months ago we were praising our First Responders and now you are vilifying them. There are a lot of senators and representatives that I have supported and my family, friends and neighbors will be watching closely on how our representatives will vote on this issue. I hope you will vote against this bill in it's present form. Please don't hesitate to call me if you want to discuss this issue further

Thank You

Patricia Lencki

14 Pontiac Road

Quincy MA 02169

617-291-2777

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From: Derek Anderson <bderekanderson@gmail.com>
Sent: Thursday, July 16, 2020 11:32 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony in support of Senate bill S.2800

Dear Chair Michlewitz and Chair Cronin,

I am writing in support of Senate bill S.2800.

Over the years, the ability of our city and town governments to create and manage policing that meets the needs and aspirations of our communities has been dismantled, including by the non-statutory judge-made doctrine of qualified immunity, and the Chapter 150E collective bargaining law and the Joint Labor Management Committee statute that together eliminate effective options for accountability.

This bill provides important legislation that begins to return those rights to our communities. It also creates a much needed system for the training and certification of police officers, and makes other necessary changes to law and policy to improve and enhance the accountability of policing in the Commonwealth. This is landmark legislation that would help transform how law enforcement is practiced in Massachusetts, with a long overdue focus on racial equity in our justice system.

Thank you for your consideration on this matter.

Sincerely,

B. Derek Anderson

16 Myrtle Street, Medford, MA 02155

617-279-3773
BDerekAnderson@gmail.com
From: Jamie Duponte <afamilieslove@gmail.com>
Sent: Thursday, July 16, 2020 11:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

To the judiciary committee

I am ashamed that the bill s2820 has been allowed to pass the senate- this is a horrible and dangerous bill that serves no one who is in need- and harms both first responders and those who need their life saving work and protection!!!
This bill is not the least bit beneficial to anyone and written simply to appease a angry and childish mob mentality - and opens the door for every first responder to get hit with a personal suit for “personal injury” from every person who’s life they save!!!
It’s disgusting that this bill will be able to destroy the hard working people of this state who struggle to serve and protect to the very best of their abilities!!! Not too many years ago they were running in without knowledge of whether more bombs would go off at the marathon- now they will worry about being sued for hurting someone if they attempt to protect them from flying debris in a . Bombing!!!
Mass has a great police and first responding units and they need more support and training, not being left hanging out to dry!!! Many will choose to step down and no longer serve in their communities because of the risk this puts their own families in- aside from the daily one they take on as a officers of the law!!
This bill needs to die and new legislation needs to be passed to protect them and assist all in training and social service training- locally friends work in the PD as social workers and they have had seen many benefits and report success within the police and neighboring communities and safe resolutions to difficult situations- and the police are reporting good communities relations and bolstered connections from this partnership- this is what should become the model and be supported- not the horror that is bill s2820!!!!
Sincerely Jamie Duponte

In His Name, we serve.
From: ld4812@aol.com
Sent: Thursday, July 16, 2020 11:30 PM
To: Testimony HWM Judiciary (HOU)

Sent from AOL Mobile Mail

Get the new AOL app: mail.mobile.aol.com
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From: ld4812@aol.com
Sent: Thursday, July 16, 2020 11:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: I am against Bills S 2820

To Representative Claire Cronin and committee:

As a responsible constituent who lives in your district, as well as a Boston Police Detective, I do support some aspects of Senate Bill S2820 which is before you now. However, I adamantly do not support any amendment or change to the qualified immunity that police officers now have. The attack on the law enforcement profession from all sides is sickening. But if lawmakers pile on too in this political climate, it would be not just mean spirited but dangerous. Feel free to contact me for further comment.

Laura Delaney
14 Lynda Road
South Easton, MA. 02375
617-470-2711

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com
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From: Bill <bavil82@gmail.com>
Sent: Thursday, July 16, 2020 11:29 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,
My name is William Avilla and I live at 2 Harrison Avenue, Lakeville. I work at Old Colony Correctional Center and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.
Qualified Immunity: Qualified immunity doesn’t protect officers who break the law or violate someone’s civil rights. Qualified Immunity protects

officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.
Less than Lethal Tools: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.
Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.
I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.
Sincerely,
William Avilla
From: Trevor Golenski <tgolenski@gmail.com>
Sent: Thursday, July 16, 2020 11:28 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Trevor Golenski and I live at 138 state st New Bedford, MA. I work at Bristol County Sheriff's Office and am a Corrections Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

???????????????? ????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or

constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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Sincerely,
Trevor Golenski

From: Doreen <jecdbc@comcast.net>
Sent: Thursday, July 16, 2020 11:28 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

> Dear House Committee Members of Ways & Means and Judiciary,
> My name is Doreen Comeau and I live at 50 Pilgrim Road in Mansfield. I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.
> Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand

out and demand immediate attention, modification and/or correction. Those issues are:
> (1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.
>
> (2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.
>
> (3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.
> In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

> Sincerely,
> Doreen Comeau

From: Carly Anderson <canderso2011@students.curry.edu>
Sent: Thursday, July 16, 2020 11:28 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Good Evening

My name is Carly Malvesti and I live at 620 Adams Street in Abington. I write to you today with regards to S.2820. This is a bill that has the attention of many in our Commonwealth. Most particularly, it has the attention of Police/Law Enforcement officers, those that love them and those that support them.

I write to you as the wife of an active Weymouth Police Officer. My husband achieved his lifelong dream of becoming a police officer, able to serve his hometown, three years ago. In his first year on the job, his co-worker Michael C. Chesna, was shot and killed with his own service weapon by an "unarmed" man. This was a deeply tragic and painful experience for a rookie officer to endure. In his time as a law enforcement officer, thus far, my husband has been injured at work several times. Fortunately, these injuries have not been serious, but there have been emergency room visits,

splints, bandages, and broken eyeglasses. He often returns to me bruised and battered, injured by the people he is serving and protecting. Each time that my husband walks out the door on his way to work, I fear that it will be the last time that I see him. When my phone rings suddenly, at an odd hour of the night, I fear that I am being notified of a tragedy involving my husband. I can never quite settle when my husband is at work, lying awake until I hear his truck pull into our driveway shortly after midnight. I have seen how the events of the last few months have broken his spirit. When my husband talks about work, the glimmer in his eye that he once had, is now gone. I have seen the fear and uncertainty in his eyes as he leaves the house for work. I hear the conversations among friends about whether this job will be worth the risks if this unsafe legislature passes. The media, politicians, and public have painted a target on the back of all law enforcement officers because of events that transpired halfway across the country. Events that my husband, his co-workers, or any law enforcement officer in Massachusetts could not control. Our dedicated and passionate officers went from hero first-responders serving their communities during a pandemic to feared and untrustworthy monsters in a matter of weeks because of the actions of one evil man who never deserved to wear the badge. Our officers do not deserve the disrespect or lack of support!

I also write to you as a member of a larger family - the Blue Family. This week, Wednesday July 15 to be specific, my Blue Family and I remembered one of our own, Sergeant Michael Chesna. On July 15, 2018 this husband, father, son, brother, and friend who just also happened to be a Police Officer was murdered. I remember being in a patient's room at work and learning of the awful news on television. I remember that sinking feeling in my stomach and frantically calling my husband to make sure that he was okay. I will never forget attending Mike's wake and funeral with my husband, my Blue Family, and the Chesna Family. Sitting in St. Mary of the Sacred Heart Church in Hanover with my fellow police wives is something none of us will never forget. A police wake and funeral are things NONE of us ever want to attend again.

As I noted above, S.2820 has caught our attention. There are pieces of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform.

Like many, I support enhanced training and appropriate certification standards that apply to individual officers. I also support accreditation of police departments. Certification and accreditation both serve as a commitment to excellence in training and promote each individual's and department's maintenance of the highest professional standards. Certification and accreditation also serve to enhance public confidence. Public confidence, and I might offer respect, is critical to police officers being able to do their job on a daily basis. I also support the ban of the use of excessive force by police officers as well as the proposal that every individual officer has the duty to intervene if they witness excessive force. These parts of S.2820 all make sense when we focus on the idea that this bill is about constructive police/law enforcement reform.

S.2820 has also caught our attention because there are pieces of it that do not allow for the fair and unbiased treatment of Police Officers. Most importantly, the removal of Qualified Immunity for Police Officers is unfair and potentially dangerous. Qualified Immunity, as I understand it, does not excuse criminal conduct. It is, instead, a legal protection offered to all public employees and serves as a protection against losing one's home or life savings in a civil suit. As many people know, Police Officers need to make in the moment decisions every day when they put on their uniform. If they don't make those decisions quickly enough, they face the very real chance of death or injury. Police Officers CANNOT do the job they were hired to do safely and effectively if they are worried about liability. They CANNOT do the job they were hired to do safely and effectively if they are worried about losing the home their family lives in. They CANNOT do the job they were hired to do safely and effectively if they are worried about how they will support their loved ones. Is there a chance that Sergeant Michael Chesna chose not to use his weapon on the morning of July 15, 2018 because he was worried that such use would have been viewed as use of excessive force? Was he worried that if he used his weapon, he could potentially lose his family's home? The answers to those questions we will never know. It does seem reasonable to assume, however, that had Sergeant Michael Chesna chosen to use his weapon to shoot Emanuel Lopes he would still be here today. He would still be here with his family who miss him every single day. Police Officers need to be able to make quick decisions and act in good faith without fearing that each and every decision they make could lead to a lawsuit against them. Police Officers who are forced to stop, pause, and think about potential liability before they act are Police officers whose lives are at risk. The removal of Qualified Immunity should NOT be part of the final police/law enforcement reform package.

As I stated, there are parts of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform. The bill as it currently stands before you is NOT acceptable as a total package. If Legislation such as that tied to S.2820 is to be effective, appropriate, and just for all citizens of our Commonwealth it takes time along with careful thought and consideration. Reactive and rash decision making do not serve the citizens of our Commonwealth. The early acts in the Senate to rush a vote on this bill and to not study pieces like Qualified Immunity further have been extremely disheartening. I appreciated those Senators who called for more time and for a closer look at the bill in order to produce a product that was fair and just for all citizens of our Commonwealth. I also appreciate the willingness of the House to hear from the citizens of the Commonwealth. Legislation such as S.2820 impacts all citizens so all of those citizens should be allowed to share their thoughts.

In closing, I urge you to take the time that is necessary to make the best decision for ALL citizens of our Commonwealth. We have some of the most well-trained Police/Law Enforcement Officers in the country. They need to be able to do the job they were trained to do in a safe and effective way.

I urge you to correct S.2820 so as to treat the men and women in Law Enforcement with the respect and dignity they deserve.

Sincerely,

Carly E. Malvesti

620 Adams Street

Abington, MA 02352

(774) 279-2329

From: Deb Goldman <debinpeace@gmail.com>
Sent: Thursday, July 16, 2020 11:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: Public Testimony on Police Reform Bill

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Reverend Deborah Goldman with the Greater Boston Interfaith Organization (GBIO). I live at 146 Oakland Ave., #2, Arlington 02476. I am writing to urge you and the House to pass police reform that includes:

-Implementing Peace Officer Standards & Training with certification

-Civil service access reform

-Commission on structural racism

-Clear statutory limits on police use of force

-Qualified immunity reform

Thank you very much.

Deborah Goldman

debinpeace@gmail.com

617-957-4413

146 Oakland Avenue #2

Arlington, MA 02476

From: Greater Lowell PDC <greaterlowellpdc@comcast.net>
Sent: Thursday, July 16, 2020 11:27 PM
To: Testimony HWM Judiciary (HOU); Greaterlowellpdc
Subject: Qualified immunity

To Whom it May Concern,

My husband is retired from the Mass State Police. With horror we have observed the legislature try to limit qualified immunity. How could government officials ask officers to do this type of extremely dangerous work without protecting them from the criminals civilians are often protected from through their tiredness efforts. Do you really think that career criminals would not try to sue the officers personally while denying all allocations of misconduct. Where is your loyalty to the people you ask to accept the physical and mental risks of this job? Now you expect them to manage the stress of criminals trying to bankrupt them and take their homes for doing the job you require of them.

Why are you singling out the police? If the government moves to remove qualified immunity do so for all professions with no exception.

As you are aware the officers in this state are very educated, most holding advanced degrees. Some of these efforts create additional administration , while the real work is on the street keeping people safe.

I have been disappointed by the government agency not praising their local and state officers. You have made the mistake of judging all officers based on the uniform of one officer many states away. We could all be judged by the bad apples in our profession. This is not different.

I for one will back the Blue , the military and everyone willing to stand strong and alone when everyone runs away . They are the people I respect the most.

Best regards

Denise G Peaslee LMHC
72 Florence Road
Lowell, MA 01851

Sent from my iPad
From: kathleen parsons <kmp8109@comcast.net>
Sent: Thursday, July 16, 2020 11:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony regarding S2820

Dear Senator Susan Moran,

My name is Kathleen M. Parsons and I live at 46 Deseret Drive Bourne MA, 02532.

As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve. I also speak to you, as a wife to a law enforcement officer. I have asked him to maybe consider getting another job because of the harsh conditions today. He refuses. He loves helping people, and he does it each day with a smile on his face. Even when people hate him for it. Please consider these issues and how they protect my sweet husband, a man who would do anything for his community. Please fight to keep him safe as he fights to keep Bourne safe, my four children need him safe. Thank you and god bless.

Sincerely,

Kathleen M. Parsons

From: Vinnie Pizzi <vinniepizzi@yahoo.com>
Sent: Thursday, July 16, 2020 11:29 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Dear Chairman Michlewitz, Chairwoman Cronin, and the rest of the House Committee on Ways and Means,

Thank you for your time in allowing myself and many others to submit testimony in response to Senate Bill S2820. My name is Vincent Pizzi and I am a Massachusetts resident currently residing in Falmouth. I am a husband, a father, a brother and a son. I am a veteran of the United States Army, where I served honorably as a military police officer. I currently serve in the United States Navy Reserves as a Master-at-Arms (Navy Police). Most relevant to my testimony, I am currently a police officer in the state of Massachusetts.

I write this testimony today in hope to open up the discussion about why I, and thousands of other police officers across the state of Massachusetts, oppose Senate Bill S2820 as it has been presented to you.

Senate Bill S2820 is nothing short of a hastily and poorly thought out reaction to an event that occurred over 1,000 miles away. Before I say any more, allow me to state that what happened to George Floyd was an egregious and reprehensible act. That being said, I am confident in saying that all police in Massachusetts, including the Massachusetts Fraternal Order of Police, The Massachusetts Chiefs of Police Association, and countless police unions, have all publicly denounced the event.

With that in mind, I cannot seem to wrap my head around that thought process that led to Senate Bill S2820 to come to fruition. The police in Massachusetts are, bar none, the finest law enforcement officers in the United States. We do not only exceed the standard, we often set it. The version of the bill presented to you contains dangerous language undermining officer safety and more importantly, public safety. If this bill were to pass as written, a police officer’s ability to perform basic job functions would be wildly bounding. The scariest part of this testimony is the fact that it has to be presented to the House, rather than the Senate, because of how undemocratically the Senate pushed this through, disregarding any input from the public or the groups directly affected by the bill. The fact that the Senate Bill S2820 was passed while the public was sound asleep at 3am tells my colleagues and I that the Senate had zero concern for public opinion and only cared about furthering their own agenda.

I assure you that police within the Commonwealth across the board want and support uniform training standards. As a matter of fact, this is the exact reason the Municipal Police Training Committee (MPTC) exists in the state of Massachusetts. The MPTC is charged with developing, delivering and enforcing training standards of all municipal, university and environmental police officers across the state. Good police officers, the kind the public supports and wants on the streets, always crave more training. Not only do police want more training, but we want quality

training. However, quality training costs quality money. This is why we cannot understand the push to defund the police. A good police officer is an educated police officer. It is up to you, the legislature, to ensure that the police that are charged with protecting your constituents have nothing short of the best training available. Anything less is a blatant disservice from you, our elected officials.

The Senate version of S2820 that generates a regulatory board is unsatisfactory. This board would be heavily commanded by anti-police groups with detailed biases against police. This board would be nothing like the other 160 regulatory boards across the Commonwealth and would unjustly strip officers of due process and eliminate rights afforded under civil service law.

There seems to be a lot of confusion when it comes to qualified immunity. Qualified immunity does not protect bad cops. Qualified immunity is a legal immunity that protects government officials from civil suit that allege a clearly established statutory or constitutional has been violated. This holds government officials accountable when they exercise power irresponsibly but also protects them from unfounded accusations, claims of harassment and liability while performing their duties in a reasonable manner. When you take into consideration that the officers involved in the tragic case of George Floyd all had qualified immunity, you can clearly see that it does not protect bad cops. Where did that qualified immunity get them? Squarely in a 6-foot by 8-foot jail cell, that’s where. Qualified immunity protects good cops from frivolous lawsuits. The communities we serve in the Commonwealth expect us to act quickly and decisively. How would we be able to accomplish anything with the fear of civil suit hanging over our heads for every single decision? Ask yourself, if it were one of your loved ones in need of the police in a life or death situation, would you want the police to interject themselves immediately, or rather take the time to weigh whether or not intervening is worth the risk of civil suit? What would follow if qualified immunity were eliminated? Allow me to spell it out. Proactive police officers would begin to sit on their hands not wanting to risk losing their livelihoods. Crime would spike as criminals would quickly realize that no one is looking to prevent their criminal activity. Budgets would exponentially increase across the entire state to keep up with countless lawsuits from routine police interactions. The good cops you want so much, which is the vast majority of law enforcement in Massachusetts already, would quickly begin to seek employment elsewhere, retire or flat out walk off the job.

I will leave you with these final questions to contemplate. What happens when all the good police officers in Massachusetts are gone? What quality of police officer does that leave the Commonwealth with?

On behalf of all the men and women selflessly serving the Commonwealth of Massachusetts, I thank you for your time and consideration.

Respectfully,

Vincent Pizzi

508-558-7059

vinniepizzi@yahoo.com

From: Aminah Pilgrim <aminahpilgrim@yahoo.com>
Sent: Thursday, July 16, 2020 11:25 PM
To: Brady, Michael (SEN); Cassidy, Gerard - Rep. (HOU); Testimony HWM Judiciary (HOU); Miranda, Liz - Rep. (HOU)
Subject: Supporting Racial Justice in Schools for our Youth in Mass

Dear Reps. Brady & Cassidy,
It is my hope that this letter/testimony finds you well during these difficult times. I am one of your Brockton constituents. I've worked with youth in Brockton for 20 years. In fact, I have met both of you many times through my work with the Cape Verdean Association of Brockton, Massasoit Community College, in my role as one of the founders of the downtown project Prova!, and in my work as a member of the Board of the Brockton Public Library.

I am writing to you today to add my name to the list of supporters working towards racial justice for our young people in the State and in the US. I've copied my friend Rep. Miranda here; she is one of the fiercest defenders of the move to change policies and practices that criminalize Black and Brown students.

You have an opportunity today to serve (as Martin Luther King, Jr. and many others have said) "on the right side of history" by supporting the passage of this important legislation that contributes to ending the cradle/school-to-prison pipeline and the school-to-deportation pipeline. These pipelines destroy lives and have already destroyed generations by depriving them of the opportunity to have an education and a future.

I testified before the Brockton School Committee at least half a dozen times over the past several years regarding the damage that unjust school discipline causes. For instance, consider the case of now deceased Antonio, who at 9 years old, planned to graduate high school and college and become a business owner. His energetic personality was misread as mischievousness over the years and he was penalized for ordinary missteps. Repeated, severe discipline demoralized him. His well-intentioned parents (immigrant citizens from Cabo Verde with limited English language and limited knowledge of their rights in the school system) grew more and more

frustrated with him and punished him severely as well. Eventually, he lost hope and began to behave the way that he was being characterized... he ultimately dropped out of school, fulfilling the low expectations of those around him who profiled him because of his perceived race and status, ignoring his trauma and pain and potential. Within a few years of leaving school, he ended up dead. What would have happened if along the way, educators saw his potential and addressed his trauma and family matters, instead of punishing him? What if he had been encouraged instead of handed low expectations and policies that criminalized him and eventually pushed him out of school? What if he had been given a chance to prove himself? Most certainly, he would have found a way, finished school, and started down his life path of business ownership. Racially just and humane school practices could have saved his life and given him a future.

There are 100s of 1000s of stories like this one. Students are profiled in schools, labeled and treated according to the negative images associated with their backgrounds, according to their racial or ethnic identities, immigrant status or socioeconomic class.

Your votes can stop these practices, and protect the rights of students to learn in schools without the fears that are generated by the systemic racism and xenophobia of the aforementioned pipelines. Brockton students are among the MOST affected by these policies and it is way past the time to do something about this. Thank you in advance for considering this plea for your support. Please vote "on the right side of history" and take a stand that will contribute to racial justice.

Sincerely,
Dr. Aminah Pilgrim

_____

Aminah Pilgrim, PhD
PO Box 661
Onset, MA 02558
Mobile # 508-246-4370

Everybody can be great... because anybody can serve. You don't have to have a college degree to serve. You don't have to make your subject and verb agree to serve. You only need a heart full of grace. A soul generated by love.
--Martin Luther King, Jr.

From: Karen Blumenfeld <oxbow3@comcast.net>
Sent: Thursday, July 16, 2020 11:24 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820 - do not dilute

Dear MA House Judiciary Committee,

I write today to urge you not to dilute in any way Senate Bill 2820 on police reform. Please do not let the police unions' pressure cause you to water down this crucial bill which will increase police accountability, shift law enforcement away from surveillance and punishment and instead toward de-escalation and community strengthening, and build a more just and equitable Commonwealth. The bill is a strong first step toward

dismantling systemic racism in Massachusetts. Please do not squander this opportunity.

Sincerely,
Karen Blumenfeld
113 Oxbow Rd
Wayland

From: charw223@comcast.net
Sent: Thursday, July 16, 2020 11:24 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

My name is Charles West, I am a contractor and small business owner. My phone number is (508)740-9379.

I would like the Massachusetts House of Representatives to know that we do not need police reform. Don't jump on this bandwagon. We are not Minneapolis or Ferguson. We do not have a race problem in Massachusetts. We have a political problem in Massachusetts.

We would like our police to not be afraid of arresting anyone reguardless of skin color if they have committed a crime that warrants an arrest. That is fairness, that is equality. Stop playing games.

Do not fail us. If you, as a government, take away the one thing government is absolutely responsible for, our safety, then you will have failed us.

Please understand, if you make the job of police officer more difficult you will de-incentivize order. If that is what you want then there is no good future for our state or our country.

This bill will not satisfy anyone on either side. In your search for equal outcomes, beware of making everyone equally miserable and pissed off.

Do not vote S.2800 into law.

Sent from my T-Mobile 4G LTE device
From: Rose Procanik <rprocanik@verizon.net>
Sent: Thursday, July 16, 2020 11:24 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
Rosemarie Procanik

From: Nina Katz <njkyay@gmail.com>
Sent: Thursday, July 16, 2020 10:08 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Greetings!

I am writing to urge you to strengthen the language of the Senate bill to create an independent and civilian body in charge of police certification/decertification;
eliminate rather than limit qualified immunity so that victims of police brutality can sue for civil damages;
eliminate the school-to-prison pipeline and removing barriers to expungement on juvenile records; and likewise go further than the Senate bill to
strengthen the use of force standards; fully prohibiting facial surveillance technology; and lifting the cap on the Justice Reinvestment Fund.

Thank you.

Nina

From: simon faynzilberg <sfaynzilberg@yahoo.com>
Sent: Thursday, July 16, 2020 10:08 PM
To: Testimony HWM Judiciary (HOU)
Subject: Vote NO on S.2820 Reforming Police Standards

Dear Chair Aaron Michlewitz and Chair Claire Cronin

My name is Simon Faynzilberg

I am a Brookline resident since 1996.. My daughter was educated in Brookline schools. I love this town, I respect its police, and I want my town to stay safe and prosperous as before.

By a mere chance, from a friend, I learned about the passage of the bill in the Massachusetts senate to end qualified immunity for police officers. There was no public hearing, no information in newspapers, or other discussions – just late night vote in the MA senate as if the senate did not want the residents to know about this bill.

I am totally and categorically against this bill .

Qualified immunity of elected officials and members of the law enforcement community is the bedrock principle of any government. Without it, no government institution would be able to function – anybody, from public school teachers to senators, could find themselves frivolously sued for any action that made somebody unhappy. And policemen, due to the very nature of their work, are the most vulnerable group. T

This shameful legislation is unfair and counterproductive. By taking away qualified immunity from police, the Commonwealth of Massachusetts essentially declares itself non-governable territory. Scores of policemen will retire, which is already happening. People cannot work with their hands tied.

And no new, young members will want to join the police force – the group that not only is unjustly demonized, but now even deprived of any legislative protection.

As a Brookline voter, I strongly request that you vote NO on this bill.

Thank you

Simon Faynzilberg, MD
Medical Director
Comprehensive Pain Center
978-463-1045 (w)
617-817-2070 (c)
sfaynzilberg@yahoo.com

From: Alan Linov <alan.linov.1@gmail.com>
Sent: Thursday, July 16, 2020 10:08 PM
To: Testimony HWM Judiciary (HOU)
Cc: Rogers, Dave - Rep. (HOU)
Subject: Testimony in support of House adoption of S.2820

Rep. Michlewitz and Rep. Cronin,

The system of justice and policing in Massachusetts currently has many features that promote and perpetuate racism and that facilitate abusive behavior by police. The provisions of S.2820 address several of those features in a constructive way, and I urge the Ways and Means and Judiciary committees to produce legislation that is sufficiently consistent with S.2820 to be rapidly resolved in a conference committee and passed for the governor's signature in the current legislative session.

The provisions of S.2820 are steps toward a system of policing that provide for public safety while encouraging confidence and support of police by all communities. Essential elements of the bill include the establishment of a Police Officer Standards and Accreditation Committee, revisions to qualified immunity, and a duty to intervene if an officer witnesses abuse of force by another officer. These provisions advance police professionalism and accountability for wrongdoing. The public standing of police will be enhanced through adherence to higher standards of conduct and elimination of some barriers to removal of officers that have demonstrated they clearly lack the ability and/or commitment to do their job with integrity, discipline, and fairness.

The House has the opportunity to make this truly a pivotal moment in the history of justice in Massachusetts by passing a bill that is highly compatible with S.2820, in its entirety.

Alan Linov
19 Colonial Dr
Arlington, MA 02474
781-646-9222

From: Sara W. <saratherunningsmile@gmail.com>
Sent: Thursday, July 16, 2020 10:08 PM
To: Testimony HWM Judiciary (HOU)

Subject: Comment to support Bill S.2800

Hello,

I hope this email finds you well. My name is Sara Wang and I am a Massachusetts voter and current medical student. I write in support of 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.

Historic racial inequalities have been present in our country since its creation, and now is a unique moment to act towards racial justice. Massachusetts has the opportunity to lead on this front as it does in healthcare. We must champion the rights of all of our residents, including black residents and other residents of color. Police reform is key to doing that, as is implementing a commission on the status of African Americans. I support this bill and hope that you pass it.

Thank you for all your hard work on this. I look forward to the outcome of this deliberation.

Sincerely,
Sara Wang

From: Eli Adler-Roth <elirothri@gmail.com>
Sent: Thursday, July 16, 2020 10:08 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 Testimony

Distinguished Representatives,

Thank you for making time for citizen input on this important bill, S2820. I will make my comments as brief as possible, but feel I have unique personal perspective on the issues disused.

I am writing in strong support of the bill. As a clinical social worker, I have seen, firsthand, the profound good that police officers can accomplish in their roles. Sweeping police powers and a lack of officer accountability, however, more often than not are barriers, not aids, to effective policing. S2820 will more effectively position law enforcement to act with only the tools, tactics, and mentalities appropriate for the job. My time in social work strongly informs this position.

In my career, I have deescalated and evaluated those in mental health crisis in emergency departments. I have sat across from men convicted of brutal acts of domestic violence to assess their accountability and preparedness to end community supervision. I have counseled and safety-planned with survivors of these violent assaults. I have intervened with clients who were hours or even minutes removed from a suicide attempt.

For the majority of my career, I worked in a residential setting. Among many other duties, I had the privilege of training clinical and non-clinical colleagues on the principles and techniques of deescalation and safe, compassionate physical restraint. We always taught that going "hands on" was an absolute last resort, but, due to the acute nature of the

population we served, I, unfortunately, had to engage physically several dozen times over the course of a few short years. In that time, I was bit, punched, stabbed, spit on, kicked, grabbed between the legs and pulled by the hair.

Never once, in my career, have I had the luxury of a combative union which would fight for my job if I choked someone to death. Moreover, never once have I felt as if the free reign to strangle even the most violently dysregulated client would have made me any safer in the long run. This distinction is important for those using the narrow lens of exclusive prioritization of officer safety at any cost. Even ignoring the rampant brutalization of disproportionately Black, Brown, poor, and mentally ill civilians in crisis, different tactics will also translate into reduced risk to officers. In my residential work (and elsewhere in my career), we saw every day that the safest strategy for client safety was also the safest strategy for our own: responding with calm, compassion and connection. In this vein, I want to share one disappointment I have with the bill, which is a failure to make fear-based "warrior" style trainings for police illegal by law.

This critique notwithstanding, S2820 is an important step forward in the long overdue process to establish officer accountability, and to modernize and humanize law enforcement. Again, I know that many officers who wear the uniform do so with love for their comminutes and the very best of intentions. However, the fear and anger felt by so many, especially many marginalized people, is a predictable consequence from generations of tolerance of cruel and ineffective policing (which is only now, it seems, getting caught on film). The well-deserved distrust many of my clients have for police manifests in the perpetuation of poverty, generational trauma, and inability to access community resources and supports. As a Massachusetts citizen who has also dedicated his career to the safety and well-being of his community, I urge you in the strongest possible terms to pass this bill into law.

Thank you for your time and consideration,

Eli Adler-Roth, LICSW
North Andover

From: Donna Williams <donna@baystatepallet.comcastbiz.net>
Sent: Thursday, July 16, 2020 10:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down qualified immunity in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum it should specifically eliminate any provisions similar to sections 10, 49, and 52, as well as amend Section 63 to have more police representation.

Sincerely,

Donna Williams
Cell 617-212-7278
Sent from my iPadFrom: John <johnalbertocosta@yahoo.com>
Sent: Thursday, July 16, 2020 10:04 PM
To: Testimony HWM Judiciary (HOU)
Subject: MA Bill S.2800

>>> We need your help
>>> I am writing to you regarding Massachusetts Bill S.2800. I am very upset about how this bill is being quickly pushed through, while it will have tremendous repercussions on our police departments, tying their hands, and preventing them from doing their jobs. While there are portions of the bill that may bring about higher standards for our officers, removing qualified immunity as one of their rights is simply unacceptable. As a registered and active voter, I am disheartened by the actions of politicians that I have voted for, who are responding with a knee jerk reaction to the loud actions of the few, while ignoring the majority of the population. I look forward to your reply, and I respectfully ask that you consider not supporting the removal of qualified immunity for our police officers.
>>>
>>> Regards,
>>> John Costa

From: Comcast <laura.hilliard@comcast.net>
Sent: Thursday, July 16, 2020 10:06 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

To Members of the House Ways and Means,

Thank you for the opportunity for public input for this important issue. I wright to you as a lifelong citizen of the Commonwealth of Massachusetts. I grew up and then raised my own family in the town of North Reading. I am now a school nurse in a neighboring town.

I have the utmost respect for the police and find the language in this bill disrespectful to all the hardworking, honest, dedicated law enforcement men and woman. This bill does nothing but further divide communities.

In my daily work in the schools, I frequently collaborate with our police officers and see them working with students and families in difficult situations.
They are always respectful and go above and beyond to make the community a safe and inclusive place for all.
The police are active members of our school safety committee and serve as a constant resource in planning and practice of our active shooter drills, emergency responses and mental health emergencies They are always available to provide assistance if we need them to do a wellness check on a student or family and provide assistance with parents, students and schools with truancy and school avoidance. They are the first to arrive for medical emergencies, a welcoming site. I can not imagine returning to school and thinking they may not be readily available because of underfunding, and shortages brought on by under-appreciation.
I cannot understand what any of you are thinking to believe that taking away qualified immunity would improve law and order. This will only make police hesitant to help, off duty officers hesitant to jump in and keep young people from entering the police force. It is my understanding that you as legislators also have "qualified immunity", how would you feel if this was done to you? How would you like your hands being tied? I know there have been others in your positions that have been dishonest.
What happened to Mr. Floyd was a terrible injustice done by a terrible officer, who should be held accountable and punished to the extent of the law. Qualified immunity would not protect him!
Let's not paint every police officer with a broad brush, for the sins of a few. That's not fair!

Equality is a god given right. In our constitution, written so many years ago, and
it refers to "we the people". When I see that the description of this bill is to build a more equitable , fair and just Commonwealth that"values Black lives and communities of color",I find it exclusionary of many others living in the Commonwealth. I am all in on equality but this feels like something else. It scares me to see the violence and expressions of hate in some of these protests. This bill will not make it more equitable. This only will divide the Community. Can't you see the violence that has escalated against the police of late! You are fueling a war on police and pandering to pressure with a knee jerk reaction because for years you, the legislators, have done nothing to help these communities of color and listened to their pleas ! Now all of a sudden it's an "emergency"! Now it's a war on police?!

Is reform and new training techniques for law enforcement needed, yes! Every profession needs to grow and change. But, You can't just take away all the techniques they have been taught and not train them with new techniques.

Please think of having law enforcement represented on the review board, weather a retired officer or commissioner. There should be someone who has walked in their shoes and has an understanding of the job of law enforcment. How can you set trainings and standards for a profession you have never been a part of?
This is common sense!

Our brave law enforcement officers deserve our respect.
Every person deserves our respect.

Please foster relationships between our law enforcement and our communities not build walls and fuel hatred.

Laura Hilliard
978-502-9009

Sent from my iPad
From: Becky <bwandrei@hotmail.com>
Sent: Thursday, July 16, 2020 10:06 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill No. S2820

Dear House of Representatives,

I stand against bill S2820 as written. I ask that you also not support this bill as written.

• The senate version of this bill as written will seriously undermine public safety by limiting police officer's ability to do their jobs while simultaneously allowing provisions to protect criminals. Furthermore, the process employed by the Senate to push this through with such haste, without public hearing or input of any kind, was extremely undemocratic and nontransparent.
• Police across the commonwealth support uniform training standards and policies and have been requesting more training for years.
• The Senate version of a regulatory board is unacceptable as it strips officers of the due process rights and does away with protections currently set forth in collective bargaining agreements and civil service law. The Senate created a board that is dominated by anti-police groups who have a long-detailed record of biases against law enforcement and

preconceived punitive motives toward police. The FOP will not support any bill that does not include the same procedural justice safeguards members of the communities we serve demand and enjoy.
• Their proposed makeup of the oversight board is one sided and biased against law enforcement. It is unlike any of the 160 other regulatory boards across the Commonwealth and as constructed incapable if being fair and impartial.
• What the Senate has tried to do is pass a knee jerk reaction to an incident which occurred half a country away that everyone agrees was egregious, the FOP nationally and in this state quickly condemned it.
• Massachusetts police officers are among highest educated and trained in the country
• This bill directly attacks qualified immunity and due process. Qualified immunity does not protect bad officers. It protects good officers from civil lawsuits. We should want our officers to be able to act to protect our communities without fear of being sued at every turn, otherwise why would they put themselves at risk? A large majority of law enforcement officers do the right thing and are good officers, yet there is a real push to end qualified immunity to open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not be covered by qualified immunity anyway. It just doesn't make any sense why we are endangering the livelihood of many for the actions of a few.
• Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard and bans unlawful use of force techniques which all police personnel unequivocally support.
• If the senate bill is passed in its current form the costs to municipalities and the State will skyrocket from frivolous lawsuits and potentially having a devastating impact on budgets statewide.

Reference:
Bill No. S2820
Title: 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

Sincerely,

Becky Wandrei
Windsor, MA

From: Grace Baker <21gracebaker@gmail.com>
Sent: Thursday, July 16, 2020 10:06 PM
To: Testimony HWM Judiciary (HOU)
Subject: Amendments 114,116,126,134,129, and137 to the Senate Bill S2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and 137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens,

INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due t the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools ,organized retail theft and terrorists.

2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections ,it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model o be use. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential

explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

Sincerely,

Grace Baker

Resident

65 Reedsdale Road

Milton, MA 02186

781-974-7180

From: Cathryn Griffith <cathryngriffith@mac.com>
Sent: Thursday, July 16, 2020 10:05 PM
To: Testimony HWM Judiciary (HOU); Livingstone, Jay - Rep. (HOU)
Subject: police reform

?

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Cathryn Griffith with the Greater Boston Interfaith Organization (GBIO). I live at 200 Commonwealth Avenue, Boston MA 02116. I am writing to urge you and the House to pass police reform that includes:

* Implement Peace Officer Standards & Training with certification
* Civil service access reform
* Commission on structural racism
* Clear statutory limits on police use of force

* Qualified immunity reform

Thank you very much.

Cathryn Griffith

cathryngriffith@mac.com

617.437.0807

200 Commonwealth Avenue

Boston MA 02116

From: Faina Kofman <fainakofman@gmail.com>
Sent: Thursday, July 16, 2020 10:04 PM
To: Testimony HWM Judiciary (HOU)
Subject: NO to canceling immunity for police

Dear Chair Aaron Michlewitz and chair Cronin,
We would like to express our strong opposition to cancelling a qualified immunity for police. Such reform will make each policeman ineffective in fighting crime, as well as will make it extremely difficult to recruit new people , who would want to join the police force.
This bill will lead to unlawfulness and disorder and create an unsafe environment for all people in Massachusetts.
Sincerely,
Faina and Josef Kofman
Westborough, MA
From: Vyshnavi Chunduru <c.vyshnavi@gmail.com>
Sent: Thursday, July 16, 2020 10:04 PM
To: Testimony HWM Judiciary (HOU)
Subject: The Reform, Shift, and Build Act

Hello!

I think that the Reform, Shift and Build act is very important. It ensures that funding goes towards communities that need it and give them the resources that they need to succeed in life. Especially in neighborhoods majorly affected by excessive policing, by directing that funding from the cops into the people will be more beneficial than having the police there. It's essential to provide for communities and ensure that they have the resources that many others do.

Thank you for your time and I hope that the Reform, Shift and Build Act stays in.

Thank you and have a good day!

From: David Merian <Dmerian@charter.net>
Sent: Thursday, July 16, 2020 10:03 PM
To: Testimony HWM Judiciary (HOU)
Cc: Dmerian@charter.net
Subject: Please help

Sent from my Verizon, Samsung Galaxy smartphone

From: Albert Renaghan <arenaghan26@gmail.com>
Sent: Thursday, July 16, 2020 10:03 PM
To: Testimony HWM Judiciary (HOU)
Subject: I am a retired State Prison Correction Officer. During my time I watched the Legislature give inmates more rights than the Officers who you charge to keep prisoners in control. Inmates are able to tie up the courts with frivolous law suits . Many of t...

The Courts you supervise let violent individuals who are arrested using firearms back on the street multiple times. Where are the victims rights.

Are you in the legislature are allowed to be sued? Then do not take away police officers rights.

Consider this:
Will people become afraid to become Law Enforcement Officers?
If they can be sued at any time.

A strong and uniform " Use of Force Policy" Is easier to enforce by the DA's and is better than stripping police of there Rights.

Submitted by
Albert Renaghan
26 Mohawk Street
Bellingham MA 02019
Retired State Correction Officer

Sent from my iPhoneFrom: ft northeystreethouse.com <ft@northeystreethouse.com>
Sent: Thursday, July 16, 2020 10:03 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support for HD.5128 & HB.3277

I support The League of Women Voters who advocates against systemic racism in the justice system and supports preventing excessive force and brutality by law enforcement. It is high time.

I urge you to support the inclusion of the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda bans choke-holds, no knock

warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.

HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights."

Flora Tonthat
Salem, MA

From: Svetlana Shaknovich <sshaknovich@yahoo.com>
Sent: Thursday, July 16, 2020 10:03 PM
To: Testimony HWM Judiciary (HOU)
Subject: Vote NO on S.2820 Reforming Police Standards

Dear Chair Aaron Michlewitz and Chair Claire Cronin

My name is Svetlana Shaknovich, I am a Brookline resident since 1996. My daughter was educated in Brookline schools. I love this town, I respect its police, and I want my town to stay safe and prosperous as before.

By a mere chance, just yesterday, I learned about the passage of the bill in the Massachusetts senate to end qualified immunity for police officers. There was no public hearing, no information in newspapers, or other discussions - just late night vote in the MA senate as if the senate did not want the residents to know about this bill.

I am totally and categorically against this bill .

Qualified immunity of elected officials and members of the law enforcement community is the bedrock principle of any government. Without it, no government institution would be able to function - anybody, from public school teachers to senators, could find themselves frivolously sued for any action that made somebody unhappy. And policemen, due to the very nature of their work, are the most vulnerable group. T

This shameful legislation is unfair and counterproductive. By taking away qualified immunity from police, the Commonwealth of Massachusetts essentially declares itself non-governable territory. Scores of policemen

will retire, which is already happening. People cannot work with their hands tied.

And no new, young members will want to join the police force – the group that not only is unjustly demonized, but now even deprived of any legislative protection.

As a Brookline voter, I strongly request that you vote NO on this bill.

Thank you

Svetlana Shaknovich
157 Winthrop Road, Brookline, MA 02445
781-856-4043

Svetlana Shaknovich CPA
781-856-4043

From: MaryAnn "Mo" Levasseur <mlevasseur@profileresearch.net>
Sent: Thursday, July 16, 2020 10:03 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 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

My husband and I are lifelong resident of the Commonwealth of Massachusetts. We are proud to be citizens of this great State.

This issue with S2800 now S2820 is the lack of participation allowed from the very industry and people that this affects.

Police reform is a primarily a training issue and the Chiefs of Police are the leaders to build that foundation of training.

To rush an issue of this magnitude through the Senate at such a late hour truly shows the desperation at those at the helm of the bill.

There is power in numbers and when we begin to use that power to destroy, diminish or defeat others it becomes very dangerous.

To not have the public participation, especially law enforcement, on a bill of this magnitude is clearly wrong.

Whether you are Democrat or Republican, you must be fair and you must be just. Neither happened here.

As a leader, you must rise above the cries at times and find a balance in doing the right thing. That did not happen here.

Policing is very broad. You must hear from the law enforcement leaders in our Commonwealth to make these changes.

This must happen. It clearly must happen.

To not follow due process when addressing reform shows that the politicians went rogue. Their own agenda.

You as politicians are not qualified to make these changes because they are coming from an emotional foundation. It's reactive not proactive.

This bill begins to break down the trust in our law enforcement community not build it up.

You can have reform and "build" law enforcement to a better platform. Not tear it down by a punitive bill.

Massachusetts is known for having great policing and great training.

This bill would diminish all the hard work and dedication that many law enforcement leaders have dedicated their professional careers to.

In a time when we are being asked not to tear down, why not apply that rule here?

I have a sign on every desk in my company. Is there a better way to do this?

I would apply that here and ask you, do you believe this was the best possible outcome for the opportunity to reform police standards?

I also have a rule which is the 2 day reflect rule.

I apply that rule when something may be asked of me that I need to respond to but may not be ready.

The answer that I may have at the moment I am asked, may not be the answer I have 2 days from now, with a clearer mind. That would apply here.

My husband always says, nothing good happens after midnight. He would be spot on when it came to this bill.

Could you take some time and gather the appropriate input from the appropriate people in law enforcement to really make a difference and be a model?

Because right now, not a lot of people respect how this was done and what was done.

Even if I don’t like the outcome of something, if it were done properly and fairly, I would accept it.

Lastly, I grew up in Boston during busing. I attended school with African Americans, who are still my friends today.

I have seen firsthand the issues African Americans have faced and believe some change absolutely needs to happen.

But, ask yourself, did you go too fast and miss something on behalf of the very people you are trying to help.

And, why can’t you involve law enforcement leaders in the process? Why the blindsiding bill?

You may have the right intent, but you certainly did not go about it in a fair and due process way.

Slow down. Take a step back.

Involve the leaders in law enforcement in this process now. That would be the right thing to do.

Not after the fact when a bill like this will only create more bureaucracy than anything else.

Do you really have any idea what the life of a police officer really involves?

If the answer is no, then speak to the very people that made it to the top of law enforcement to make sure this bill truly does help people of color.

Thank you.

MaryAnn Levasseur

Roland Levasseur

6 leslie Road

Rowley, MA 01969’

mlevasseur@profileresearch.net

978-948-2273

From: Deborah Clark <deborah.clark@alpiusa.com>
Sent: Thursday, July 16, 2020 10:02 PM
To: Boncore, Joseph (SEN); DeLeo, Robert - Rep. (HOU)
Cc: Testimony HWM Judiciary (HOU)
Subject: S 2820

Dear Representative DeLeo and Senator Boncore,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Deborah Clark

42 Waveway Ave

Winthrop, MA 02152

From: Anne Erde <anne.erde@gmail.com>
Sent: Thursday, July 16, 2020 10:02 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

Dear Chair Michlewitz and Chair Cronin,
I am writing in support of the Reform, Build and Shift Act, S.2800,I know this is a complicated bill that will provide needed reform of the Police Department and its officers. I am especially concerned that qualified immunity is ended. Police have not made our communities safe; people are afraid of the police because there are few consequences for their actions against citizens.They must not be given protection when they inflict undue pain and damage on citizens. Please make sure qualified immunity is removed from our Commonwealth.
Thank you,
Anne Erde
Jamaica Plain
From: rebecca cali <becca5262@yahoo.com>
Sent: Thursday, July 16, 2020 10:02 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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Thank you,

Rebecca Cali
313 Lancaster St.
Leominster Ma. 01453
becca5262@yahoo.com

From: Jessica MacDonald <jessmac45@icloud.com>
Sent: Thursday, July 16, 2020 10:01 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

?

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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Thank you,

Jessica MacDonald/14 Lyman Ave.Hudson,MA 01749

Sent from my iPhone
From: Debbie Menz <mamaggott@verizon.net>
Sent: Thursday, July 16, 2020 10:01 PM
To: Testimony HWM Judiciary (HOU)
Subject: OPPOSE Bill S2820

TO: Chairman Aaron Michlewitz
Chairwoman Claire Cronin

RE: Bill S2820

My name is Debra Menz and I live at 64 Simpson Street, Stoughton, MA. I am a Spouse to a LEO and I write to you today to express my staunch opposition to Bill S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong. It is disturbing the amount of disrespect our LEOs have to endure just to do the job they love to Serve & Protect their communities. Let our Law Enforcement Officers do their job without the fear of being sued trying to do their job.

Respectfully
Debra Menz

From: tom fleming <tpflem@yahoo.com>
Sent: Thursday, July 16, 2020 10:01 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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Thank you,

Thomas Fleming

165 Worcester Lane <x-apple-data-detectors://2/1>

Waltham, MA 02451 <x-apple-data-detectors://2/1>

Tpflem@yahoo.com

Sent from my iPhone
From: J Slattery <slattery1212@gmail.com>
Sent: Thursday, July 16, 2020 10:01 PM

To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Legislation

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

John Slattery

16 Gilfeather Lane

Kingston, MA 02364

slattery1212@gmail.com

From: Robert Benoit <MSPTrooper1348@msn.com>
Sent: Thursday, July 16, 2020 10:01 PM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified Annuity

Please be advised I am writing to speak for the Qualified Annuity aspect of the present Bill before the House/Senate. I have been a local police Officer

for 3 years in the Town of Spencer and a Mass. State Trooper for 34 years. I will keep it short and simple. The wheels are coming off in the

country with the attack on our police. Do not add to the problem. Keep 'Qualified Immunity in the Bill. Cops, their wives and husbands and in

most cases their children vote too. How many in the Committee have been all alone at night, on patrol in a rural area with no backup available?

I Worked in the Athol Barracks for 9 years and the Brookfield Barracks for 25 years. When you are ALONE you do what works.

Submitted,

Tpr. RE Benoit (Ret.)

Oakham, MA.

From: Casey Fanning <caseyfanning1@gmail.com>
Sent: Thursday, July 16, 2020 10:00 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to Bill S.2820

To Whom This May Concern,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage.

Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, firefighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you’re going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Casey Fanning

10 Thurston Street, East Boston, MA

(617)-913-7397

From: James Dalton <jamesdalton15@aol.com>
Sent: Thursday, July 16, 2020 9:56 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2.800

To whom it may concern. I am in full opposition of bill S2.800. I firmly believe that taking away qualified immunity will cause consequences that will affect the future of policing. There will be a mass exodus of officers that risk their lives on a daily basis for the same people that wish they didn't exist. It is important to keep this immunity in for officers to be able to complete their jobs without walking on eggshells or losing their lives because they do not want their families to be affected or their house to be lost due to the personal lawsuits that will come after them. To go along with that, officers addresses should not be public record especially in a time where people are following officers home in harassment and even attempts to take their lives. In conclusion, my community takes pride in their police and backs them 100%. We would like the people that represent us to show their representation by backing the police as well.

From: William Theodore <wtheodore3992@gmail.com>
Sent: Thursday, July 16, 2020 9:59 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

My name is Will Theodore and I live at 18 Charles Drive in Canton . As your constituent, I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in the proposed reforms. While there is always room for improvement in policing, the proposed legislation

has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you’re going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you for your consideration. I stand with our police officers, who have the single most difficult job in the country, every single day. There are thousands of people just like me who don't protest, picket or post on social media. We talk with our votes and with the current climate, our silence should not be overlooked as absence.

Sincerely,

Will Theodore
--

This message was sent from my iPhone, please excuse any spelling errors.
From: sciarratta42@gmail.com
Sent: Thursday, July 16, 2020 9:59 PM
To: Testimony HWM Judiciary (HOU)

? July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Edward Sciarratta and I live at 129 Spring St.Medford, Ma. I work at Suffolk County Sheriffs dept. and I am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

?????????????????? ????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

???????? ???????? ??????????? ??????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

???????????????? ?????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need

to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Edward Sciarratta

Sent from my iPhone

From: Robert Benoit <msptrooper1348@msn.com>
Sent: Thursday, July 16, 2020 9:58 PM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified Annuity

Please be advised I am writing to speak for the Qualified Annuity aspect of the present Bill before the House/Senate. I have been a local police Officer

for 3 years in the Town of Spencer and a Mass. State Trooper for 34 years. I will keep it short and simple. The wheels are coming off in the

country with the attack on our police. Do not add to the problem. Keep 'Qualified Immunity" in the Bill. Cops, their wives and husbands and in

most cases their children vote too. How many in the Committee have been all alone at night, on patrol in a rural area with no backup available?

I Worked in the Athol Barracks for 9 years and the Brookfield Barracks for 25 years. When you are ALONE you do what works.

Submitted,

Tpr. RE Benoit (Ret.)

Oakham, MA.

Tpr RE Benoit et.)

From: Brandon O'Connor <brandonpoconnor@gmail.com>
Sent: Thursday, July 16, 2020 9:56 PM
To: Testimony HWM Judiciary (HOU)

Subject: Police Reform/Defunding

1. The removal of Qualified Immunity for every public servant, Officer, Fire Fighter, Teacher, judge is a bad idea and would cause more problems than solutions

2. The time and Money spent on frivolous lawsuits/claims will become a bigger problem

3. Mass exodus of Police Officers; retire early, finding new job and no new Officers to replace them

4. Any new Officers hired will be substandard because anyone with any common sense will not be on the streets knowing every action taken could be a new law suit and it engages their families income.

5. Defunding will reduce resources and education.
6. A mandate of defunding is a waste time and $$.
7. Want better officers then put time and funding into real training not presentations on Power Point
8. Offer classes and workshops that have scenarios that will teach critical thinking, put officers in real life situations with stress, teach officers how to respond to critical situations with verbal and physical action
9. The fact is that the majority of cops believe in the bulk of the changes suggested. They want to see change as well. But don't make doing their job nearly impossible by not protecting them

From: Corinne Wingard <corinnemarie@comcast.net>
Sent: Thursday, July 16, 2020 9:56 PM
To: Testimony HWM Judiciary (HOU)
Subject: Policing Bill

To: Massachusetts House of Representatives,

I am writing to ask you to preserve and build on the policing bill passed by the Senate. I do support the police and believe that almost all police officers are good. But not all - not by any means which is why it is so important to support and build on the bill passed in the Senate, and ask you to go even further to end quaffed immunity.

Beside the recent U.S. Department of Justice report on the Springfield Police, I remembered what happened in June 2016 in my town of Agawam in Western Mass, when three Agawam Police officers were fired. I googled it and watched the video of what happened again - three police in a cell with the prisoner, and one of them beating him mercilessly with a baton. It is appalling. Two of the police officers were reinstated, but the one wielding the baton was not. At the time I read I think it was the civil service review which was totally damning of him. So egregious acts happen everywhere, and they have to stop, and this is what it’s going to take to stop them in Massachusetts.

I know there’s a lot of disagreement about this, but it is hugely important for the well being of all in the Commonwealth for you to act for the protection of all..

Thank you,

Corinne M. Wingard,
194 Elm St, Agawam, MA., 01001
tel: 413-786-9467

From: Sierra Devisscher <s_devisscher@yahoo.com>
Sent: Thursday, July 16, 2020 9:55 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please Help

Dear Chair Michlewitz and Chair Cronin,

My name is Sierra DeVisscher and I live at 29 Malta Street in Seekonk. I work at MCI-Norfolk and am a dedicated Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820.

This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to aquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth.

I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also as that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,

Sierra C. DeVisscher

Sent from Yahoo Mail for iPhone
<https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=GiNjYoWV840xwAL2-daYLtdMOq0NgyAi_AE4xTvPr6Q&s=QiOZeMGOIG1p173hRZuQ5yUJ3sP7jMBdPf8MHyFKCk0&e=>

From: Justin Zink <jzink7384@gmail.com>
Sent: Thursday, July 16, 2020 9:55 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony

Good evening,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.
I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:
(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.
(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.
In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.
Thank you,

Justin Zink, 34 Lowell Rd, Pepperell, MA 01463

Jzink7384@gmail.com

From: hamster hamham <samtuna2@gmail.com>
Sent: Thursday, July 16, 2020 9:55 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S.2800

To whom it may concern,

My name is Samantha Antunez and I live at 7 Mathaurs St, Milton, MA. 02186. I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am submitting this letter as my written testimony. As your constituent, I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote against Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular,

stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.

The proposed changes to QI will have a serious impact on critical public safety issues.

Unintended and unnecessary changes to QI will hamstring police offices in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent.

The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

The Governor and supports of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then

officers and the public will know the standards that apply to police officers and conduct that is unaccepted and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in labor relations – whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Samantha Antunez

7 Mathaurs St

Milton, MA. 02186

From: Lisa Dacko <lisadacko@yahoo.com>
Sent: Thursday, July 16, 2020 9:55 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill s2820

Dear Chair Michlewitz and Chair Cronin,

My name is Lisa Dacko and I live at 79 Phillips Lane in Wrentham. I am the sister of a Corrections Officer currently on the IPS team at MCI-Norfolk. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional

rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to aquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.
I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also as that you think about the correction officer alone in a cell block, maybe your son or daughter even, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,
Lisa Tibbetts Dacko

Sent from my iPhone
From: debtuna2@gmail.com
Sent: Thursday, July 16, 2020 9:55 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S.2800

TinWhom it May Concern,

My name is Debra Antunez and I live at 7 Mathaurs St, Milton, MA. 02186 <x-apple-data-detectors://0> . I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am submitting this letter as my written testimony. As your constituent, I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote against Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human

services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.

The proposed changes to QI will have a serious impact on critical public safety issues.

Unintended and unnecessary changes to QI will hamstring police offices in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent.

The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

The Governor and supports of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and

policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unaccepted and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in labor relations – whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Debra Antunez

7 Mathaurs St <x-apple-data-detectors://3>

Milton, MA. 02186 <x-apple-data-detectors://4>

Sent from my iPhone
From: Kelly Baker <k_l_baker@msn.com>
Sent: Thursday, July 16, 2020 9:54 PM
To: Testimony HWM Judiciary (HOU)
Cc: kelly baker
Subject: Amendments 114,116,126,134,129, and137 to the Senate Bill S2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law

enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due t the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools ,organized retail theft and terrorists.

2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections ,it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model o be use. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

Sincerely,

Kelly Baker

Resident

65 Reedsdale Road

Milton, MA 02186

617-296-4190

From: rafael antunez <antunez.rtuna2@gmail.com>
Sent: Thursday, July 16, 2020 9:53 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S.2800

To whom it may concern,

My name is Rafael Antunez and I live at 7 Mathaurs St, Milton, MA. 02186. I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am submitting this letter as my written testimony. As your constituent, I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote against Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.

The proposed changes to QI will have a serious impact on critical public safety issues.

Unintended and unnecessary changes to QI will hamstring police offices in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent.

The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

The Governor and supports of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unaccepted and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in labor relations – whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner’s decisions or the new Committee’s decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Rafael Antunez

7 Mathaurs St

Milton, MA. 02186

From: Jerry Devine <jdevine@devinetechpartners.com>
Sent: Thursday, July 16, 2020 9:53 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due t the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools ,organized retail theft and terrorists.

2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections ,it was sent to the floor with no hearing and

less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model o be use. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

Sincerely,

Thank you,

Jerry Devine, RCDD
Devine Technology

O: (781) 812-3857
C: (617) 778-8097

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From: LINDA WEST <linwes@comcast.net>
Sent: Thursday, July 16, 2020 9:53 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Hello,
My name is Linda West. I live at 36 Diana Drive in Weymouth, MA. I write to you today with regards to S.2820.This is a bill that has the attention of many in our Commonwealth.Most particularly, it has the attention of Police/Law Enforcement officers, those that love them and those that support them.

I write to you as the wife of an active Weymouth Police Officer and the mother of his three children. Like all police wives, I watch my husband leave and hope and pray that he comes home safely every day.My last words to him every time he leaves are “be careful”. The last words our children say to their dad when he leaves are “be safe”.In our world this is “normal” but not everyone lives in the same world we do. Not all wives need to say "be careful" and not all kids have to say "be safe" when their loved one leaves for work.

I also write to you as a member of a larger family - the Blue Family.This week, Wednesday July 15 to be specific, my Blue Family and I remembered one of our own, Sergeant Michael Chesna. On July 15, 2018 this husband, father, son, brother and uncle who just also happened to be a Police Officer was murdered.I will never forget where I was when my husband got the initial call about Mike. My husband ran out the door of our house. He said two words as he left, "Officer down!" I will never forget where I was when I learned that news that Mike had died.I will never forget attending Mike’s wake and funeral with my husband, my children, my Blue Family and the Chesna Family.Sitting in St. Mary of the Sacred Heart Church in Hanover with my fellow police wives is something none of us will never forget.A police wake and funeral are things NONE of us ever want to attend again.

As I noted above, S.2820 has caught our attention.There are pieces of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform. Like many, I support enhanced training and appropriate certification standards that apply to individual officers.I also support accreditation of police departments. Certification and accreditation both serve as a commitment to excellence in training and promote each individual's and department's maintenance of the highest professional standards.Certification and accreditation also serve to enhance public confidence.Public confidence, and I might offer respect, is critical to police officers being able to do their job on a daily basis.I also support the ban of the use of excessive force by police officers as well as the proposal that every individual officer has the duty to intervene if they witness excessive force.These parts of S.2820 all make sense when we focus on the idea that this bill is about constructive police/law enforcement reform.

S.2820 has also caught our attention because there are pieces of it that do not allow for the fair and unbiased treatment of Police Officers. Most importantly, the removal of Qualified Immunity for Police Officers is unfair and potentially dangerous.Qualified Immunity, as I understand it, does not excuse criminal conduct.It is, instead, a legal protection offered to all public employees and serves as a protection against losing one's home or life savings in a civil suit.As many people know, Police Officers need to make in the moment decisions every day when they put on their uniform.If they don't make those decisions quickly enough they face the very real chance of death or injury.Police Officers CANNOT do the job they were hired to do safely and effectively if they are worried about liability.They CANNOT do the job they were hired to do safely and effectively if they are worried about losing the home their family lives in.They CANNOT do the job they were hired to do safely and effectively if they are worried about how they will support their loved ones.Is there a chance that Sergeant Michael Chesna chose not to use his weapon on the morning of July 15, 2018 because he was worried that such use would have been viewed as use of excessive force?Was he worried that if he used his weapon he could potentially lose his family's home?The answers to those questions we will never know.It does seem reasonable to assume, however, that had Sergeant Michael Chesna chosen to use his weapon to shoot Emanuel Lopes he would still be here today.He would still be here with his family who miss him every single day.Police Officers need to be able to make quick decisions and act in good faith without fearing that each and every decision they make could lead to a lawsuit against them.Police Officers who are forced to stop, pause and think about potential liability before they act are Police officers whose lives are at risk. The removal of Qualified Immunity should NOT be part of the final police/law enforcement reform package.

As I stated, there are parts of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform.The bill as it currently stands before you is NOT acceptable as a total package. If Legislation such as that tied to S.2820 is to be effective, appropriate and just for all citizens of our Commonwealth it takes time along with careful thought and consideration. Reactive and

rash decision making do not serve the citizens of our Commonwealth. The early acts in the Senate to rush a vote on this bill and to not study pieces like Qualified Immunity further have been extremely disheartening. I appreciated those Senators who called for more time and for a closer look at the bill in order to produce a product that was fair and just for all citizens of our Commonwealth.I also appreciate the willingness of the House to hear from the citizens of the Commonwealth.Legislation such as S.2820 impacts all citizens so all of those citizens should be allowed to share their thoughts.

In closing, I urge you to take the time that is necessary to make the best decision for ALL citizens of our Commonwealth. We have some of the most well trained Police/Law Enforcement Officers in the country.They need to be able to do the job they were trained to do in a safe and effective way.I urge you to correct S.2820 so as to treat the men and women in Law Enforcement with the respect and dignity they deserve.

Sincerely,
Linda L. West
36 Diana Drive
Weymouth, MA 02190
781-340-5663

From: Christine Kuczewski <craftycricket78@aol.com>
Sent: Thursday, July 16, 2020 9:53 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Senator Pacheco,

My name is Christine Kuczewski and I live at 23 Burt St., Berkley, MA. As your constituent, and a LEO wife, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act

reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Christine Kuczewski

From: Leina Xu <leineux14152@gmail.com>
Sent: Thursday, July 16, 2020 9:52 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support for the Reform, Shift + Build Act

Hello,

I wanted to write to express my support for the Reform, Shift+Build Act (S.2800).

I believe the goals for this bill are fundamental in achieving a less racist society. I believe that Boston has a responsibility as a "liberal" city to lead the charge and progressing towards a less violently policed society. I believe passing this bill is an indication that government truly can hear and take action on what citizens are demanding.

At the end of the day, Black and Brown communities are not asking for popular syrup brands to change their mascots, or to paint "Black lives matter" on every avenue. While these are welcome public displays towards a more sensitive and conscientious population towards the plight of marginalized communities, what people are truly asking for NOW is to hold police officers accountable and to defund the police and reinvest in communities. This bill may achieve this concrete step towards progress.

Thank you for your time,
Heather Xu
From: Kylie <kylie.willhoite@comcast.net>
Sent: Thursday, July 16, 2020 9:52 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Kylie Willhoite and I live at 66 Birchwood Street, West Roxbury, MA 02132. I work at Suffolk County Sheriff's Department and am a Sergeant. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

???????????????? ????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

???????? ???????? ??????????? ??????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

???????????????? ?????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Sergeant Kylie Willhoite

Sent from my iPhone
From: Diane Colgan <dpcolgan@comcast.net>
Sent: Thursday, July 16, 2020 9:52 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPhone
From: Kayli Adams <kadams_14@aol.com>
Sent: Thursday, July 16, 2020 9:51 PM
To: Testimony HWM Judiciary (HOU)

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.
I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This

bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:
(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.
(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.
(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.
In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.
Thank you,
Kayli Adams / 31 Sherburne Ave / kadams_14@aol.com
From: richie brancaleone <brancaleone22@hotmail.com>
Sent: Thursday, July 16, 2020 9:51 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Richard Brancaleone I live at 455 Mill St, Mansfield MA. I work at MCI Norfolk and I am a Corrections Officer . As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

?????????????????? ????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

???????? ???????? ??????????? ??????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

???????????????? ?????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Richard Brancaleone
From: Kimberlee Frasso <kim.frasso@gmail.com>
Sent: Thursday, July 16, 2020 9:51 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This

bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Kimberlee casey

25 Maryland Ave winthrop ma 02152

Kim.frasso@gmail.com

Sent from my iPhone

From: christine defelice <yeep107@hotmail.com>
Sent: Thursday, July 16, 2020 9:51 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S2820

Dear RepresentativeS Michlewitz and Cronin:

I stand against S2820 as presented. This bill is against qualified immunity and due process.

Qualified immunity protects good officer that act in good faith. Modifying qualified immunity would be inessential if there were invariable standards and banning of unlawful use of force methods.

Thank you for your time and consideration.

Respectfully,
Christine B. DeFelice
666 Humphrey Street <x-apple-data-detectors://0/1>
Swampscott, Ma 01907 <x-apple-data-detectors://0/1>
(978) 979-7767

From: Quang Pham <quang23pham@yahoo.com>
Sent: Thursday, July 16, 2020 9:49 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Quang Pham and I live at 90 Florida Street, Boston, MA. I work at Suffolk County Sheriff's Department and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

???????????????? ????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

???????? ???????? ??????????? ??????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

??????????????? ?????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Quang Pham

Sent from Yahoo Mail for iPhone
<https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=zEuGdvjaTmw_Itr4kcfYVzODlh-PZCwP78TTbTYgadg&s=L8r9CA1GL3OW9BDvWpfNl_yJZK7X11i7_6LHaAPOd1s&e=>

From: annie cannon <afc64@hotmail.com>
Sent: Thursday, July 16, 2020 9:49 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

I do not wish for this bill to pass

Sent from my iPhone
From: Jeff Whitman <jeffwbfd@comcast.net>
Sent: Thursday, July 16, 2020 9:49 PM
To: Testimony HWM Judiciary (HOU)

Do NOT approve this bill 2820.

Sent from my iPad
From: Leah Letourneau <leah.letourneau@gmail.com>

Sent: Thursday, July 16, 2020 9:52 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Package S.2820

Dear Judiciary Committee,

I am asking as a resident of Massachusetts that you DO NOT pass the police reform package S.2820 especially in regards to the section of qualified immunity.

A few questions each representative voting should be able to answer:
- Do the senators know how many of the "8 can't wait" campaign we already had in Massachusetts at the time of George Floyd's murder? (6 of the 8 is the answer with our police being trained at the academy that chokeholds are "not allowed" vs "banned". Banning them is great but a matter of semantics rather than a policy change. Please do not let the public believe they have needed to be in fear of this happening to them. They did not.)
- Do the senators know the data on police brutality for their own districts? What are the total number of calls vs. those that required any use of force? What are the demographics of that use of force? What type of force was used and why?
- Have they spoken with their chiefs about their current policies? Attended a citizens academy? Gone on a ride-along? Participated in a use of force simulation?

For example, in Northampton, MA where my fiance works the stats are all publicly posted. In 2019, they had 40,040 calls. Of those calls, only 84 resulted in any kind of use of force and none were deadly. That means that only 0.002% of calls resulted in any form of force. Of those 84 calls that resulted in some kind of use of force, 15 people were black, 8 were Hispanic, 1 was Middle Eastern, and 1 was Asian. That means that even when combined, only 0.0006% of calls resulted in any kind of use of force against a person of color and absolutely none were deadly or even close to it. That is not a police brutality issue. That is a public relations problem as thousands of compassionate, well-trained officers around the Commonwealth are being held accountable for actions that happened in another state with completely different laws, training, and governance around policing. Taking away qualified immunity will damage the future of policing and the public sector indefinitely. I urge you to think carefully before taking such a drastic measure. There is good reason why this law was upheld in the Supreme Court.

Social media without context cannot be what drives policy and this should not be a partisan issue. It should also not be something that is pushed through and rushed without proper time and communication around public comment. Please act responsibly on behalf of the citizens of this Commonwealth and vote down this bill.

Sincerely,

Leah Letourneau
Westfield, MA

From: Emily Humphreys <ehumphre@oberlin.edu>
Sent: Thursday, July 16, 2020 9:48 PM
To: Testimony HWM Judiciary (HOU)
Subject: Comments on S2820

Dear House members,

I am writing in support of bill S2820. It is time we stop ignoring the persistent disparities in justice that have endangered and often ended the lives of Black Americans.

The Police Officer Standards and Accreditation Committee Is imperative for ensuring those with the most power in our society have the training, tools, and systems of accountability necessary to wield their power responsibly.

I know some have argued that eding qualified immunity may cause police officers to have second thoughts before taking action. To this I say, I would much rather have a police officer thinking twice before taking someone's life than not thinking at all.

Thank you for your public service,

Emily Humphreys
781-354-5569

From: Timothy Glynn (TPD) <tglynn@topsfieldpolice.com>
Sent: Thursday, July 16, 2020 9:48 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S2820 written testimony

A Letter regarding Bill S2820

I, Timothy Glynn, as a member of The Topsfield Police Department, am writing to express that I am opposed to Massachusetts Senate Bill (S2820). If passed, this bill would prohibit officers from effectively executing their duty each day.
The main areas of concern, among others, are the following:

Due Process: Under the law, Police officers deserve the same due process that are given to citizens and have been in place for years. All law enforcement employees deserve the right to an appeal, the same right given to other public servants.

Qualified Immunity: Contrary to what most think, qualified immunity does not protect bad police officers. What it does is keep officers, acting in good faith while making split second decisions, out of frivolous lawsuits that not only waste time, but millions of tax - payer dollars. All

officers are bound to policy and procedures within their department and are subject to internal investigations.

Police Officer Standards Accreditation Committee: People have the right to be judged by their peers. It is difficult for any person to judge situations which they are not familiar with, or have never been involved in. In order to properly review Police conduct one must understand the role of being a police officer. Being tasked with regulating police action, including termination should be done by those who have an intimate knowledge of the profession.

At this time Massachusetts Police Officers are among the most trained Police Officers in the country. There have been no acts toward the public by any law enforcement officials that warrant such sweeping legislation. I urge you to reconsider the parameters of S2820. Please provide the men and women of Massachusetts law enforcement with the respect they deserve.
Respectfully,

Timothy Glynn
495 Locust St.
Danvers, MA 01923
978.979.6225

Sent from my Verizon, Samsung Galaxy smartphone

NOTICE: This message and any attachments are solely for the intended recipient and may contain confidential or privileged information. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this message and any attachments is prohibited. If you have received this communication in error, please notify us by reply email and immediately and permanently delete this message and any attachments. Email transmission may not be secure and could contain errors. We accept no liability for any damage caused by any virus transmitted by this email. Please do not send to us by email any information containing personally identifiable information without appropriate encryption. Thank you. Please note the Massachusetts Secretary of State's office has determined that most emails to and from municipal offices and officials are public records. For more information please refer to: http://www.sec.state.ma.us/pre/preidx.htm. Please consider the environment before printing this email.
From: Pat Byrne <pebyrne9@gmail.com>
Sent: Thursday, July 16, 2020 9:48 PM
To: Testimony HWM Judiciary (HOU); Biele, David - Rep. (HOU)
Cc: Pat Byrne
Subject: Written Testimony - Senate Bill 2800

Dear Representative Biel and Members of the House Ways & Means Committee,

My name is Patrick Byrne and I live at 156 E St, So. Boston and have for over 35 years. I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am

submitting this letter as my written testimony. As your constituent, I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote against Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.

The proposed changes to QI will have a serious impact on critical public safety issues. Unintended and unnecessary changes to QI will hamstring police officers in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent. The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The Governor and supports of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support. All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unaccepted and unprotected by QI. This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in labor relations – whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses. We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Patrick Byrne

617-892-2961

From: Nick D <abmoog552@gmail.com>
Sent: Thursday, July 16, 2020 9:48 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Nicholas Dumont and I live at 126 Bayberry Circle, Winchendon, MA 01475. I work at Massachusetts Dept. of Corrections for Outer Perimeter Patrol, Special Operations Division and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed

but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

?????????????????? ????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

???????? ???????? ??????????? ??????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

???????????????? ?????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Nicholas Dumont
From: Heather Xu <xu.hea@northeastern.edu>
Sent: Thursday, July 16, 2020 9:46 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support for the Reform, Shift + Build Act (S.2800)

Hello,
I wanted to write to express my support for the Reform, Shift+Build Act (S.2800).

I believe it has become apparent that the criminal justice system in America, especially the law enforcement department, has shown to abuse its power against the very people it has promised to serve and protect. The fact that this bill has been outlined is evidence of this.

While police officers are obviously human, they should be held to at least the same standard that a citizen would have to meet in terms of behavior around others. I believe that officers should be held accountable for their actions, i believe they should be trained in deescalation, i believe they should be trained to use non-violent methodology to engage with citizens.

More importantly, and what i think most Black and Brown people are asking for, is to reinvest police budgets in communities. The law enforcement budget in Boston is massively bloated, and this money can, and should, be used to eradicate root causes for systemic racism and inequality, rather than punishing people for conditions they were placed in.

If Boston, which is considered to be a very progressive city, can achieve these BASIC goals, it can be a true model for how society should progress against systemic racism. I believe at this point it is widely known that Boston is one of the most segregated and most gentrified cities in America. We need to start talking about this, and be better.

Thank you for your time,
Heather Xu

From: tom bowes <tbowesfire@hotmail.com>
Sent: Thursday, July 16, 2020 9:46 PM
To: Testimony HWM Judiciary (HOU)
Subject: SB2820

House Ways and Means Committee,

I write in regards to SB 2820.

I was disappointed by the bill that was passed and the lack of transparency and legislative due process that the bill was given. The Senate used a disgraceful, unacceptable incident from 1,000 miles away in Minnesota to try and paint the same picture of police officers and municipal employees here in Massachusetts, which is the farthest thing from the truth. Here in Massachusetts we are fortunate to have professional police departments that have some of the best officers in the state. As a firefighter of 20 years here in Quincy, I can say that after working side by side with many of them at incidents over the course of my career. This bill is an attack on collective bargaining rights on men and women who took an oath to go out and protect the public. This bill was an attack on the legislative due process. We just watched a major reform bill pass in 7 days that attacks benefits that were negotiated and fought for for years after lengthy back and forth and discussion. This bill which negatively impacts the lives of police officers and public employees throughout the State was passed in 7 days, yet the legislature can't pass an infectious disease bill for first responders during the height of a pandemic?

My other concern with this bill is the changes in the Qualified Immunity. As a firefighter I took an oath to protect life and property, no matter what color that life is, with the assumption that someone always had my

back and my families back if something were to happen. It is my understanding that changes to Qaulified Immunity in this bill will limit the amount of protection that police officers, firefighters, teachers, social workers, nurses, etc. have as we are out there on the front lines. When the bill rings, we respond. Most of the time we respond to the unknown. Unfortunately many times we run into a person who may be down on their luck and suffering from substance abuse issues and not be in the right frame of mind. I have seen first hand instances of drug addicts attempting to attack myself and fellow firefighters and police officers with a syringe or weapon. So based on this new language, should we not defend ourselves anymore for fear of being sued? Do we just stand there and get stabbed with a dirty syringe and take the chance of a life threatening wound or disease so we don't get sued and lose our house? Most times we have our Brothers in blue there to help protect us from violence at calls. Are they going to be hesitant to help us now that they may no longer have protections they are accustomed to? If something goes sideways at an incident do we no have to worry about being sued? We work in dangerous lines of work, lines of work where we need a clear head to make decisions because lives may hang in the balance. The last thing we should be worried about is second guessing what are often split second, life saving decisions for fear of being sued and losing everything we have worked for our whole lives.

This bill needs a major overhaul. It is my hope that the House of Representatives can clean up this bill and the attacks that were made on employees collective bargaining rights and benefits. It is also my hope that any language related to Qualified Immunity be removed so public employees can't be sued for doing their jobs.

Public Employees deserve better.

Thank you for your time on this matter.

Tom Bowes
Quincy Firefighter
617-839-4999

From: Riley Korhonen <riley.korhonen@gmail.com>
Sent: Thursday, July 16, 2020 9:46 PM
To: Testimony HWM Judiciary (HOU)
Subject: expungement expansion in racial justice bill

Good evening,

I am a student from Massachusetts, writing to ask that you include expungement in the racial justice bill that you are set to review.

In Massachusetts, African American youth are three times more likely to be arrested than their whire peers, and six times more likely to do jail time resulting in a permanent criminal record.

Currently only 18% of applicants are actually approved for expungement- let's increase this number and give all of our youth the second chance that they deserve.

Thank you,

Riley Korhonen

From: jacob werbicki <jacobwerbicki@gmail.com>
Sent: Thursday, July 16, 2020 9:45 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill D.2820

Good evening.

I am a police officer in Springfield, I have been a full time officer for 5 years now, I also was a part-time officer in West Springfield for 4 years. In my 9 years of policing I have never had to second guess judgement calls I have had to make, out of fear of being sued in civil court. However removing qualified immunity would cause that, since anyone would be able to make frivolous law suits against me for doing my job in good faith, which is what qualified immunity prevents from happening. It does not protect police officers that intentionally violate a person's rights and never has. In Springfield proactive policing has gotten 70 guns off the street this year alone. Proactive policing would be a lot less under a system without qualified immunity. Also you will see mass exodus of people leaving the job, for retirements or just plain quitting as the risk is too great I'm being sued and losing everything you own. We already have a hard time hiring quality people now, if this bill goes through as is we will never be able to hire anyone of quality, and the staffing shortage will affect at risk neighborhoods. I plead with the house to leave qualified immunity alone as it protects officers like me who go to work everyday to do work and make the streets safer.

I have no issue with being licensed, we are one of a few states that don't require it. However I have an issue with how that license can be revoked or judged on. Lawyers over see lawyers, doctors oversee doctors etc.... Why do Police not get that same right. I would never ask to sit on a hearing to revoke a lawyers license as I have no clue what rules a lawyer must follow nor how in-depth the job duties actually are. I sure do not want someone judging me that has never done police work, gone through the training, or understand the job and what it entails. That should be included in this bill, that police officers are on the panel over seeing anything to do with licensing.

Thank you for your time and again I respectfully ask you leave qualified immunity alone, and place police officers on the boards that oversee licensing of police officers.

Respectfully

Jacob Werbicki

From: Sonya Ross <sonya0919@gmail.com>
Sent: Thursday, July 16, 2020 9:44 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 5128

My name is Sonya Ross, I am a resident of Methuen. I am writing to you to ask you to vote no for House Bill 5128 regarding police reform the way that it is written. I have read the bill in its entirety and truly believe that if this passes the way it is written, we are putting the safety of our police officers at serious risk.
Quite honestly I am infuriated that the bill has gone as far as it has. It would be irresponsible to pass it as is.
I agree that some police reform may be needed. However, allowing officers to be sued, will force them to second guess their every move, which in turn will ultimately end up causing serious injury or worse to an officer or a victim or both. It will tie up court rooms with unnecessary cases that could be being used to convict actual criminals.
Allowing the general public to intervene as they see fit should they witness an arrest or altercation? This will undoubtedly again put officers at risk for serious injury or death. Imagine an officer trying to arrest a gang member for example only to be tag teamed by the rest of the gang, who can turn around and say "the officer was using force" this is completely irresponsible! If you really think about it you will see how ludicrous this would be. Think about all of the possible ramifications from something like this!
Not allowing an officer to use force on a suspect who has had interaction with police in the last 24 hours? Quite honestly as I was reading this bill I was convinced it was not real, why would anyone think this was a good idea? So John Smith has an altercation for lets say disturbing the peace on Friday night, I don't know maybe he had too much to drink and decides to cause a scene. Then Saturday night he is at it again only this time he is getting violent with a woman, again under the influence, is the police officer supposed to get his name, then run his name to determine if he has had contact with law enforcement in the last 24 hours before stepping in to help the victim? I mean really, in what universe would this be ok?
So many pieces of this bill are irresponsible and will put our officers in harms way, officers will be second guessing their every move rather than protecting themselves and the public. These are the very men and women who put their lives on the line every single day to protect us! If this bill passes we will have failed them miserably.
I have quietly sat and watched all of the violence and the destruction that has been going on, I am disgusted, horrified and infuriated that no one seems to care, nothing is being done, instead we keep giving into ridiculous demands, meanwhile putting our law enforcement officers in even more danger. We are taking money out of police budgets when if there was ever a time to increase their budgets it would be now. I can not watch public officials support the alienation of law officers any longer. We are allowing them to be portrayed as the enemy. This is wrong in so many ways. We have made all law enforcement officers the sacrificial lamb because one officer in another state made the wrong choice. Really think

about that. We are now allowing our officers to be disrespected, threatened and injured and we are doing NOTHING about it. The city of Boston has stripped needed funds from the police department in a time that we need more police. Who is going to protect the law-abiding innocent citizens? Now that budgets are cut crime will go up, it has already started. Put your emotions aside and use common sense to really think about what we are doing. Please don't pass this bill as is.
I can no longer support my elected officials if we continue to go down this road that we are on. I can no longer watch elected officials give in to the bullying by a few. The opportunists have a dangerous agenda and we are playing right into their hands. I can no longer watch society cave and give into this ludicrous idea that we don't need police. We need the police now more than ever. I can no longer sit and watch elected officials tie the hands of the law officers making it impossible for them to do their job effectively. Someone needs to stand up for these men and women. Please stand up for these men and women!
Please go through this bill line by line and really think about everything that is in and the ramifications most of these things will have.
In closing, I am asking again for you to please vote NO on this bill the way that it is written. I am asking you to support our law enforcement officers. Please do the right thing, the responsible thing and vote NO. This Bill is not what Massachusetts needs.
Thank your for your time and attention to this matter
Sonya Ross
From: OLGA WALKER <walkerslovecotons@yahoo.com>
Sent: Thursday, July 16, 2020 9:43 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,
From: lindsay galante <lgalante92@yahoo.com>
Sent: Thursday, July 16, 2020 9:43 PM
To: Testimony HWM Judiciary (HOU)
Subject: Against the police reform bill

The bill that was passed at a sketchy 4am is something one should be ashamed to support. Growing up as a cop's daughter and from a family of cops , this bill is dangerous for the officers themselves, their families and the communities in which they live! This bill will not help or benefit anyone except those looking to break the law. We accept the idea of change that will keep everyone safe but this is not the type of change we are looking for. With the idea of allowing cops to be sued will have many people taking advantage of this and using every little thing against the officers. This can lead to officers not wanting to do anything anymore because they will having this feeling of walking on egg shells in every situation they respond to. Officers put their uniform everyday and go to work proud to help those around them. There is bad in every occupation but that should not define those who live their life in jeopardy to protect those in need. What is the point of sending officers to the police academy for 6 months to just turn around and have them accredited every so often. Also it impacts more than officers, it affects the safety of teachers and students and the idea of removing resource officers for a school is insane. Aside from that it dismantles the ability for police officers to communicate about gang members which could pose even more harm to the community. There are so many things inside of this bill the jeopardizes the safety of the communities around us. Think of these communities where people are shooting and killing each other , who are the people calling for help ... the COPS! but continuing to push the idea to defund the police is another crazy unrealistic idea. This bill definitely needs to be reviewed for the safety of everyone.

From: thomas maskalenko <thomasmaskalenko@gmail.com>
Sent: Thursday, July 16, 2020 9:43 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.
I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:
(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.
(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified

Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.
(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.
In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.
Thank you,
Thomas Maskalenko/ thomasmaskalenko@gmail.com
From: Lynette <lynettemartyn@gmail.com>
Sent: Thursday, July 16, 2020 9:42 PM
To: Testimony HWM Judiciary (HOU); Garballey, Sean - Rep. (HOU); Rogers, Dave - Rep. (HOU)
Subject: police reform bill

Please preserve the vital reforms in the Senate bill, such as the following:

Creating an independent and civilian-majority police certification/decertification body
Limiting qualified immunity so that victims of police brutality can sue for civil damages
Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities
Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody, which can obviously never be consensual and is strikingly not yet illegal

Please go further than the Senate bill by

Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas
Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)
Lifting the unnecessary cap on the Justice Reinvestment Fund

Lynette Martyn
Arlington, MA

From: Michael Simpson <m3psimpson@verizon.net>
Sent: Thursday, July 16, 2020 9:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: H.2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Michael Simpson and I live at 4 Linda Way in Bellingham. I work at The Suffolk County Sheriff's Department and am a Correctional Officer. I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correctional officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

???????????????????? ????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

???????? ???????? ??????????? ??????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

???????????????? ?????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Michael Simpson
President
Massachusetts Association Of Correctional Officers

Sent from my iPhone
From: Neal Sullivan <nealsullivan428@gmail.com>
Sent: Thursday, July 16, 2020 9:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill S.2820

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? Our labor unions are not narrow, self-seeking groups. They have raised wages, shortened hours, and provided supplemental benefits. Through collective bargaining and grievance procedures, they have brought justice and democracy to the shop floor.—John F. Kennedy

I am writing in regards to the Massachusetts Police Reform Bill. This bill is detrimental to public safety, police officers, and organized labor. One major concern is the introduction of double jeopardy in regards to internal investigations (both IA and the committee can come up with separate findings for the same issue.) The decertification process appears to have a very low preponderance of evidence, and does not allow an officer to appeal their decertification.The elimination or limitation of qualified immunity is unacceptable. How can police in good faith respond to calls that we are dispatched to, knowing that we have no protections if accusations are made against us? This bill circumvents collective bargaining agreements and civil service process. This is a direct insult to any and all progress made by labor unions across the country. I took this job fully accepting the risk of injury or death. I did not agree to gamble my livelihood at every single call. I appreciate your time and hope you take these thoughts into consideration.

Respectfully,
Officer Neal Sullivan
Worcester Police
From: John Cugno <jlcugno@gmail.com>
Sent: Thursday, July 16, 2020 9:41 PM
To: Testimony HWM Judiciary (HOU)
Cc: John Cugno
Subject: Opposition to State Senate Bill 2820

??????????July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is John Cugno, and I live at 26 Madrid Square Unit 11 Brockton, MA 02301. I work at Old Colony Correctional Center and am a Correctional Officer l. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every dayto keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less than Lethal Tools: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalationbut if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the

best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

John Cugno

Sent from my iPhone
From: Jeff Bousquet <fanman827@comcast.net>
Sent: Thursday, July 16, 2020 9:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on behalf of S.2820

Dear Massachusetts House of Representatives,

I am writing to contribute testimony on behalf of bill S.2820, regarding police reform measures in Massachusetts.

I am writing to urge you to preserve the accomplishments this bill has put fourth, as they are essential to better ensuring the safety of all citizens of the commonwealth, most importantly communities of color who have, for so long, been disproportionately negatively affected by the criminal justice system. The bill has set forth very important measures, including the following:

* Creating an independent and civilian-majority police certification/decertification body
* Limiting qualified immunity so that victims of police brutality can sue for civil damages
* Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
* Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities

* Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody, which can obviously never be consensual, and is disgustingly not yet illegal.

While these measures are a step in the right direction, I would like to urge you to take this initiative even further, implementing even stronger, more concrete measures, including the following:

* Banning the use of chokeholds and tear gas completely.

* Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)

* Lifting the unnecessary cap on the Justice Reinvestment Fund
* Creating a comprehensive and fully accessible database of any police misconduct records.

This bill is extremely important to shifting the Commonwealth of Massachusetts in the right direction of a reimagined public safety system that reduces the unfair treatment and racial bias of communities of color, and reduces violence for all parties involved in law enforcement situations. I urge you to please preserve the features of this bill that are already in place, not to weaken or remove any of these provisions, and to suggest moving the bill forward with the additional above mentioned provisions.

Thank you very much for your time.

Sincerely,
Jeff Bousquet
From: Janet Barsanti <janet@jmodefashions.com>
Sent: Thursday, July 16, 2020 9:40 PM
To: Testimony HWM Judiciary (HOU)
Subject: #2820

Dear Chair,

Please keep qualified immunity for first responders.
Special training needs to be the focus.
Best regards

Janet Barsanti
J. Mode
17 Front St
Salem, MA 01970
978-744-7007
Sent from my iPhone
From: Arianna Kazemi <akazemi@umass.edu>
Sent: Thursday, July 16, 2020 9:39 PM

To: Testimony HWM Judiciary (HOU)
Subject: In Support of S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Massachusetts is a state with a reputation of progressive policies, thus it only makes sense for us to begin a transition to a more progressive role for police in this society.

Thank you,
Arianna Kazemi
Canton

From: Luke Michel <luciusmichel@gmail.com>
Sent: Thursday, July 16, 2020 9:39 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reforming Police Standards

Chair Aaron Michlewitz and Chair Claire Cronin:

I support Senate Bill S.2820 and ask that the House support it as well. This legislation is an important step in creating respect for, and confidence in, our law enforcement officers in communities of color. It simply holds law enforcement professionals to the same standards of behavior and restraint that are expected of the people they serve.

Most important, this bill will increase the safety and effectiveness of our law enforcement professionals by promoting trust and reducing the conditions that increase the likelihood of a violent confrontation. The use of force should be a last resort in any situation that calls for police intervention. By advancing Senate Bill S.2820, we will provide clearer guidelines for when an escalation is warranted and what is expected of our law enforcement professionals.

Sincerely,

Lucius Michel
North Andover
978-902-7347

From: Cheveli Torres <chevelitorres@yahoo.com>
Sent: Thursday, July 16, 2020 9:39 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate bill

Dear Chair Michlewitz and Chair Cronin,

My name is Cheveli torrres live in New Bedford MA. I work for the City of New Bedford as well as a resident. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

: Qualified immunity doesn’t protect officers who break the law or violate someone’s civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

: The fact that you want to take away an officer’s use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling “Stop” to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer’s rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don’t dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I’m asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Cheveli Torres

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* Email

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Discussion

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Cheveli Torres

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From: Rebecca Eppler-Epstein <rebecca.epplerepstein@gmail.com>
Sent: Thursday, July 16, 2020 9:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on Senate bill S.2800

Dear Chairs of the committee,

I write to urge you to expand the existing expungement law as the House takes up Senate bill S.2800 regarding racial equity. As I am sure you are aware, our criminal legal system is rife with structural racism and inequality. Young people of color are far more likely to be arrested than young white people. Their charges follow them for the rest of their lives- under the current law, even if their charges were dismissed.

I work with an amazing, inspirational group of young people who are working daily to change the path of their lives. And yet, due to the current law and the structural racism embedded in our systems, they are prevented from moving forward and contributing to our society. One young adult got a job she was thrilled about, but never even got to start working because the organization discovered she had been arrested. This is

a young woman who is the epitome of a hardworking asset to any organization.

We know young people are a group that due to developmental realities take more risks than older people. As they age, their likelihood for recidivism drops. We need to expand our expungement bill to give them a clean slate as they work to change their lives.

I request that the expungement law be expanded by allowing for recidivism and not limiting to just one charge, by differentiating between dismissal and conviction, and by removing some charges from the list that prevent expungement, especially if the case is dismissed or the young adult is found not guilty.

Thank you for your consideration.

Rebecca Eppler-Epstein
UTEC
203-848-7319
From: Stephanie Coburn <stephanie.coburn119@gmail.com>
Sent: Thursday, July 16, 2020 9:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2800 bill

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.
I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:
(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.
(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police

officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.
(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.
In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,
Stephanie Coburn
3 Rugby Rd, Nashua NH 03063
Stephanie.Coburn119@gmail.com
From: KEVIN PREST <mk3kevin@yahoo.com>
Sent: Thursday, July 16, 2020 9:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to S2800

As a Massachusetts voter I ask the House of Representatives to vote against S2800. Police officers need to be backed by elected leaders right now more than ever. Passing this bill will only hurt the people of Massachusetts. Thank you for allowing we the voters to email our thoughts to you.

Sent from my iPhone

From: Viktor Goldmakher <vgoldmakher@gmail.com>
Sent: Thursday, July 16, 2020 9:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Police Reform - saying NO to cancelling immunity

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

We would like to say NO to cancelling a qualified immunity for police. We think that such reform will make each policeman ineffective in fighting crimes, and also no new young people will want to join the police force. Thus, this bill will lead to unlawfulness and disorder in Massachussets

Thank you,

Viktor and Nina Goldmakher,
Newton Center, MA

From: Brandon <bcali10@gmail.com>
Sent: Thursday, July 16, 2020 9:37 PM
To: Testimony HWM Judiciary (HOU)
Subject: Public Safety Legislation

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you’re going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers,

experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Brandon Cali

Boston, MA

bcali10@gmail.com

From: Janet Barsanti <jmodefashions@icloud.com>
Sent: Thursday, July 16, 2020 9:37 PM
To: Testimony HWM Judiciary (HOU)
Subject: #2820

Janet Barsanti
J. Mode
17 Front St
Salem, MA 01970
978-744-7007
Sent from my iPhone
From: JAMES CARCIA <carsh55@aol.com>
Sent: Thursday, July 16, 2020 9:37 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street <x-apple-data-detectors://3>

Boston, MA 02133 <x-apple-data-detectors://3>

Dear Chair Michlewitz and Chair Cronin,

My name is James F Car is and I live at 187 Stonecleave Rd in, North Andover Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendantwould have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

James F Carcia

Sent from my iPhone
From: Carla Cooper <carlacoop@comcast.net>
Sent: Thursday, July 16, 2020 9:37 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support of S.2820

Dear Chair Michelewitz, Chair Cronin and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820 to bring desperately needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it. I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Qualified Immunity for police officers is directly linked to the unaccountability that allowed slaveholders to murder black men with impunity. In Frederick Douglass's 1892 autobiography "The Life and Times of Frederick Douglass", he described the situation thusly:

"While I heard of numerous murders committed by slaveholders on the Eastern Shore of Maryland, I never knew a solitary instance where a

slaveholder was either hung of imprisoned for having murdered a slave. The usual pretext for such crimes was the the slave had offered resistance. Should a slave, when assaulted, but raise his hand in self-defense, the white assaulting party was fully justified by southern law and southern public opinion in shooting the slave down, and for this there was no redress."

Substitute "slaveholder" with "police officer" and "slave" with "black man". This issue of white, authoritarian dominion over Blacks runs deep in the collective unconscious of our society. In light of the numerous murders of black men that the nation has witnessed with our own eyes at the hands of the police, there MUST be accountability. We cannot sit idly by and allow this unchecked violence against Blacks to continue.

Thank you for your consideration,

Carla A. Cooper
33 Old Dunhams Corner Way
Edgartown, MA 02539
508-269-9140
From: Marissa Breton <marissa.breton1@gmail.com>
Sent: Thursday, July 16, 2020 9:37 PM
To: Testimony HWM Judiciary (HOU)
Subject: Black Lives Matter

This is the moment we need to stand up and make real progress. Please set a strong example for the country!!

The League of Women Voters advocates against systemic racism in the justice system and supports preventing excessive force and brutality by law enforcement.

We urge you to support the inclusion of the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda bans choke-holds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.

HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.

Sent from my iPhoneFrom: Ssoltzberg <ssoltzberg@comcast.net>
Sent: Thursday, July 16, 2020 9:37 PM
To: Testimony HWM Judiciary (HOU)
Cc: sharon soltzberg
Subject: HD.5128 and HB.3277

The League of Women Voters advocates against systemic racism in the justice system and supports preventing excessive force and brutality by law enforcement.

We urge you to support the inclusion of the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_voteliz_-3F-5F-5Ftn-5F-5F-3DK-2DR-26eid-3DARAoqrvxbqxcHkbaGFFDal2duSLy5lzQwskyvWjSckN0ysQRjD-5FhYuVo9hUS8qQ7GsXpQxRtDfuqyFxu-26fref-3Dmentions-26-5F-5Fxts-5F-5F-255B0-255D-3D68.ARCpDWxSSsBCAr4mlQWUG89eamUATJiOejOVVzTb-5Fh5TYPOtPwTkxZ2JtqfZoMTFI-2D1fSGgJE-5FAdM69hnlW0GxpWGCmB-2DDeQIkK4gMQFDv9KdbZTqybbTQab81GKdWQqCJ16NpVz0rWrm5Tat7OE-2Dj1U99acZZdP8YctIDWcI-2DQfxYjvYfn5aO-5F-2DtZqgE1N7OCvfaYTnFPi6&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=pIZ3C0M7gQkVqEE8EvnFPIwrcfyPjNLbbFOur8EIgCQ&s=zk8qmwVbErkzl8jla8SnjxTJWmnYbNpt9rdFeJGPGMs&e=> bans chokeholds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.

HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person’s civil rights.

Thank you,
Sharon & Leonard Soltzberg
Needham, MA 02494
From: john coburn <jcoburn3289@yahoo.com>
Sent: Thursday, July 16, 2020 9:36 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2800 bill

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.
I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and

women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:
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(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.
In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,
John Coburn
3 Rugby Rd, Nashua NH 03063
JCoburn3289@yahoo.com
From: john henry curry <jjohnwva@aol.com>
Sent: Thursday, July 16, 2020 9:36 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

From: Anna McMaken-Marsh <mcmarshkens@mac.com>
Sent: Thursday, July 16, 2020 9:34 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony re S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I strongly support S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has

not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Anna McMaken-Marsh
617-750-7205
Arlington, MAFrom: Jim MacDonald <jimmymac614@gmail.com>
Sent: Thursday, July 16, 2020 9:34 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is James MacDonald and I live at 30 Young Street in Tewksbury MA. I work at Lemuel Shattuck Correctional Unit and am a Correctional Officer . As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to aquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost. I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also as that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,

James MacDonald

Sent from my iPhoneFrom: Julie Regan <juliearegan53@gmail.com>
Sent: Thursday, July 16, 2020 9:33 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2800 Police Reform Bill

To whom it may concern:

I am writing to you to provide my thinking concerning the S2800 Police Reform Bill. First I would like you to know that I am very concerned about the fact that this bill was being debated without any kind of input from the public. Although I appreciate the opportunity now to provide my input I am alarmed by the circumspect way in which this bill is being handled.

I have serious reservations about several items in this bill.

As the mother of a police officer I think it is unconscionable that police officers could be put in the position of having to make decisions in a life or death situation that could ultimately result in the loss of the officer's life. For example, in the instance of Police Officer Michael Chesna, it is thought in the law enforcement community, that he hesitated when trying to decide if the situation warranted use of force. He had to determine in a split second whether the stone/rock the criminal was holding was a "lethal" weapon - he clearly made a decision it did not and as a result he lost his life. His children are without their father and his wife is without her husband. Instead of erring on the side of what was best for his safety he had to think about what the repercussions could be if he made what others might view as the "wrong decision". No one should ever be placed in that kind of situation.

Law enforcement is like any other profession in that there are some really great officers and likewise there are some not so great officers. I am at a loss to understand why we, as a state, want to strip away the protection for these officers who are doing the job well as a result of the incompetence and egregious behavior of very few officers overall.

In an atmosphere that is racially charged right now it is important for everyone to remember that ALL lives matter not just black lives. This legislature can best serve the public by making sure that police officers have the training and support that they need in order to do such a difficult job well. Instead of looking at what we can take away why don't we focus our efforts and energy on what can we provide for these officers in order to have qualified competent people placed in these civil service positions and actually make them feel like they can safely stay in these positions?

Whether it is intentional or not, we are tying the hands of the very people we are asking to protect us. How many people in today's environment would accept a position with starting pay of $40,000 to put their life on the line every day they go to work. How many people could endure people following them home from work yelling obscenities at them for merely doing their job? How many people could tolerate being second guessed for every

decision that you make. Before we make rash decisions we need to think of the age old adage “walk a mile in my shoes”.

Sincerely,

Julie A Regan
Public School Teacher, MEd
Mother of a police officer
From: Erica Brooks <brookserica@yahoo.com>
Sent: Thursday, July 16, 2020 9:33 PM
To: Testimony HWM Judiciary (HOU)
Subject: In support of police accountability

July 17, 2020

The Honorable Rep. Aaron Michlewitz

Chair, House Committee on Ways and Means

The Honorable Rep. Claire D. Cronin

Chair, Joint Committee on the Judiciary

Re: Testimony in Support of Police Accountability -- Use of Force Standards, Qualified Immunity Reform, and Prohibitions on Face Surveillance

Dear Chairs Michlewitz and Cronin,

I write in strong support of the many provisions in S.2820 designed to increase police accountability. In particular, I urge you to:

1. Adopt strict limits on police use of force,

2. End qualified immunity, because it shields police from accountability and denies victims of police violence their day in court, and

3. Prohibit government use of face surveillance technology, which threatens core civil liberties and racial justice.

Achieving these aims is part of making Massachusetts more racially just. This moment in time is an opportunity for our state to make real changes that more towards racial equity.

George Floyd’s murder by Minneapolis police brought hundreds of thousands of people into the streets all around the country to demand fundamental changes to policing and concrete steps to address systemic racism. This historic moment is not about one police killing or about one police department. Massachusetts is not immune. Indeed, Bill Barr’s Department of Justice recently reported that a unit of the Springfield Police Department routinely uses brutal, excessive violence against residents of that city. We must address police violence and abuses, stop the disparate policing of and brutality against communities of color and Black people in particular, and hold police accountable for civil rights violations. These changes are essential for the health and safety of our communities here in the Commonwealth.

Massachusetts must establish strong standards limiting excessive force by police. When police interact with civilians, they should only use force when it is absolutely necessary, after attempting to de-escalate, when all other options have been exhausted. Police must use force that is proportional to the situation, and the minimum amount required to accomplish a lawful purpose. And several tactics commonly associated with death or serious injury, including the use of chokeholds, tear gas, rubber bullets, and no-knock warrants should be outlawed entirely.

Of critical and urgent importance: Massachusetts must abolish the dangerous doctrine of qualified immunity because it shields police from being held accountable to their victims. Limits on use of force are meaningless unless they are enforceable. Yet today, qualified immunity protects police even when they blatantly and seriously violate people’s civil rights, including by excessive use of force resulting in permanent injury or even death. It denies victims of police violence their day in court. Ending or reforming qualified immunity is the most important police accountability measure in S2820. Maintaining Qualified Immunity ensures that Black Lives Don’t Matter. We urge you to end immunity in order to end impunity.

Finally, we urge the House to prevent the expansion of police powers and budgets by prohibiting government entities, including police, from using face surveillance technologies. Specifically, we ask that you include H.1538 in your omnibus bill. Face surveillance technologies have serious racial bias flaws built into their systems. There are increasing numbers of cases in which Black people are wrongfully arrested due to errors with these technologies (as well as sloppy police work). We should not allow police in Massachusetts to use technology that supercharges racial bias and expands police powers to surveil everyone, every day and everywhere we go.

This is the time to re-imagine public safety. There is broad consensus that we must act swiftly and boldly to address police violence, strengthen accountability, and advance racial justice. We urge you to pass the

strongest possible legislation without delay, and to ensure that it is signed into law this session.

Sincerely,

Dr. Erica Brooks

From: Patricia Ramsey <pramsey@mtholyoke.edu>
Sent: Thursday, July 16, 2020 9:33 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please Support S2620 Reform - Shift - Build Act

Dear Committee Members:

I am a lifelong resident of Massachusetts, and I am proud that our Senate has taken the bold step to pass S2820 Reform - Shift- Build Act with a resounding majority. We are in a historic moment when perhaps FINALLY we will be able to build a fair and just and compassionate system of justice -- that will no longer target people of color, often destroying their lives and futures. I urge you to support the Senate bill and make it even stronger -- in particular, please

* Strengthen use of force standards, e.g., by outright banning chokeholds and tear gas

* Fully prohibit facial surveillance technology (rather than imposing just a one-year moratorium)

* Lift the unnecessary cap on the Justice Reinvestment Fund

Thank you for your work on this crucial piece of legislation.

Patricia G Ramsey
Amherst, MA

--

Patricia G. Ramsey

Professor Emerita

Psychology and Education

Mount Holyoke College

South Hadley, MA 01075

From: blanche teyssier <blanche@lesteronline.net>
Sent: Thursday, July 16, 2020 9:32 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform

Yes reform it. No more swat gear, guns, tanks and the like. Use that money for de escalation training. Salaries should be based on earned training courses and successful implementation of de escalation. Police should be held accountable for excessive force. Work on the culture. Don't encourage bullies. Dispatch social workers, not police. Take the police out of social work. It is not fair to send them to everything rather than have the right crisis mgmt person for the job.

Thank you

Blanche teyssier, Medfield, ma. 27 Hartford st.
From: Erin Sawicki <sawickie2012@gmail.com>
Sent: Thursday, July 16, 2020 9:32 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill S2800

Good Evening,

My name is Erin Sawicki. I am the daughter of a Sergeant in the Massachusetts State Police and a sister of a town police officer.

I am here to speak on the new police reform bill that has hastily been written and passed by our Senate. I recognize that this country is in need of police reform and changes. However, those changes should not be made without careful consideration.

With the changes being brought to the qualified immunity, I foresee the danger to our officers and the general public raising. Our officers will not be able to thoroughly do the job that they are expected to do. The dangerous people that are on our streets will be able to get away with crimes because our officers will be afraid to do their job without being sued. Our officers will not feel comfortable showing up to calls when they feel they will have to make an arrest. What happens if the person is intoxicated from a substance and is resisting and hurt themselves? Will they be able to sue our officers? Not only does this apply with making arrests, but it also applies to our officers making medical calls. For example, our officers will not stop to do CPR on someone incase they break that person's ribs. They are going to be afraid they will be sued civilly for medical bills. However, if they do not help the person the officer will then be in trouble for not helping the person in need.

I can say with confidence that many of our state's police officers get into the profession to help people. Now they are in fear more than ever because they have a target on their back. My family personally has had to put cameras on our house because of things being stolen off our property. My family is scared to leave our house unattended. Is this what you want for the people in your commonwealth? We are constantly being bombarded with news of officers across the country being attacked unprovoked.

I urge you to think about these questions. Do you think that all crimes can be solved by community resources and community policing? Do you think that if we limit the police in our communities is going to bring down the crime in our communities? We are already having trouble getting more police officers in our state, do you think this will get you more?

I recognize the need for our state to fund more communities. I recognize that if many of our communities were better funded there would be more opportunities and less crime. I know that the people who are in these communities are primarily people of color. As I said in the beginning, our country is in need of police reform and change. But, taking away the one law that protects our officers and lets them do their job is not the way. It will not make those who decided to abuse their power stop.

I ask you all to consider the people of the commonwealth. I ask you to consider the police officers. I ask you to consider their families because this bill affects us all. Lastly, I ask you to think to yourself are we doing this for change, or are we doing this because of pressure from the ones who peacefully protested and you feel the need to make them happy. I hope you consider all of the above in your decision.

Sincerely,
Erin Sawicki, Shutesbury, Massachusetts
From: MILTON TAYLOR <milton.taylor@comcast.net>
Sent: Thursday, July 16, 2020 9:31 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,
From: Kim McMaken-Marsh <kimmcmaken12@gmail.com>
Sent: Thursday, July 16, 2020 9:31 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony re S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July. Police reform must be a priority in Massachusetts as in every state.

I support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a strong police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues before the House this term.

Kim McMaken-Marsh
617-990-4906
Arlington

Sent from my phoneFrom: MANUEL PACHECO JR. <hardwarejr@aol.com>
Sent: Thursday, July 16, 2020 9:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Manuel Pacheco JR and I live at 22 Central Drive Stoughton, MA 02072. I work at MCI-Norfolk and I am a Lieutenant . As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am

dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to aquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.
I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also as that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,
Manuel Pacheco JR

Sent from my iPhone
From: Andrew A. Amaral <andy55amaral@gmail.com>
Sent: Thursday, July 16, 2020 9:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity

and restrictions on excessive force. These goals are attainable and are needed now.
I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:
(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.
(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.
(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.
In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,
Andrew Amaral
2 Mya Lane
Lakeville MA

Sent from my iPhoneFrom: dan dslkfja <dadams0818@yahoo.com>
Sent: Thursday, July 16, 2020 9:29 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 Bill

SeAs your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Daniel Adams, 6 Juniper Rd Pepperell Ma 01463
Dadams0818@yahoo.com

From: George Whitcraft <wenwater45@hotmail.com>
Sent: Thursday, July 16, 2020 9:29 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

George Whitcraft, JR

71 Fitchburg Rd,

Townsend, MA 01469

978-597-8198

Sent from Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMFAg&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=ZgqQBfsfoP83gici_Waw43hQKbWYahnXKX5mAvkDtOk&s=8pn9_-YB2zOOLcXChpxaguFfJqeGPy_1gt8XWrGBcFg&e=> for Windows 10

From: Chrissy Torres <chrissyt24@yahoo.com>
Sent: Thursday, July 16, 2020 9:29 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Christiana Reis and I live in New Bedford. I work at Southcoast Health and am a Data Integrity Specialist. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified immunity doesn’t protect officers who break the law or violate someone’s civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

The fact that you want to take away an officer’s use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling “Stop” to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer’s rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-

trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Christiana Reis

From: Rick and Sue Beaucage <rickbeau@verizon.net>
Sent: Thursday, July 16, 2020 9:29 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

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Sincerely, Richard Beaucage.... Braintree

Sent from Yahoo Mail on Android
<https://urldefense.proofpoint.com/v2/url?u=https-

3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMCaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=tgxIUngEzqx9O5cZ5QQp5FapQemaopnwtfgL7GY1y9o&s=-9FgQdgpdKYbe-8TJFnYkpZHgu1-az6Dt8QpVuEAh30&e=>
From: Matt Pogoda <gotadog55@gmail.com>
Sent: Thursday, July 16, 2020 9:28 PM
To: Testimony HWM Judiciary (HOU)
Subject: All sheriffs county correctional officers should make the same

State police officers make the same matter where stationed. Court officers make the same no matter what court they work out of. Doc officers make the same no matter what facility they work for. Sheriff correctional officers should make the same no matter what county jail they work for. We are all state employees and should be treated fairly and not discriminated on base on a geographical location . The risk is the same for all of us . Make things right.

Sent from my iPhoneFrom: Kerry Sullivan <kerryaw3@gmail.com>
Sent: Thursday, July 16, 2020 9:28 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

I am writing as a constituent, asking you to oppose Bill S.2820.
This proposed Bill will have a public safety affect on everyone. Let alone, so very wrong on so many levels.
Our first responders deserve our support!!
As representing elected officials, support our First Responders.....Because they support ALL of us and our municipalities everyday!
Thank you for your time!
Regards,
Kerry Sullivan
From: monicagran@comcast.net
Sent: Thursday, July 16, 2020 9:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

To Whim it May Concern,

I am writing in regards to S2800 in modifying Qualified Immunity.

It was right to open this up to public input. I hope this committee not only takes it to heart but allows it the time and energy something of this importance deserves.

That said unions such as police and teachers have too much power. It's impossible to fire negligent under performers or prevent favoritism. These issues need addressing. However, this bill goes too far in rolling back Qualified Immunity, when it is already covered and applies to the 1979 MCRA.

This bill, as written will cause more problems than it will solve. To the citizens it's almost as if you hope to deeply damage and demoralize the police all in the name of optics.
Those entering into public service will be apprehensive as it will come with greater consequences. There will be more lawsuits, costing the taxpayers more. Clogging up the courts and further preventing anyone of any caliber from pursuing these professions and encouraging corruption.
I will ask if this applies to our legislators as well? When trust of elected officials is at an all time low and animosity against our law enforcement is at an all time high, I urge you to change the course of history here and move forward for the benefit of the people and not yourselves. We are watching. You have already tried to step around us and we the people do not appreciate how much we are being ignored and how are cities are being ravaged. This will jot help the problem but rather deepen it.
And on top of that the amendment to ban lists of gang members to schools. WHY? There is NO logical sane reason to do this. Putting teachers and educators in dangerous positions. It's almost as if you want to empower gang members who should have fewer rights for the horrors they bring to society. This needs to be removed from this legislation. After all we want safe schools but you will remove officers and not ID gang members? I'm infuriated by this. Do not include it.

We the people are watching. And want you to promote peace and propertiy prosperity by protecting the greater good and averse citizen. Aloowong police and teachers to do their jobs without always having to be concerned about the next lawsuit.

Thank you for your time,
Monica Granfield, 3rd district

From: Steven Fiore <sfiore@beverlyma.gov>
Sent: Thursday, July 16, 2020 9:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Reforming Police Standards

Dear Chair Michlewitz and Chair Cronin,

My name is Steven Fiore and I live in Beverly MA. I work for the City of Beverly and am a Patrolman & School Resource Officer at Beverly High School. I also worked for the Manchester by the Sea Police Department for 6 years. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.
Qualified immunity doesn’t protect officers who break the law or violate someone’s civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers

to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits. The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Steven Fiore
Patrolman/School Resource Officer
Beverly Police Department

--

Patrolman/School Resource Officer
Beverly Police Department
191 Cabot St.
Beverly, MA 01915

From: Kristen Owings <kristenowings35@gmail.com>
Sent: Thursday, July 16, 2020 9:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Good Evening

My name is Kristen Owings and I live at 35 Jillians Way in Bridgewater. I write to you today with regards to S.2820. This is a bill that has the attention of many in our Commonwealth. Most particularly, it has the attention of Police/Law Enforcement officers, those that love them and those that support them.

I write to you as the wife of an active Weymouth Police Officer. Like all police wives, I watch my husband leave every morning. I hope and pray that

he comes home safely every day. My last words to him every time he leaves are “Love you. come home safe." The last words my 4 year old son says to his Dad when he leaves “Love you Daddy." We always make it a priority to say goodbye and love you because it could be our last. In our world this is “normal” but not everyone lives in the same world we do, not all wives need to say "come home safe" when their loved one leaves for work.

I also write to you as a member of a larger family - the Blue Family. This week, Wednesday July 15 to be specific, my Blue Family and I remembered one of our own, Sergeant Michael Chesna. On July 15, 2018 this husband, father, son, brother and uncle who just also happened to be a Police Officer was murdered. I will never forget where I was when my husband got the initial call about Mike. The phone call was from my husband's friend, an Abington Officer who knew my husband worked the midnight shift with Mike. I will never forget where I was when I learned that news that Mike had died. I will never forget telling my then 2 year old, "we cannot wave when we see Police Officers this week. We need to place our hand over our hearts to respect Daddy's friend who died." I will never forget attending Mike’s wake and funeral with my husband, my Blue Family and the Chesna Family. Sitting in St. Mary of the Sacred Heart Church in Hanover with my fellow police wives is something none of us will never forget. A police wake and funeral are things NONE of us ever want to attend again.

As I noted above, S.2820 has caught our attention. There are pieces of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform. I support enhanced training and appropriate certification standards that apply to individual officers. I also support accreditation of police departments. Certification and accreditation both serve as a commitment to excellence in training and promote each individual’s and department’s maintenance of the highest professional standards. Certification and accreditation also serve to enhance public confidence. Public confidence, and I might offer respect, is critical to police officers being able to do their job on a daily basis. I also support the ban of the use of excessive force by police officers as well as the proposal that every individual officer has the duty to intervene if they witness excessive force. These parts of S.2820 all make sense when we focus on the idea that this bill is about constructive police/law enforcement reform.

S.2820 has also caught our attention because there are pieces of it that do not allow for the fair and unbiased treatment of Police Officers. Most importantly, the removal of Qualified Immunity for Police Officers is unfair and potentially dangerous. Qualified Immunity, as I understand it, does not excuse criminal conduct. It is, instead, a legal protection offered to all public employees and serves as a protection against losing one’s home or life savings in a civil suit. As many people know, Police Officers need to make in the moment decisions every day when they put on their uniform. If they don’t make those decisions quickly enough they face the very real chance of death or injury.

-Police Officers CANNOT do the job they were hired to do safely and effectively if they are worried about liability.

-They CANNOT do the job they were hired to do safely and effectively if they are worried about losing the home their family lives in.

-They CANNOT do the job they were hired to do safely and effectively if they are worried about how they will support their loved ones.

Is there a chance that Sergeant Michael Chesna chose not to use his weapon on the morning of July 15, 2018 because he was worried that such use would have been viewed as use of excessive force? Was he worried that if he used his weapon he could potentially lose his family's home? The answers to those questions we will never know. It does seem reasonable to assume, however, that had Sergeant Michael Chesna chosen to use his weapon to shoot Emanuel Lopes he would still be here today. He would still be here with his family who miss him every single day. Police Officers need to be able to make quick decisions and act in good faith without fearing that each and every decision they make could lead to a lawsuit against them. Police Officers who are forced to stop, pause and think about potential liability before they act are Police officers whose lives are at risk. The removal of Qualified Immunity should NOT be part of the final police/law enforcement reform package.

As I stated, there are parts of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform. The bill as it currently stands before you is NOT acceptable as a total package. If Legislation such as that tied to S.2820 is to be effective, appropriate and just for all citizens of our Commonwealth it takes time along with careful thought and consideration. Reactive and rash decision making do not serve the citizens of our Commonwealth. The early acts in the Senate to rush a vote on this bill and to not study pieces like Qualified Immunity further have been extremely disheartening. I appreciated those Senators who called for more time and for a closer look at the bill in order to produce a product that was fair and just for all citizens of our Commonwealth. I also appreciate the willingness of the House to hear from the citizens of the Commonwealth. Legislation such as S.2820 impacts all citizens so all of those citizens should be allowed to share their thoughts.

In closing, I urge you to take the time that is necessary to make the best decision for ALL citizens of our Commonwealth. We have some of the most well trained Police/Law Enforcement Officers in the country. They need to be able to do the job they were trained to do in a safe and effective way. I urge you to correct S.2820 so as to treat the men and women in Law Enforcement with the respect and dignity they deserve.

Sincerely,

Kristen Owings

35 Jillians Way

Bridgewater, MA 02324

781-718-3839

KristenOwings35@gmail.com

From: Seth Heacock <SethH11@hotmail.com>
Sent: Thursday, July 16, 2020 9:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: Objections to Bill S.2800

Dear Chair Michlewitz and Chair Cronin,

My name is Seth Heacock and I live at 615 Boxford St in North Andover, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

Please know there are many good, hard working people, who believe in equality and equal rights and open discussion for positive reform in our society. This bill and what it represents is in direct opposition to our values and what makes MA and America such a great place to live. The way it which this bill is being quickly passed through without open discussion in the senate, is simply wrong and not how we as Americans do things and it is being recognized. There is a buzz among a very large group of us who have been forced to be silent because of the treatment you receive from social media or the news for sharing an opposing opinion. We are disheartened by the attack on law enforcement and this bill. No one agrees with what happened in MN but that does not mean an overhaul on all law enforcement is the answer. In fact, we probably need the opposite, more funding and more support for law enforcement.

We rely on law enforcement every day, and there are so many positives that go unnoticed. In fact, I bet most of those in the legislature rely on the men in women in uniform on a daily basis and know them personally. You know the type of people they are, the selflessness in what they do every day to serve and protect. Let us not forget the majority of law enforcement. The lack of respect, understanding of the training law enforcement goes through currently, the type of people the suit up every day no matter what to serve and protect us without question; this bill is a direct attack on them and on our safety of all of us as a society.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should

be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Seth Heacock

From: Alyssa Friedman <alyssafriedman4@gmail.com>
Sent: Thursday, July 16, 2020 9:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Good evening,

My name is Alyssa Friedman and I am a resident of Worcester, Massachusetts. I am writing to you to express my strong opposition to Bill S2820. I believe this bill is a very dangerous piece of legislation and could potentially have dire consequences for the citizens of the Commonwealth of Massachusetts.

Having someone you love leave the house, put on their bullet proof vest, say goodbye to your children, tell them you love them and not be 100% sure if they are coming home is a scary thing. But, first responders know the danger of the job when they take their oath to protect and serve, which is what they try to do each time they go to work. This bill is blatantly a slap in the face to them. Taking away qualified immunity and having no due process...who in the world would want to be a first responder? If this bill passes there are going to be many men and women who will not be able to do their job the way they have been for years and years to keep this state safe. In any dangerous situation that a first responder comes across it will truly not be worth it for them to do something because they will be afraid of being sued and losing everything they have worked so hard for. To make it even worse, no one will want to become a first responder...And then what will we do? This bill shows that the government doesn’t have first responders back and is disrespectful to both them and their families and the sacrifices they make daily when they put their lives on the line for me, for you and for the citizens of this great state.

I hope you think long and hard before voting on this bill. I think it is quite clear what a world without police being able to do their job would

look like, for just one example, NYC...it is an absolute disaster. Is that what you want this state to become? Please, please vote NO on this bill.

I thank you, my family thanks you, the citizens of the Commonwealth thank you and every first responder who puts their life on the line every day thanks you as well.

I appreciate you taking the time to read this e-mail.

Best,
Alyssa Friedman

From: Rick and Sue Beaucage <rickbeau@verizon.net>
Sent: Thursday, July 16, 2020 9:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely, Richard Beaucage.... Braintree

Sent from Yahoo Mail on Android
<https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-

5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMCaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=zFFd9l_R_OJr6GaGiNVJPLlDWcJ5gt9v_jQYt0VNs2I&s=lga6W0P-J7r59IiVoV6G36Zf_5q0v-LJgBPnTsq4miI&e=>
From: ELIZABETH N WAMBOLT <ewambolt@verizon.net>
Sent: Thursday, July 16, 2020 9:26 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
Elizabeth Wambolt

Sent from my iPhone
From: Mary <forde.mary.e@gmail.com>
Sent: Thursday, July 16, 2020 9:26 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 Testimony

Dear members of House leadership,

S2820 does not do enough for our Black and Brown communities and needs to be strengthened.

As the Families for Justice as Healing outlined, "The solution is to shift power and resources away from law enforcement and incarceration and instead into Black and Brown communities through a community-controlled process led by most-impacted people." [1]

S2820 does achieve this.

Instead, it puts MORE resources towards the police by increasing training, overview, and review instead of. Meanwhile, it caps the "justice reinvestment fund" at $10 million.

It also does not do enough to actually address police violence or hold law enforcement accountable.

It does not include corrections officers in the definition of law enforcement. It allows law enforcement to suspend the decertification process for up to a year. It does not unilaterally ban the use of tear gas. It does not unilaterally ban chokeholds. It does not prohibit pretextual stops. It does not ban no-knock warrants. It does not end qualified immunity.

In short, this bill does not come anywhere near the significant change that is needed to address the racism systemic in the law enforcement system. Please, listen to the people actually impacted by these systems and not the law enforcement perpetuating the violence. Please, make deep, significant cuts in power and funding of our prison and law enforcement systems and re-invest that money into our Black and Brown communities.

Best,
Mary Forde
11 Vancouver St,
Boston MA 02115

1. https://twitter.com/justicehealing/status/1280988435684220930
<https://urldefense.proofpoint.com/v2/url?u=https-3A__twitter.com_justicehealing_status_1280988435684220930&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=vcq6QeUxr7finzgZ590_UAA8WbTa8gff-TkOTM54mH8&s=Oax2dbpXW1sMNSxcq9BqKq5p_OYDqzjAla-jdtUtZuc&e=>

From: Patricia Aurigemma <triciaetal57@yahoo.com>
Sent: Thursday, July 16, 2020 9:26 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820, strengthen & pass

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I’m writing in favor of S.2820 to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it, I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Paul R. Turgeon
Eastham

Sent from Yahoo Mail for iPad
<https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=stWRZIaDtZMXjVzHZYS0ONkDV_0O0oGwvQpk_3GHVWo&s=y1oku2mwn0B2R1ft3HFwTli9sWEDx-GNhRg2PU6SD-8&e=>

From: coley1o7@yahoo.com
Sent: Thursday, July 16, 2020 9:26 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Good Evening,

I would like to voice my concern over the Senate's bill to do away with qualified immunity for police officers. Qualified immunity is given to ALL members of state, municipal and federal employees in the course of the performance of their job for a reason. It is a protection for the employee and their families to not have worry about losing their home or life savings because someone didn't like the way they did their job. Qualified immunity as written does not protect individuals that violate the constitutional rights of others. But it does protect them and their families from frivolous lawsuits.

If you take it away from only one group - then that is discriminatory. And where does it end - EMT's, fire personal, DCF workers, city councilors, state reps?

If qualified immunity is no longer given to police officers, I believe the Commonwealth will lose a lot of qualified law enforcement officers.

While I understand the need for reform, please do not go overboard by punishing all police officers. They are not the enemy.

Thank you.

Sent from my iPhone
From: MoklerMcKunes@outlook.com
Sent: Thursday, July 16, 2020 9:26 PM
To: Testimony HWM Judiciary (HOU)
Cc: Biele, David - Rep. (HOU)
Subject: S. 2800

Dear Representative Biele,

My name is Colleen Mokler-McKunes and I live in your district at 232 Athens street South Boston Mass 02127 and I am a huge fan of those who protect and serve our community. As you consider legislation that affects police officers and their safety, and thus the safety of our entire community, please understand that protection and preservation of due process and qualified immunity are non-negotiable and must be defended. Failure to protect both will undoubtedly put all public employees in harm's way while drastically and negatively impacting public safety for us all.

WHY DUE PROCESS MATTERS- Any legislation must allow fair and equitable due process under the Law. Currently, when an officer is disciplined, he/she is entitled to due process and an appeal process with the employer. A new outside board (like the POSA Committee) should allow this process to complete before instituting a review. This will not only maintain fairness, but will allow the new Committee to have a full record and make determinations after a thorough and neutral process has been undertaken. Other public employees such as teachers go through a similar process; police officers deserve the same respect and rights.

WHY QUALIFIED IMMUNITY MATTERS - Qualified immunity does NOT protect bad officers who knowingly violate the rights of members of the community. It’s worth saying again. It does not protect bad cops. Instead, it protects good officers who play by and follow the rules. The doctrine allows lawsuits to proceed if a government official (not just a police officer) had fair notice that his or her conduct was unlawful, but acted anyway. The standard is objective reasonableness. By abolishing or changing qualified immunity as it exists today, police officers will not know what is lawful or not. This creates hesitancy and uncertainty in how they perform their duties. This is UNSAFE for all communities.

In closing, we are NOT Minneapolis. So, changing due process or qualified immunity in Massachusetts, which would affect police officers only in Massachusetts, would only serve to punish the men and women in blue for something that happened 1000 miles away. Instead of penalizing and scapegoating, we should be celebrating and promoting the fact that our police officers, some of the best in the nation, are impressive examples of how policing should be done.

Sincerely,

Colleen Mokler-McKunes

Sent from Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMF-

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yrzmi9ZNw&s=4XQqszxMMI4daIS72fkLKDXXB1fUTTIXTuOJMSYAwMs&e=> for Windows
10

From: MARK KENNEDY <MKENNEDY@quincyma.gov>
Sent: Thursday, July 16, 2020 9:25 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform

As a resident of Massachusetts, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers,

experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Respectfully,

Mark Kennedy
Plymouth County Resident

Get Outlook for iOS <https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_o0ukef&d=DwMGaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Tgd1PywVdl5qJIhIImPjwlEB-tPQOuBerV1SZ0c1HUQ&s=K2lun9LS_ca1MmODtN9AskbbAo2WpbdwVqnDE9UV3Cc&e=>
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From: Don <northwilmington@comcast.net>
Sent: Thursday, July 16, 2020 9:25 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Would you please end the absolute absurdity that this bill purports to enact. You are going down a rabbit hole just to placate this violent movement. I can assure you nobody in my family o circle of friends will vote for anyone who stands by and lets this happen. It is unfathomable that it made it through the Senate. Stop the madness. It is a reckless and negligent way of thinking. This will create a hell on earth, whereby ordinary citizens will not be able to live a peaceful existence. People are scared by the potential passing of this reprehensible legislation. Let's not lose control.

Sent from Xfinity Connect ApplicationFrom: Patricia Aurigemma <triciaetal57@yahoo.com>
Sent: Thursday, July 16, 2020 9:24 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I’m writing in favor of S.2820 to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it, I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police

accountable), introduce standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Tricia Aurigemma
Eastham

Sent from Yahoo Mail for iPad
<https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=yQtW-XC0B9xeTl5mZ3HnzWijfDAV7UsaJ3iL5VWFJHU&s=ZA84PybC3nSrLbWg0QGZ2r_evXvcOVFkMvAkSzJ0i0s&e=>

From: Ashley Linnehan <ashlinnehan@gmail.com>
Sent: Thursday, July 16, 2020 9:23 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

My name is Ashley Linnehan. I live in Merrimac, Massachusetts.

I absolutely agree with this bill; the police force has a lack of oversight which perpetuates this unjust and racist system. Even when good cops try to change the system and report inequities, they are fired, silenced, or otherwise face retribution; or they are fired for posting a family member's photo from a BLM rally (the Springfield PD).

If we are to create real change instead of just slapping a band aid on this very real issue, we need to reimagine a lot of the ways policing operates. Ending qualified immunity is essential. Police officers, like those in any other occupation, need to be held accountable for their actions. They need to be held accountable when they murder civilians, when they break the very law they are supposed to uphold, when they unjustly profile BIPOC, when they use chemical weapons such as tear gas on protestors for exercising their 1st amendment rights, when they punish actual good cops for speaking up.

The police were originally designed to catch runaway slaves, and, when over 400 years later, they are still murdering BIPOC with little to no accountability, it is terrifying. We need to make meaningful changes that will actually improve our state and our communities for the better. I believe passing this bill will aid in this process, but there is still a long way to go to be able to create an environment and a reality in which police do not target, abuse, and murder BIPOC, or anyone for that matter, but we need to address the racial inequities that have been built into our policing structure since its very inception first.

Thank you,

Ashley Linnehan
From: Somy Kim <somykim.neu@gmail.com>
Sent: Thursday, July 16, 2020 9:22 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reform, Shift, and Build Act

Dear House Ways and Means Committee,

As a sister of a formerly incarcerated youth, this act is very important to me. My brother's incarceration has left scars on him and my family that still deeply affect us today from 20 years ago. I ask that you make this crucial step in ensuring safety for our communities by nourishing, and not punishing, our youth.

Today, I am asking you to urge the Speaker to include these youth-focused policies in the House race equity bill. These proposals will address racial disparities in our justice system and hold law enforcement accountable when interacting with young people in our communities and in our schools:

* Require transparency and accountability by reporting race/ethnicity data at each major decision point of the juvenile justice system, as filed by Rep. Tyler (H.2141). Require law enforcement and other juvenile justice agencies to report data on young people at major decision points with the juvenile justice system to improve the state's policy and planning. For too long, we have waited for transparency <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.cfjj.org_just-2Dthe-2Dfacts&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=C-r_rrt6Nq1Fiq7Z3EF26cYTIAIIos0Wr3EzDflYbw8&s=d_85RrBl-ZRxyCmQA_6nKUks9-TVj5nAknCLGZJiEMY&e=> on how our legal system responds to children and youth by collecting and reporting race and ethnicity data <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.cfjj.org_data-2Dcollection&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=C-r_rrt6Nq1Fiq7Z3EF26cYTIAIIos0Wr3EzDflYbw8&s=jHkphe_Lup2xUfznLaniFwKdSwO4YQL10Y-lgq4EHxc&e=> to allow us to see disparities where they occur and to identify policies or practices to reduce these disparities. FACT SHEET <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.cfjj.org_s_FACT-2DSHEET-2DData-2DCollection.pdf&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=C-r_rrt6Nq1Fiq7Z3EF26cYTIAIIos0Wr3EzDflYbw8&s=gDGUM0KPSPLZdj09zBY7pq4RdytMcif4ms0w15mGCQg&e=>

* End the automatic prosecution of older teens as adults, as filed by Rep. O'Day and Rep. Khan (H.3420): Massachusetts' youth of color bear the

harshest brunt of our legal system with their over-representation in the adult criminal justice system. By raising the age at which a teenager can be automatically tried as an adult, we can hold young people accountable in a more developmentally appropriate setting, giving them a better chance to succeed and turn away from offending and reduce the harms of legal system involvement all while reducing crime in our communities. FACT SHEET <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.cfjj.org_s_FACT-2DSHEET-2DRtA21-2Dwith-2Dsponsors.pdf&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=C-r_rrt6Nq1Fiq7Z3EF26cYTIAIIos0Wr3EzDflYbw8&s=kNSHjQllRBH3IFmagkyOfxU4_vlrW3nV7kF_WdJjtW4&e=>

* Expand eligibility for expungement to rectify the collateral consequences of the over-policing and criminalization of communities of color, as filed by Rep. Decker and Rep. Khan (H1386) and as passed in S.2800: There is overwhelming evidence <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.washingtonpost.com_graphics_2020_opinions_systemic-2Dracism-2Dpolice-2Devidence-2Dcriminal-2Djustice-2Dsystem_-23School&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=C-r_rrt6Nq1Fiq7Z3EF26cYTIAIIos0Wr3EzDflYbw8&s=u0t19RLDYnL0TsW4__J0lHh9ZZlkpazZxmLZz4vnRiA&e=> that racial disparities against Black individuals at every stage of the legal system - from policing and profiling, court proceedings to sentencing and every stage in between. Expungement is an important tool to rectify the over-policing and disparate treatment of people of color be expanding. The current law limits does not distinguish if a case ended in a conviction or a dismissal. We ask that eligibility is modified so that (1) all non-convictions are eligible for expungement; (2) change the limitation on the number of cases on a record, to length of time since last conviction (3 years for misdemeanors and years for felonies); and (3) limit the list of offenses ineligible for expungement to only those resulting a felony conviction. FACT SHEET <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.expungema.org_s_FACT-2DSHEET-2DExpungement-2Dv2-2Dwith-2DSponsors.pdf&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=C-r_rrt6Nq1Fiq7Z3EF26cYTIAIIos0Wr3EzDflYbw8&s=rMPD1OTlsfglZuG-859SBZfiqHB4CAnaSTP8ZM9igMI&e=>

* End the surveillance and profiling of students in schools as amended in S.2800 Section 49 by prohibiting school police from sharing student information they gather through their interactions with students with the Boston Regional Intelligence Center (BRIC) and the Commonwealth Fusion Centers that are accessed by local, state and federal law enforcement. FACT SHEET <https://urldefense.proofpoint.com/v2/url?u=https-3A__docs.google.com_document_d_1YmlnfAJUax0GO3Qo05Ch4IUiBYbVb2q1fUC1v4WF0EM_edit-3Fusp-3Dsharing&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=C-

r_rrt6Nq1Fiq7Z3EF26cYTIAIIos0Wr3EzDflYbw8&s=3ckSCCpOPzANJ0nyXKC708UW93tDZo3IPGVrr0IC1MA&e=>

* Prohibit law enforcement restraints of minor children in a prone or hog-tie position and require that de-escalation techniques are developmentally appropriate and require that law enforcement consider calling parents/guardians to de-escalate a situation with a child. Some of these provisions passed in S.2800 amendment 41.

* National and local studies have overwhelmingly shown that Black and Latinx students are significantly more likely to be suspended, expelled, and arrested in school than their white peers. Repeal the state mandate that every school district be assigned at least one school resource officer; require school committee approval by public vote for assigning SROs; require that law enforcement officers be stationed in a police station and on-call for schools, rather than being stationed on school property; and mandate that school districts and police departments comply with the reporting requirements of school-based arrests to qualify to have an SRO. These provisions passed in S.2800 amendments 25 and 80.

Thank you and I look forward to hearing back about your position on these priorities.

Best,

Somy Kim

11 Owen St, Mattapan, MA 02126

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Somy Kim, Ph.D.
Associate Teaching Professor
English Department Writing Program
443 Holmes Hall

Northeastern University
From: Mark Donovan <mgdonovan17@gmail.com>
Sent: Thursday, July 16, 2020 9:22 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police legislation testimony

Chairman,

Thank you for taking the time to read this.
My name is Mark Donovan and I reside at
200 Crescent St. Rockland, MA (617)458-1541220000001541 <tel:(617)458-1541>

I am writing to you today to express my opposition to any change in Qualified Immunity for Police, Firefighters, Nurses, etc. These essential employees have the toughest jobs in our society as displayed a few short months ago during the height of the Covid-19 pandemic. They all must act quickly and without hesitation in order to complete their professions safely.

To undercut or cause them to second guess their actions due to possible frivolous litigation while working is downright dangerous. It will cause Police Officers to be hurt/killed. To think that "ambulance chasers" will not seek out clients in order to file suits against the above mentioned Heroes is naive.

I implore you to consider how professional the Massachusetts Law Enforcement community is. We do not have the rampant problems found in other parts of the country. This bill will only further victimize lower income communities because Police will take on a more reactive approach to their jobs. Gangs and violent offenders will take over these already marginalized communities. The good residents of these communities will fear for their lives and the safety of their children. We already can see an example of this occurring in New York City. Police reform can and will happen however this bill is far over reaching and will have severely negative consequences for Law Enforcement and the communities they serve.

Schools should share whether a student is affiliated or is an active gang member with the Police. If not, recruitment in our schools and violence in schools will only increase. Schools will be a safe haven for gangs.

This knee jerk reaction bill will cause good Police to leave the profession and will further scare away potential recruits in a profession that has already seen a decline in qualified applicants due to the "war on Police".

Our Police need help and any and all training can only be beneficial to them but please do not handcuff them and prevent them from doing their job which in turn will bring about increases in crime and violence throughout this great Commonwealth.

Thank you for taking the time to hear me.

Respectfully Submitted,
Mark Donovan

Sent from my iPhone
From: Justin Burd <jburd3333@yahoo.com>
Sent: Thursday, July 16, 2020 9:21 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and

accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.
I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.
In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,
Justin Burd of Townsend
Jburd3333@yahoo.com

From: musiclover397@aol.com
Sent: Thursday, July 16, 2020 9:20 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.Sincerely,

From: Bryan Jennings <bejnnings5@gmail.com>
Sent: Thursday, July 16, 2020 9:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: The House Must At Least go as far as S.2820, if not further

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police which should, at the very least abolish qualified immunity.

Our law enforcement system is rife with obvious and documented racism that manifests in lawless and flagrant misconduct by police. Which regularly include murder of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate must pass a bill that ends qualified immunity entirely, drastically reduces the ability of police to use force, removes police from schools, expands juvenile expungement, and fully funds proper reentry programs to keep people out of prison.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is an abomination, at complete odds with any concept of equal justice. It serves no useful societal purpose, and promotes contempt for the rights of citizen by police. Police are given the right to use force by the Commonwealth, and should be held the highest possible standard of conduct; qualified immunity ensures they are held to no standard at all. The practice of qualified immunity is more at home in dictatorships and police states, not a liberal democracy. Further, we must cease surveilling juveniles with police in schools and let young people expunge records related to mistakes they made as a child. Holding police to account is the bare minimum that should be expected of a civilized society.

This matter could not be more urgent. At the very least, go as far as S.2820, and do everything you can to go further. People are dying, even more are being brutalized in the streets. This is a unique chance to be on the right side of history. Please seize it.

Sincerely,

Bryan Jennings
1 Emerson Pl Apt 10E
Boston, MA 02114
bejnnings5@gmail.com

From: Betsy McKenna <betsymckenna@gmail.com>
Sent: Thursday, July 16, 2020 9:20 PM
To: Testimony HWM Judiciary (HOU)
Subject: **Opposition to S.2820**

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.
> I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:
>> (1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.
>> (2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.
>> (3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers,

experts in law enforcement should oversee practitioners in law enforcement.
>> In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.
>> Thank you,
>> Betsy McKenna
>> 25 Upland Drive
>> Bridgewater, MA 02324
>> 508-455-7205
From: Margaret McLaughlin <snickers10146@yahoo.com>
Sent: Thursday, July 16, 2020 9:19 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate bill 2820

July 17, 2020
Dear Chair Michlewitz and Chair Cronin,
My name is Margaret McLaughlin and I live In Middleboro, MA, I work at Old Colony Correctional Center in Bridgewater, MA and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.
Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.
Less than Lethal Tools: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.
Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.
I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve

the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.
Sincerely,
Margaret McLaughlin
From: Amy Toothaker <toothy410@aol.com>
Sent: Thursday, July 16, 2020 9:19 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony for Bill S 2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Amy Rando and I live at 238 Central Street in North Reading. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong. Qualified Immunity exists so that Officers who are acting in accordance with their agency's policies and procedures and using the appropriate actions/force based on the situation they are presented with are protected from civil liability. Qualified Immunity doesn't exist to protect officers violating their agency's P&P or using excessive force. I am also opposed to public databases regarding officer complaints.

Should Qualified Immunity disappear officers will no longer be proactive or try to apprehend suspects or violent persons for the very real risk of being sued personally. I honestly believe criminals will be emboldened with the knowledge an officer won't try to apprehend them or put their hands on them. Crime will rise and the innocent public will suffer. Results are already evident in many major cities where officers are taking a hands off approach like the public has called for. Now in those communities leaders are coming forward asking for anti-crime units to be put back in place and more law enforcement.

In law enforcement, unlike many other professions, people can often be left unhappy when an officer is doing "good work". Good work means writing tickets to speeders hoping they slowdown in the future and prevent major crashes resulting in injuries or death. Good work is arresting the spouse who just beat their significant other- even though neither want the police to make an arrest. An Officer does it knowing the next beating could be their last one if they are killed. Good work might mean using lethal force to save someone else's life or your own. Does any officer want to be put

in these situations? The answer is no. Sadly, until every citizen abides by the law, police officers need to respond accordingly.

By taking away Qualified Immunity speeders won't be stopped for fear of accusations of bias or profiling. Batterers won't be arrested for fear the couple will accuse the police of using excessive force, even if the appropriate amount was used. A lawsuit could be filed against the officer even if it was found the police acted accordingly. Officers and innocent citizens will die at higher rates when an Officer hesitates to use the appropriate amount of force in a lethal situation (or perceived lethal situation- the police are not psychics) for fear of their family losing their home and savings... or even just being portrayed in the media as a murderer. I believe Sgt. Michael Chesna lost his life and an innocent woman in 2018 because of the fear of using excessive force as the perpetrator was "only" armed with a rock.

Good officers doing good work and being proactive will generate complaints. Having a database available to the public will place a target on officers more than there already is. It is very easy to find addresses available to the public online. Showing and Officer has a certain amount of complaints will give the false perception the officer is a bad one.

POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I respectfully request you do not remove Qualified Immunity, do not have a public database regarding officer complaints as this will jeopardize Officers and their family's safety more than it already is, and include rank-and-file police officers on the POSA Committee. Thank you for taking the time to read my testimony.

Amy Rando

Sent from my iPhone
From: Rebecca Vessenes <rvessenes@gmail.com>
Sent: Thursday, July 16, 2020 9:19 PM

To: Testimony HWM Judiciary (HOU)
Subject: Testimony re S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on
use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from
outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in
their own schools. Municipalities should be able to make this decision for themselves.

I also support modifications/revoking qualified immunity
for police officers. Police officers should not be immune to prosecution if they engage in egregious misconduct. It does not matter if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Rebecca Vessenes
339-234-6284

Somerville, MA

From: Jonathan Badgley <Badgley.Jonathan@gmail.com>
Sent: Thursday, July 16, 2020 9:18 PM
To: Testimony HWM Judiciary (HOU)
Subject: Public Comment on the Reform, Shift + Build Act (S.2800)

Good evening,

Earlier today I learned about the Reform, Shift + Build Act (S.2800) which reached committee in the MA House of Representatives this week. As I understand it, the chair of the Senate Ways and Means committee has opened

a public hearing about the bill for MA residents to offer testimony in support or in opposition of this bill via email. I am reaching out today to express my support of this bill in its entirety, but also to express my unequivocal support for particular provisions of the bill that I see are most critical.

I unequivocally support SECTION 10 which partially breaks "qualified immunity" for police officers by allowing a person whose rights have been violated by an officer to file civil suit against officers for those violations of their rights and receive compensatory money damages. The doctrine of qualified immunity, codified in practice and statute, unreasonably protects police officers who violate the rights of citizens in the act of duty by effectively preventing any actionable legal redress for those violations. This provision provides a reasonable method of redress in these situations, and will in the long run reduce the frequency of rights violations by actors of the state.

The bill however does not go far enough, and I would ask that members of the committee consider additional changes to this bill (or to propose a new bill) that would require police officers to carry liability insurance, just as doctors are required to carry liability insurance. The current system simply does not hold police accountable for their actions, and a system of liability insurance would ensure that reckless police officers directly face the consequences of their actions through higher premiums of denial of insurance. Further, this bill or a future bill needs to address how damages are funded. Civil damages in cases involving rights violations by an officer should not be paid out by state or local governments. The public at large should not be held financially responsible for reckless police officers.

I unequivocally support SECTION 59 of the bill which allows an adjudicated delinquent or adjudicated youthful offender to petition for record expungement. I support the bill because it provides a critical pathway of rehabilitation for juvenile offenders. In many cases, juvenile offenders face their strongest punishment when they leave incarceration because of the incredible and undue burden that the status of criminal places on them. This is a burden they face for their entire lives. They face incredible challenges securing housing, employment, schooling, mortgages and many other necessary things in life because of the stigma and barrier that follows them. Background checks have become a gated community that leaves the most vulnerable on the outside.

The impact of a criminal record does not simply "follow a young person for their whole life" because the reality is that the impact compounds year after year. Missing a life stage or having a gap in employment is a huge set back that takes years to recover from for even non-offenders, and juvenile defendants are regularly asked to overcome an even greater challenge of having a gap in employment, housing or credit due to a criminal record. That's why the recidivism rate in MA is upwards of 76 percent three years following incarceration. The current system does not believe in rehabilitation because it does not allow juvenile offenders to achieve the legal status of rehabilitated.

What is worse is that these impacts are not distributed equally. Black and Brown juveniles are more often arrested, charged with more crimes, spend longer in incarceration and face greater challenges when returning to society. This provision not only provides necessary reform for juvenile offenders broadly, it is also critical in redressing systematic racism in the criminal justice system.

The existing statutes that allow juvenile expungement are not acceptable. First, the existing statutes only allow for the expungement if the offender has a single charge. Police officers and prosecutors routinely overcharge juveniles making this criteria nearly impossible to meet. Second, the law automatically disqualifies 150 charges which again puts incredible constraints on the applicability of the statute. Finally, and incredibly, the current statute does not make a distinction between a charge that is dismissed and a conviction. The SECTION 10 provision corrects these failures by allowing for multiple offenses to be expunged, allows judges to determine which charges can be dropped rather than legislators, and allows for a distinction between convictions and dismissed cases.

Despite what critics of the bill have said, especially those critics representing the police unions <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.boston.com_news_local-2Dnews_2020_07_15_massachusetts-2Dpolice-2Dunions-2Dreact-2Dsenate-2Dbacked-2Dreform-2Dbill&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=5G1wiA_dmD9jV1jlbR8RX6OZu08tjs-zX7hreH8Y3CY&s=ADAU7vf2WZdldVyyBIztZhTZdkoh86xJ42PzNxGw7EQ&e=> , the bill has not been rushed and will not create a significant impact on the ability of police officers to protect the public. Advocates of the juvenile expungement provision have been working in MA to enact similar statute change for nearly 8 years <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.lowellsun.com_2018_04_28_utec-2Dyouth-2Dled-2Dthe-2Dcharge-2Dfor-2Dexpungement-2Din-2Djustice-2Dreform-2Dlegislation_&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=5G1wiA_dmD9jV1jlbR8RX6OZu08tjs-zX7hreH8Y3CY&s=73GJZ7LwE_ho_4wxtp8PfVfx5F1QuevFtvyxRz0nPwo&e=> , and there have been calls to abolish qualified immunity since the doctrine began to be established by SCOTUS in 1967. These are not extreme measures. These are not new measures. They do not interfere in the ability of police to do their jobs. What they do is place additional protections around the rights of the public -- the same public that the police have sworn to serve. This is especially true in the case of the qualified immunity provision: if police officers are not violating fellow citizen's rights, then there is no way for the revision to interfere with the performance of their duties.

I respect that police officers and representatives from the police unions do not want to be treated as if they are the same as the Minnesota PD. I understand that they feel that passage of a police and justice reform bill in MA on the heels of national protests communicates that the public has lost trust in MA police and that somehow they have been especially unjust.

That is a clear mischaracterization of the purpose of the bill and evidence that the police and their unions are not listening carefully to public concerns. The bill represents a wide variety of reforms that the public has been calling for over a number of years which the unions have fought against tooth and nail.

It is time for reform. Those who have no interest in change and justice are asking for a delay because delay just is the status quo. A delay means not holding police officers accountable. We cannot delay. We are tired. We need justice reform. This bill provides justice reform and it must be passed.

Thanks,
Jonathan Badgley
11 Roberts Road, Apt 1
Cambridge, MA 02138
From: Pamela Silvia <pammysilvia@gmail.com>
Sent: Thursday, July 16, 2020 9:18 PM
To: Testimony HWM Judiciary (HOU)
Subject: Vote No Bill S 2800

To Whom it may concern
My family, friends and peers are very confused, pained and concerned with the proposed Bill S2800. We all agree that no law abiding person of color should ever fear police brutality or discrimination. We are heartbroken at this aspect as we have blended families of color and many are people of color. I think the majority of Massachusetts residents all agree.
Passing this bill as it is currently written will forever alter the safety of all citizens of Massachusetts.
I am a 53 year old widow of a wartime Veteran. A mother of two, one whom is disabled due to an incurable disease. I am also a 1989 nursing school graduate who worked in various positions and situations that police intervened to protect staff, other patients and protect an unstable patient from harming themselves. I have never encountered a police officer that hesitated to protect and serve. Last year, my daughters service dog was terminal. The dog suddenly could not stand. After contacting the animal hospital in the middle of the night for euthanasia information, it was the police who came and carried my daughters service dog into the car as she couldn’t be lifted without assist. These officers did not know my daughter or her dog. They served. They were so gentle with the 90 lb Golden Retriever and showed such empathy to my daughter. They cried over a dog and are now being painted as racist killers.
Our law enforcement are sons, daughters, parents, siblings and friends. They are made up of all races. NOW they are all heartbroken at what this Bill means to them. It not only changes their job description but implies they are equal to the killer of George Floyd. What an insult that is to those who honor their profession. As a female with decades of experience in healthcare who has needed a police escort to my car because I feared walking alone after vague threats were made frequently by unstable patients. I could personally recount many many other interventions that were life saving. Dispensing Narcan, arriving on the scene prior to EMT and beginning CPR without hesitation. I could keep writing and praising. Instead I beg you to revise this bill. Police will no longer have the option or desire to intervene. I personally know many mental health

workers who absolutely can not and have NOT been able to handle contemporary unstable people. They frequently rely on the police for the safety of all. This proposal is preposterous and dangerous. I can not imagine any experienced medical/psychological professionals are supporting this bill. If so, the community demands to hear from them. They can not possibly have extensive diverse clinical field experience.IMPOSSIBLE! It is NOT being supported by anyone I know with a medical background. Bill S 2800 will ultimately protect less people in all ways.
Training with the input of the Black caucus , community policing, no chokeholds and reporting and removal of police who abuse the badge should suffice as a starting point. If you implement this current bill into law you will forever alter our primarily good policing in the state of Massachusetts. You will be responsible if I am harmed walking to my car. My daughter, my mother, my sister or my neighbor. You, the lawmakers will hold this responsibility. There is a better way to enforce better policing for ALL residents of Massachusetts. I do believe in your hearts you do know this but seem to be rushing without proper judgment in light of the heinous murder of Mr. George Floyd.
The community at large is devastated over his murder and similar situations. The Massachusetts community is also
very upset that this bill passed at 4am. We love our neighbors of all colors including blue.
Passing this bill will discourage all law enforcement to step in to unknown sit and do their job. Stepping into the unknown is what law enforcement does every single day. If the police stop showing up, what do lawmakers think will happen? Do you honestly feel we will be safer? Do you not foresee early retirement and more lawless in our future? We foresee this. This will inevitably spill over to our FD and healthcare workers and cause unnecessary burden and harm.
All the people you praised for their selfless service during the peak of Covid 19 you will cause unnecessary ill will and burden.
Did you forget them that quickly?
They feel that you have.
We feel you have.

Our first responders are heroes not villains.
Again , my family and I beg you to not implement this into law.
I would appreciate a return email regarding your intentions.
Sincerely yours
Pamela Silvia
166 Chauncy St
Mansfield MA
02048

From: Jaime Mccann <jaims29@aol.com>
Sent: Thursday, July 16, 2020 9:17 PM
To: Testimony HWM Judiciary (HOU)
Subject: MA state police bill

Good evening,
As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and

accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Jaime McCann
150 Crimson St
Raynham MA 02767
Jaims29@aol.com

Sent from my iPhone

From: Nick Green <ngreen441@gmail.com>
Sent: Thursday, July 16, 2020 9:17 PM
To: Testimony HWM Judiciary (HOU)
Subject: H2820

Dear Chair Michlewitz and Chair Cronin,

My name is Nicholas Green and I live at 26 John Alden Circle in Bellingham. I work at MCI-Norfolk and am a Correction Officer. I am also a part-time Police Officer with the Millville Police Department. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to aquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also as that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,
Nicholas Green

From: Kara Chapman <kudzichap@gmail.com>
Sent: Thursday, July 16, 2020 9:17 PM
To: Testimony HWM Judiciary (HOU)

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,
Kara Chapman
East Bridgewater MA

Sent from my iPhoneFrom: Jeanette DeMasi <jeanettedemasi@aol.com>
Sent: Thursday, July 16, 2020 9:16 PM
To: Testimony HWM Judiciary (HOU)
Subject: S 2820

Dear Representative Aaron Michlewitz,

My name is Jeanette DeMasi and I live at 14 Bartley St., Wakefield. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Jeanette DeMasi

From: Scott Gregory <217gregs@gmail.com>
Sent: Thursday, July 16, 2020 8:57 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Judiciary committee and members of the House of Representatives,

I am saddened to be typing this email in support of myself, my peers, and my family against the senate's decision to pass this bill. Democracy has been circumvented by the Senate when they forced this bill through without

public comments from those who have interests and elect them into office. I can only hope that this is not the case with this legislative body.

S.2820 is a dangerous bill for not only public servants, but for the citizens of the commonwealth. It was constructed out of emotions to a national tragedy, which rightfully should have led to a conversation, but not an attack on the most professional and highly trained police officers in the country. The greatest risk here is the cascade of failures that this bill, if passed, are certain to happen within our borders, within our cities, towns, neighborhoods, and eventually to the front door of those who never expected it. Foresight and common sense have been left behind when this bill was drafted and passed in the dead of night.

Should this bill pass, officers, FAMILIES of officers, who live everyday to protect against criminality, violence, and evil in all shapes and colors will have an even larger target on them. Who do you think would want to stay to protect after being attacked by their government? Who would take those places? How many votes will YOU lose by throwing everyone associated with law enforcement to the wolves? How many neighborhoods will fall into criminality when there are no longer officers willing to proactively protect those who can't protect themselves?

The simple fact is that if you vote to approve this bill, you will be moving backward in time, undermining work that labor unions have done to protect workers in all trades and aspects of public service. Qualified immunity does not protect officers who break the law. It doesn't hinder a criminal investigation into officers who abuse their power. It protects officers that act in good faith to SAVE people. Think about this, if this bill passes, an officer would then have MORE protection by NOT acting than acting in good faith. If that doesn't scare you than you'd better think about the repercussions that means.

Does the line end with police officers? How bout firefighters? Teachers? Judges? Politicians? Who knows... that's why it's such a dangerous precedent. Think about the citizens, the voters, the workers of the commonwealth when deliberating this bill. Invite a conversation on how policing could improve for our communities, but don't pass this bill, it is not the answer.

Respectfully,

Scott Gregory
Westfield, MA
From: Tom Cashman <trcashman@yahoo.com>
Sent: Thursday, July 16, 2020 9:15 PM
To: Testimony HWM Judiciary (HOU)
Cc: Garlick, Denise - Rep. (HOU)
Subject: Ma S2820

My Name is Tom Cashman. I live in Dover, Ma, and I represent myself and am not affiliated with any group.

Here is an email I wrote to Senator Mike Rush and Denise Garlick about two weeks ago.

*****
I grew up in WR (West Roxbury), and my Dad was a US Marine and Boston Police Officer.

I have had enough of BLM. How about ALL lives matter, whether black, brown, pink, yellow, white.. its all about respect for the individual.

Being a policeman has gotten harder over the past 2-3 decades, especially in Boston. The metaphorical old drawing by Norman Rockwell about the policeman sitting at the cafe counter has been replaced by the Boston Globe insinuating that every BPD officer is a racist and a bully.

I happen to know many policemen that serve Boston. My friends come from multiple races and genders. The law currently in front of the legislature treats these good people like the bad people we need to protect our children from. This is a great example of "over-rotation", where in an attempt to provide the type of justice we all want based on the universal values of "God given rights"... we place some of our most valued civil servants in completely untenable situations.

I implore you to reverse your stance on Bill 2800, and think about legislative restraint. Imagine yourself in a policeman's shoes, trying to do the right thing... and wondering "what if?"... instead of doing the right thing and knowing that society and the laws of Massachusetts will have your back.

Thanks,

Tom Cashman

****

When I read some of the commentary made in the email I received, it is apparent that this is not a debate. I am particularly critical of the wording of section 3:

"Creating a commission on structural racism to study how the systemic presence of institutional racism has created a culture of structural racial inequality"

What happened to the "if" clause... as in "To study WHETHER structural racism exists in Massachusetts Police Forces, AND IF IT DOES, to seek to remedy that structural racism"?? You have made it a foregone conclusion to appease the mob.

As I stipulate in my email above... this completely well intentioned but misguided overreaction will not serve the commonwealth or its citizens... and the end result of this process will be to drive further wedges between the police departments and the people they PROTECT AND SERVE (regardless of what race, color or creed those police officers happen to be)

Tom Cashman

From: Beru1977@aol.com
Sent: Thursday, July 16, 2020 9:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Dear House of Representatives,

Our names are Russell and Elizabeth Carman and we live at 7 Briarwood Lane Wakefield. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1)Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2)Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3)POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you’re going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015

President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,
Russell and Elizabeth Carman
From: jillcorwin826 <jillcorwin826@verizon.net>
Sent: Thursday, July 16, 2020 9:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please veto bill S2800

To whom it may concern.

In regards to this bill, I am please asking you to veto bill S2800.

I understand changes need to be made, however just passing a bill for the sake of passing one, makes no sense. To pass a bill at 4:30 am is unconscionable.

More police training needs to be in the works for sure, but reverberations are not the answer.

Please veto this bill and let's work together to make it right for everyone and not rushing a bill with out completely thinking this through.

Thank you.
Jill Corwin

Sent from my Samsung Galaxy smartphone.

From: Dennis Cogavin <dcog185@gmail.com>
Sent: Thursday, July 16, 2020 9:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform

Hello,

I am writing out of concern for the pending police reform bill which is currently being discussed. In full disclosure I have been a police officer for 24 years. I writing to share my opinion and hopes regarding the proposed bill currently being discussed about police reform. I will not argue that there is a need for change and scrutiny in policing. We should be held to a higher standard. However, the police should NOT be painted with the same broad brush. Most police officers go work to do a good job. Very few are “bad apples”. Although there are some no doubt. But in todays day in age many officers who are making split second decisions are having their lives and careers destroyed. Most of the times their actions are entirely appropriate. I feel most people would agree. However, today we see a small group of highly vocal, highly organized and often times violent group of people intimidating the rest. What we need now is a time to think reasonably and consider all aspects of the legislation. The bill

will have lasting repercussions in our state. More importantly many of the issues involving police alleged violence have not been in Massachusetts. So please be reasonable and take the time to consider the lasting effects of “knee jerk” legislation that is destined for failure or are at least flawed. But if it is discussed with more parties and thoughtful time the result will be more beneficial to everyone.

Thank you for your time,
Dennis Cogavin
West Roxbury, MAFrom: Amy King <amm12@grad.bryant.edu>
Sent: Thursday, July 16, 2020 9:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Good Evening,

My name is Amy King and I live at 164 Meadowbrook Road in Hanover. I write to you today with regards to S.2820. This is a bill that has the attention of many in our Commonwealth. Most particularly, it has the attention of Police/Law Enforcement officers, those that love them and those that support them.

I write to you as the wife of an active duty Weymouth Police Officer, the daughter of a retired Provincetown Police Sergeant, and the daughter-in-law of a retired Weymouth Police Officer. Growing up as the daughter of a Police Officer I don’t really remember being worried about my father going off to work. It was a different world then. Police Officers were respected and appreciated for the job they did. As the wife of a Police Officer in today’s world things are different. Like all police wives, I watch my husband leave and hope and pray that he comes home safely every day. My last words to him every time he leaves are “be safe, I love you”. In our world this is “normal” but not everyone lives in the same world we do. Not all wives need to say "be safe" when their loved one leaves for work.

I also write to you as a member of a larger family - the Blue Family. This week, Wednesday July 15 to be specific, my Blue Family and I remembered one of our own, Sergeant Michael Chesna. On July 15, 2018 this husband, father, son, brother and uncle who just also happened to be a Police Officer was murdered. I will never forget the text message I received from my husband that he was safe but couldn't talk because I found out later that he was on his way to the hospital with Mike. I will never forget where I was when I learned the news that Mike had died. I will never forget attending Mike’s wake on the day of my 10th wedding anniversary nor the funeral a day later with my husband, my Blue Family and the Chesna Family. Sitting in St. Mary of the Sacred Heart Church in Hanover with my fellow police wives is something none of us will ever forget. A police wake and funeral are things NONE of us ever want to attend again.

As I noted above, S.2820 has caught our attention. There are pieces of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform. Like many, I support enhanced training and appropriate certification standards that apply to

individual officers. I also support accreditation of police departments. Certification and accreditation both serve as a commitment to excellence in training and promote each individual's and department's maintenance of the highest professional standards. Certification and accreditation also serve to enhance public confidence. Public confidence, and I might offer respect, is critical to police officers being able to do their job on a daily basis. I also support the ban of the use of excessive force by police officers as well as the proposal that every individual officer has the duty to intervene if they witness excessive force. These parts of S.2820 all make sense when we focus on the idea that this bill is about constructive police/law enforcement reform.

S.2820 has also caught our attention because there are pieces of it that do not allow for the fair and unbiased treatment of Police Officers. Most importantly, the removal of Qualified Immunity for Police Officers is unfair and potentially dangerous. Qualified Immunity, as I understand it, does not excuse criminal conduct. It is, instead, a legal protection offered to all public employees and serves as a protection against losing one's home or life savings in a civil suit. As many people know, Police Officers need to make in the moment decisions every day when they put on their uniform. If they don't make those decisions quickly enough they face the very real chance of death or injury. Police Officers CANNOT do the job they were hired to do safely and effectively if they are worried about liability. They CANNOT do the job they were hired to do safely and effectively if they are worried about losing the home their family lives in. They CANNOT do the job they were hired to do safely and effectively if they are worried about how they will support their loved ones. Is there a chance that Sergeant Michael Chesna chose not to use his weapon on the morning of July 15, 2018 because he was worried that such use would have been viewed as use of excessive force? Was he worried that if he used his weapon he could potentially lose his family's home? The answers to those questions we will never know. It does seem reasonable to assume, however, that had Sergeant Michael Chesna chosen to use his weapon to shoot Emanuel Lopes he would still be here today. He would still be here with his family who miss him every single day. Police Officers need to be able to make quick decisions and act in good faith without fearing that each and every decision they make could lead to a lawsuit against them. Police Officers who are forced to stop, pause and think about potential liability before they act are Police Officers whose lives are at risk. The removal of Qualified Immunity should NOT be part of the final police/law enforcement reform package.

As I stated, there are parts of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform. The bill as it currently stands before you is NOT acceptable as a total package. If Legislation such as that tied to S.2820 is to be effective, appropriate, and just for all citizens of our Commonwealth, it takes time along with careful thought and consideration. Reactive and rash decision making does not serve the citizens of our Commonwealth. The early acts in the Senate to rush a vote on this bill and to not study

pieces like Qualified Immunity further have been extremely disheartening. I appreciated those Senators who called for more time and for a closer look at the bill in order to produce a product that was fair and just for all citizens of our Commonwealth. I also appreciate the willingness of the House to hear from the citizens of the Commonwealth. Legislation such as S.2820 impacts all citizens so all of those citizens should be allowed to share their thoughts.

In closing, I urge you to take the time that is necessary to make the best decision for ALL citizens of our Commonwealth. We have some of the most well trained Police/Law Enforcement Officers in the country. They need to be able to do the job they were trained to do in a safe and effective way. I urge you to correct S.2820 so as to treat the men and women in Law Enforcement with the respect and dignity they deserve.

Sincerely,

Amy King

164 Meadowbrook Road

Hanover 02339

From: Ronald Karcz <rwkarcz@yahoo.com>
Sent: Thursday, July 16, 2020 9:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

Ronald Karcz.

From: Joyce Higgins <jmhiggins@outlook.com>

Sent: Thursday, July 16, 2020 9:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

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I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down qualified immunity in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum it should specifically eliminate any provisions similar to sections 10, 49, and 52, as well as amend Section 63 to have more police representation.

Sincerely,
Joyce Higgins
Billerica, MA 01821

Get Outlook for Android <https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_ghei36&d=DwMFAg&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=_RdpiR6veeTZslv5HUo9I4N39iTX5T7xEZCqjkixq3c&s=pWacDrIRKzOdBE3bMrUy24Vzuo_FbjBeYXqXvetSSYU&e=>
From: Bob Presutti <rpresutti1@gmail.com>
Sent: Thursday, July 16, 2020 9:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Bob Presutti and I live in Wakefield. I work at the Norfolk Sheriff's Office and am a Corrections Officer there. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

???????????????????? ????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits
.
???????? ???????? ???????????? ??????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

???????????????? ?????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Bob Presutti

From: taz dev <tazdev24@gmail.com>
Sent: Thursday, July 16, 2020 9:14 PM

To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Anthony LoPilato

8 Darby St

Tewksbury, Ma 02876

Sent from my iPad

Sent from my iPad
From: Nicole Torres <ntorres201@yahoo.com>
Sent: Thursday, July 16, 2020 9:14 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Nicole Torres Curral and I live at 373 Dawson Street, New Bedford, MA . As a constituent & registered voter, I write to express my opposition to Senate Bill 2820 & would like to be recorded as opposing said Bill.

This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified immunity doesn’t protect officers who break the law or violate someone’s civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

The fact that you want to take away an officer’s use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling “Stop” to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer’s rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Registered Voter

Nicole Torres Curral

Sent from my iPhone
From: Lydia Bowers <lydiadbowers@gmail.com>
Sent: Thursday, July 16, 2020 9:13 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please advocate for Expungement in Massachusetts in house bill focused on racial justice

Dear MA Judiciary,

My name is Lydia Bowers and I am a resident of Somerville, MA. I am writing today over concerns about our current youth expungement law, which is overly exclusive to the point most young people cannot qualify. I know that the Legislature is planning to pass legislation to address police accountability and racial justice and I would really appreciate your support to make sure an expansion to the expungement law is included as part of this plan.

As an Human Resource professional, I have seen first hand how criminal records stay with people forever and prevent many from getting good jobs. I have advocated for hiring those with criminal records, and as a result have witnessed the deep stigma those with a criminal record encounter while job seeking. As long as these stigmas against hiring those convicted of crime, even low level crime, exist, youth expungement is crucial for a fair and equitable society.

In addition, race plays a central role in the problem with criminal records. Black youth are three times more likely to be arrested than their white peers. Black individuals are six times more likely to go to jail than whites despite being just 7.5% of the population. People of color are over-represented at every stage of the legal system and expungement will go a long way to undo the harm from this systemic racism.

I respectfully ask for an amendment that will:

1. Allow for multiple offenses to be expunged (prior to age 21).

2. Remove the list of 150+ charges that automatically disqualify and let the judge decide. Charges don't reflect the reality of an individual's character, guilt, likelihood of future risk, or ability to contribute to society in a positive way. Instead we should allow for judicial discretion. Since the 7 year felony and 3 year misdemeanor wait periods only begin at the end of one's sentence, the most severe charges like murder and aggravated rape which come with life sentences will never be eligible.

3. Differentiate between convictions and dismissed cases. Not all charges are equal.

Thank you for your consideration! This issue is very important to me, the young people in our community, and the entire Commonwealth of Massachusetts.

--

Lydia D. Bowers
860-450-9149 || www.lydiabowers.com
<https://urldefense.proofpoint.com/v2/url?u=http-3A__lydiabowers.com&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=M3EefVevXsGK9w86xGgGKOWIwEBN6j99rfiiE33m1wo&s=GHCXDsQ5MkxdQIptiIPl5DDD6T4TO0l02Lpq2T9ryyc&e=>

From: snowshoes@rcn.com
Sent: Thursday, July 16, 2020 9:13 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to

ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

From: Aryam Kifle <aryamakifle@gmail.com>
Sent: Thursday, July 16, 2020 9:13 PM
To: Testimony HWM Judiciary (HOU)
Subject: DO NOT PASS S.2820

Dear members of House leadership;

S.2820 does almost nothing to prevent state violence against Black people or stop the flow of Black people into jails and prisons.

I believe S.2820 will cause more harm than good by increasing spending on law enforcement through training and training commissions, expanding the power of law enforcement officials to oversee law enforcement agencies, and making no fundamental changes to the function and operation of policing in the Commonwealth. Real change requires that we shrink the power and responsibilities of law enforcement and shift resources from policing into most-impacted communities. The definition of law enforcement must include corrections officers who also enact racist violence on our community members.

If the Massachusetts legislature were serious about protecting Black lives and addressing systemic racism, this bill would eliminate cornerstones of racist policing including implementing a ban without exceptions on pretextual traffic stops and street stops and frisks. The legislature should decriminalize driving offenses which are a major gateway into the criminal legal system for Black and Brown people and poor and working class people. Rather than limiting legislation to moderate reforms and data collection, the legislature should shut down fusion centers, erase gang databases, and permanently ban facial surveillance by all state agencies including the RMV. I also support student-led efforts to remove police from schools.

The way forward is to shrink the role and powers of police, fund Black and Brown communities, and defund the systems of harm and punishment which have failed to bring people of color safety and wellbeing. S.2820 does not help us get there.

Thank you kindly for your time,

Aryam Kifle. Newton, MA

From: Bob Rinn <rrinn6490@gmail.com>
Sent: Thursday, July 16, 2020 9:13 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

?

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law

enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sent from my iPhone
From: Sean W <sdworrall1@gmail.com>
Sent: Thursday, July 16, 2020 9:12 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

The Chair of the House Committee on Ways and Means, Rep. Aaron Michlewitz, in cooperation with Rep. Claire Cronin, Chair of the Joint Committee on the Judiciary,

If passed as currently written, S2820 will cause men and women such as myself in the state of Massachusetts to be no longer able effectively preform their duties as police officers. Ending qualified immunity would place officers at risk of being personally liable due to actions on duty even if such actions were conducted in good faith. This would lead to a serious safety risk for police officers as well as the citizens of Massachusetts, as officers would no longer feel comfortable making a decision in a heat of the moment situation due to fear of "making the wrong decision". Not to mention the frivolous law suits that are sure to follow. I do not feel as though officers in the state are opposed to receiving more training or becoming licensed within the state. Personally, I would enjoy having access to further training opportunity and have no issue at all with becoming licensed in the state, but if qualified immunity is eliminated, I believe this would do far much more damage than good. This is simply punishing officers who work hard for their communities every day and would likely cause a large percentage of officers to leave the profession. This job can simply not be performed without qualified immunity. I think we all understand these are difficult times... but making rushed decisions at the expense of our officers is not the answer. I believe the fact that this bill was passed at 4am in the dead of the night speaks for it self... Please, DO NOT pass S2820 as written, as it was cause for more negatives that positives.

Patrolman Sean Worrall
Norton Police Department

From: Chip DiPietro <chpdip@comcast.net>
Sent: Thursday, July 16, 2020 9:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S.2820

Although I agree with some of the items in the senate bill, like banning chokeholds, limit the use of tear gas and training them in the history of racism, I totally disagree with the removal of qualified immunity for law

enforcement officers. What also upsets me and many others is how the bill was drafted and voted on late at night and without any input from the police unions. My understanding is the law enforcement unions were and are more than willing to work with the legislature to make things better. Slamming a bill together in the middle of the night leaves me with little trust in our legislature.

If this bill were to pass as is, why would someone want to be a law enforcement officer? Way too much risk. Why would a law enforcement officer stick their neck and life on the line and have no backing. You think crime is bad now, passing this bill as is opens the doors for more disruption than we could ever imagine.

As I mentioned above, some things need to change, but more input is needed and more thought taken into consideration before we just try to pass something in the middle of the night.

Thanks,

Chip DiPietro

Resident of North Reading Ma.

From: whinnem13@verizon.net
Sent: Thursday, July 16, 2020 9:12 PM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified Immunity

To who it may concern,

I respectfully disagree with the proposed abolishment of qualified immunity for police officers and all responders.

While I fully support that reform is needed in a number of areas of policing, in order to change a dangerous culture that has too often protected officers who are unfit to wear the badge, I don't believe wiping out qualified immunity is the answer.

Honest, important steps can and must be made to change the numerous incidents that people of color unfairly suffer at the hands of unfit police officers.

However, eliminating an important tool like qualified immunity I believe would actually hurt the numerous good officers from doing their job effectively if the threat of lawsuits, etc., hang over their heads.

It is time for the people who make these decisions to look deeper than cosmetic fixes like this to truly address the issues of systemic racism,

both in law enforcement and society. In other words, don't just throw out the baby with the bath water. Look at the pieces of the system that work, why they work, and then address issues like hiring practices and accountability on the job and union protections that keep bad cops working.

Police are one of society's most important pillars. There are an untold number of good men and women in uniform who put their lives on the line each day. People who are better than I. Please don't risk losing them by making it more difficult to do what we ask them to do every day.

Sincerely,
Russell Alan Whinnem
Framingham, MA

From: Donna Forand <forandhockey@aol.com>
Sent: Thursday, July 16, 2020 9:12 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
Donna Marie Forand
7744543392

Be someone’s Encouragement Today!
From: Beverly Martin <bev.martin09@gmail.com>
Sent: Thursday, July 16, 2020 9:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd:

---------- Forwarded message ---------
From: Beverly Martin <bev.martin09@gmail.com>
Date: Thu, Jul 16, 2020, 9:06 PM
Subject:
To: <David.Biele@mahouse.gov>

Dear Representative Biele,

My name is Beverly Martin and I live in your district at 81 Orton Marotta Way Apt 6100 South Boston, MA 02127 and I am a huge fan of those who protect and serve our community. As you consider legislation that affects police officers and their safety, and thus the safety of our entire community, please understand that protection and preservation of due process and qualified immunity are non-negotiable and must be defended. Failure to protect both will undoubtedly put all public employees in harm's way while drastically and negatively impacting public safety for us all.

WHY DUE PROCESS MATTERS- Any legislation must allow fair and equitable due process under the Law. Currently, when an officer is disciplined, he/she is entitled to due process and an appeal process with the employer. A new outside board (like the POSA Committee) should allow this process to complete before instituting a review. This will not only maintain fairness, but will allow the new Committee to have a full record and make determinations after a thorough and neutral process has been undertaken. Other public employees such as teachers go through a similar process; police officers deserve the same respect and rights.

WHY QUALIFIED IMMUNITY MATTERS – Qualified immunity does NOT protect bad officers who knowingly violate the rights of members of the community. It’s worth saying again. It does not protect bad cops. Instead, it protects good officers who play by and follow the rules. The doctrine allows lawsuits to proceed if a government official (not just a police officer) had fair notice that his or her conduct was unlawful, but acted anyway. The standard is objective reasonableness. By abolishing or changing qualified immunity as it exists today, police officers will not know what is lawful or not. This creates hesitancy and uncertainty in how they perform their duties. This is UNSAFE for all communities.

In closing, we are NOT Minneapolis. So, changing due process or qualified immunity in Massachusetts, which would affect police officers only in Massachusetts, would only serve to punish the men and women in blue for something that happened 1000 miles away. Instead of penalizing and scapegoating, we should be celebrating and promoting the fact that our

police officers, some of the best in the nation, are impressive examples of how policing should be done.

Sincerely,

Beverly Martin

From: Sara Dickey <sara.dickey13@gmail.com>
Sent: Thursday, July 16, 2020 9:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: Another call to RAISE THE AGE!

Dear Chairs Michlewitz and Cronin,

I write to add my voice to the many who are speaking up about how important it is to include language around raising the age is in the state radical justice bill S 2820. I have worked with youth over the past eight years as a manager at More Than Words (https://mtwyouth.org <https://urldefense.proofpoint.com/v2/url?u=https-3A__mtwyouth.org_&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=-4uosYYdnXmpBmxcLBxJATQXo4Gl6ASKptgAPhX_lb0&s=p_SLfgsWW24D-yMrVK9mbf72ZIlX9WU8nf4sC5W8stw&e=>), where we empower young adults to take charge of their lives by taking charge of a business. I work with young people from all different backgrounds, all of whom deserve every ounce of care, compassion, and accountability we share with them over the 6-12 months we work together. Young adults make mistakes. We've all made mistakes, and lots of times we got second chances. I know I did.

Turning 18 didn't magically make me into a mature, responsible adult. I'm guessing the same is true for you. Young adults over 18 still make mistakes and mess up, but that doesn't mean they should automatically be tried as adults in the justice system. They're still learning and deserve compassionate accountability. Please include language to raise the age in bill S 2820. I am thankful for you helping keep youth out of the justice system, giving them a second chance to learn how to do better, and be better instead of just being locked up.

Sincerely,
Sara Dickey

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From: Greg Gaetano <bosoxremy@yahoo.com>
Sent: Thursday, July 16, 2020 9:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Greg Gaetano and I am a 22 year veteran officer at the Dracut Police Department. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.
???????????????? ????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.
???????? ???????? ??????????? ??????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.
???????????????? ?????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.
I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Respectfully Submitted,

Officer Greg Gaetano

From: Nicholas <ncascarano@yahoo.com>
Sent: Thursday, July 16, 2020 9:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Nicholas Cascarano. I work at The Lemuel Shattuck Hospital Correctional Unit in Jamaica Plain MA as a Corrections Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to aquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.
I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women

who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also as that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,
Nicholas Cascarano
From: George Rappolt <grappolt@rcn.com>
Sent: Thursday, July 16, 2020 9:10 PM
To: Testimony HWM Judiciary (HOU)
Subject: 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

Dear Members of the House Judiciary Committee and Ways and Means Committee,

I am writing to you to voice my strong support for 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. This bill is urgently needed because of the toxic culture that has overtaken many police departments, both in Massachusetts and in the nation as a whole. Police abuse civilians in ways that would be crimes for anyone else, with complete impunity. The press has treated this as a purely racial issue, because Black people are much more likely to be targeted than whites. However, the sad truth is that no one is safe from abuse by the police, and police retain their impunity no matter who they abuse. Recent events have made this obvious, as police target white protesters and as President Trump himself admits that more whites are killed by police than Blacks. Everyone needs police reform.

A particularly critical piece of this reform is an end to conditional immunity. The doctrine of conditional immunity shields police from meaningful legal action in all but the most extreme circumstances, effectively freeing them from any kind of accountability. No reforms can take hold until the police are accountable for their actions. This makes the end of conditional immunity key to actually implementing and enforcing all of the other reforms in S. 2820.

Please pass S. 2820 without diluting any of its provisions, and especially without weakening the provisions to limit conditional immunity. In their current form, these provisions constitute the bare minimum of what is actually needed.

Thank you for your consideration,

George A. Rappolt

9 Morgan Drive Unit 105

Natick, MA 01760

781-444-6875

grappolt@rcn.com

From: Laurel Chabib <laurelchabib@gmail.com>
Sent: Thursday, July 16, 2020 9:10 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition of S.2820

Dear House of Representatives,

My name is Laurel Chabib and I live at 273 Boston st., in Lynn. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong. While I am in support of police reform and of far more severe consequences for officers who show a pattern of discrimination and inappropriate behavior, I firmly believe that this bill will open the door for a domino effect of serious societal issues.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law

enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Laurel Chabib
781-350-8266From:Michael Werner <michael.h.werner@outlook.com>
Sent: Thursday, July 16, 2020 9:10 PM
To: Testimony HWM Judiciary (HOU)
Cc: Dykema, Carolyn - Rep. (HOU)
Subject: Writing in support of S2820

Dear Chairs Michlewitz and Cronin,

I am writing to you to voice my support for S2820. It is imperative that we make this first step toward racial justice. As a Massachusetts resident I am tired of abuses of our neighbors at the hands of unaccountable law enforcement officers. I ask that you preserve the language creating an independent and civilian majority police body, limit qualified immunity, and reduce the school to prison pipeline by removing barriers to expunge juvenile records.

I also ask that you strengthen the use of force standard, fully prohibit facial surveillance technology, and lift the cap of the justice reinvestment fund.

Thank you for taking the time to review my input.

Michael Werner
Hopkinton, MA
From: Meg <mmccarthyegan@gmail.com>
Sent: Thursday, July 16, 2020 9:10 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

My name is Megan McCarthy-Egan and I live at 41 Gilbert Road, in East Weymouth <x-apple-data-detectors://0> and I am a huge fan of those who protect and serve our community. As you consider legislation that affects police officers and their safety, and thus the safety of our entire community, please understand that protection and preservation of due process and qualified immunity are non-negotiable and must be defended. Failure to protect both will undoubtedly put all public employees in harm's way while drastically and negatively impacting public safety for us all.

WHY DUE PROCESS MATTERS- Any legislation must allow fair and equitable due process under the Law. Currently, when an officer is disciplined, he/she

is entitled to due process and an appeal process with the employer. A new outside board (like the POSA Committee) should allow this process to complete before instituting a review. This will not only maintain fairness, but will allow the new Committee to have a full record and make determinations after a thorough and neutral process has been undertaken. Other public employees such as teachers go through a similar process; police officers deserve the same respect and rights.

WHY QUALIFIED IMMUNITY MATTERS – Qualified immunity does NOT protect bad officers who knowingly violate the rights of members of the community. It's worth saying again. It does not protect bad cops. Instead, it protects good officers who play by and follow the rules. The doctrine allows lawsuits to proceed if a government official (not just a police officer) had fair notice that his or her conduct was unlawful, but acted anyway. The standard is objective reasonableness. By abolishing or changing qualified immunity as it exists today, police officers will not know what is lawful or not. This creates hesitancy and uncertainty in how they perform their duties. This is UNSAFE for all communities.

In closing, we are NOT Minneapolis. So, changing due process or qualified immunity in Massachusetts, which would affect police officers only in Massachusetts, would only serve to punish the men and women in blue for something that happened 1000 miles away. Instead of penalizing and scapegoating, we should be celebrating and promoting the fact that our police officers, some of the best in the nation, are impressive examples of how policing should be done.

Sincerely,
Megan McCarthy-Egan, MSW, LICSW

Sent from my iPhone
From: Karen Sweeney <karens2000@comcast.net>
Sent: Thursday, July 16, 2020 9:09 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation

of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely Karen Sweeney

From: Jacqueline Moz <jlcamoz@gmail.com>
Sent: Thursday, July 16, 2020 9:09 PM
To: Testimony HWM Judiciary (HOU)
Subject: My Opposition to Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Jacqueline Moz and I live at 362 Rindge Ave apt 8H. I work at Suffolk County Sheriff's Department House of Corrections and I am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

???????????????? ????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

???????? ???????? ??????????? ??????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

???????????????? ?????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Taking away funds from police or corrections is taking away training that is needed to better serve the commonwealth.

Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Jacqueline L. Moz

From: musa22west <musa22west@comcast.net>
Sent: Thursday, July 16, 2020 9:08 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement

field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.
In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.
Thank you,

Officer Jeremy Musa
545 cooper street
Agawam, MA 01001
Musa22west@comcast.net

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone

From: bons356@aol.com
Sent: Thursday, July 16, 2020 9:09 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

Barbara O'Neil-Sheehan
From: Lauren Delaney <lauren.delaney21@gmail.com>
Sent: Thursday, July 16, 2020 9:08 PM
To: Brady, Michael (SEN); ldavid.decoste@mahouse.gov; Testimony HWM Judiciary (HOU)
Subject: Oppose S2800

Hello,

I am all for police reform and change, but this bill is going to do more harm than not. I'm addition, the way this was passed is a terrible reflection of a knee jerk reaction from our white make majority politicians. I support black lives matter and change. I also support the amazing police force we have in Massachusetts. This bill will do more game than better. You will have many walking out on their jobs. Or get paid to do even less. Do the right thing.

Thank you,
Lauren Delaney
1508 Broadway
Hanover MA 02339

Sent from my iPhoneFrom: Scott Gilman <scott.t.gilman@gmail.com>
Sent: Thursday, July 16, 2020 9:08 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I am writing in favor of S.2820 to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it. The final bill should eliminate qualified immunity entirely, introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no-knock raids like the one that killed Breonna Taylor.

Additionally, while this bill is a start, it does not go nearly far enough. We need to rapidly shift funding from the State Police and prisons to social services, education, environmental justice initiatives, and green jobs. Given the current political moment, and right on the heels of massive scandals and financial mismanagement among the State Police, voters in Massachusetts expect much, much bolder action from you.

Please let me know if you have any questions.

Best,
Scott Gilman
Somerville, MA

From: Deirdre Smith <dsmith0916@gmail.com>
Sent: Thursday, July 16, 2020 9:08 PM
To: Testimony HWM Judiciary (HOU)
Subject: Objections to S.2800

Dear Chair Michlewitz and Chair Cronin,

My name is [Insert Name] and I live at [Insert Address] in [Insert Town], Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine ofstare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits.

The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Deirdre Smith

South Hadley, MA

From: Brendan55 <brendan55@charter.net>
Sent: Thursday, July 16, 2020 9:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Brendan O'Neill

12 Orchard Road

East Longmeadow, MA 01028

Brendan55@charter.net

From: Mark McKunes <markmckunes@yahoo.com>
Sent: Thursday, July 16, 2020 9:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: S. 2800

From: Mark McKunes <markmckunes@yahoo.com>
Date: July 16, 2020 at 9:03:11 PM EDT
To: david.biele@mahouse.gov
Subject: S. 2800

?Dear Representative Biele,

My name is Mark McKunes and I live in your district at 232 Athens street South Boston Mass 02127 and I am a huge fan of those who protect and serve our community. As you consider legislation that affects police officers and their safety, and thus the safety of our entire community, please understand that protection and preservation of due process and qualified immunity are non-negotiable and must be defended. Failure to protect both will undoubtedly put all public employees in harm's way while drastically and negatively impacting public safety for us all.

WHY DUE PROCESS MATTERS- Any legislation must allow fair and equitable due process under the Law. Currently, when an officer is disciplined, he/she is entitled to due process and an appeal process with the employer. A new outside board (like the POSA Committee) should allow this process to complete before instituting a review. This will not only maintain fairness, but will allow the new Committee to have a full record and make determinations after a thorough and neutral process has been undertaken. Other public employees such as teachers go through a similar process; police officers deserve the same respect and rights.

WHY QUALIFIED IMMUNITY MATTERS – Qualified immunity does NOT protect bad officers who knowingly violate the rights of members of the community. It’s worth saying again. It does not protect bad cops. Instead, it protects good officers who play by and follow the rules. The doctrine allows lawsuits to proceed if a government official (not just a police officer) had fair notice that his or her conduct was unlawful, but acted anyway. The standard is objective reasonableness. By abolishing or changing qualified immunity as it exists today, police officers will not know what is lawful or not. This creates hesitancy and uncertainty in how they perform their duties. This is UNSAFE for all communities.

In closing, we are NOT Minneapolis. So, changing due process or qualified immunity in Massachusetts, which would affect police officers only in Massachusetts, would only serve to punish the men and women in blue for something that happened 1000 miles away. Instead of penalizing and scapegoating, we should be celebrating and promoting the fact that our police officers, some of the best in the nation, are impressive examples of how policing should be done.

Sincerely,

Mark McKunes
Cell 617-733-6849

Thank You,
Mark M. McKunes

From: Adrian Gilmore <addieg711@gmail.com>
Sent: Thursday, July 16, 2020 9:07 PM

To: Adrian Gilmore; Testimony HWM Judiciary (HOU)
Subject: Bill S2800

My name is Adrian Gilmore and I live in Roslindale, MA. I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am submitting this letter as my written testimony. As your constituent, I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote against Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safetybecause police officers may become more concerned about personal liability than public safety.

?The proposed changes to QI will have a serious impact on critical public safety issues.

?Unintended and unnecessary changes to QI will hamstring police offices in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent.

The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment.This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

?The Governor and supports of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by

groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unaccepted and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in laborrelations – whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Adrian Gilmore

From: rmonfreda@charter.net
Sent: Thursday, July 16, 2020 9:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Dear Honorable Representative

The Massachusetts legislature has recently proposed a massive bill reform that it intends to pass without a public hearing. This Bill was largely authored by people who consistently oppose police services. Why would you consider passing such sweeping changes without a public hearing - what happened to transparency in Government?

As a constituent, I demand that you take the following action before voting on ANY such bill.

Read The Bill

Ask How Our Police Departments In Your District Are Actually Performing

AT A MINIMUM HOLD A PUBLIC HEARING

These are very minimal requests before passing such a massive legislation that will have such a huge impact our communities.

There is so much to this bill that is of concern. Just some impacts that are extremely concerning to me my family and friends:

It removes authority from City's and Towns to control their own employees

Removes the rights of police to monitor gang activity in schools

Removes the rights of public safety officers

Exposes police officers and their families to personal liability, even when acting in Good Faith

Puts the lives of our police officers in danger unnecessarily

Creates a police licensing board that is staffed by organizations who sue our communities and advocate for the elimination of police services.

I could go on and on after reading this bill in its entirety, however fear that you may not read my email. Please do the right thing. The recent Unfortunate incidents that All agree should never have happened was wrong, however we cannot turn our communities and country upside down for the sake of some particularly bad individuals. We should work on finding common ground to make corrections that would help eliminate such

individuals that are appropriate. We need our Police, and my fear is, who in their right mind would even want to be an officer today and subject themselves and family to such unnecessary danger.

I feel our community is blessed, and I firmly belief our Police care about our communities. I also believe when they leave their loved ones as they go to work to keep our communities safe, they do NOT look for trouble or target specific individuals.

Do the right thing and Hold A Hearing. We intend to HOLD YOU ACCOUNTABLE, and we trust that you will do the same.

Respectfully

Ralph R Monfreda

Worcester MA

From: Dot Odgren <dotao@aol.com>
Sent: Thursday, July 16, 2020 9:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: Enouraging the House to enact a bill similar to S 2829

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful

in their own schools. Municipalities should be able to make their own decision. f

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Thank you.

Dot Odgren

[978-464-2017

Princeton, Ma 01541

From: Nathan Curvelo <ncurvelo27@gmail.com>
Sent: Thursday, July 16, 2020 9:06 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Nathan A Curvelo

65 Seymour St

New Bedford MA 02744

Ncurvelo27@gmail.com

From: Liz McGuire <lizmcguire@gmail.com>
Sent: Thursday, July 16, 2020 9:06 PM
To: Testimony HWM Judiciary (HOU)
Subject: Urge you to pass S.280 into law

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I’m writing in favor of S.280 to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it. I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban teargas, chokeholds, and no-knock raids like the one that killed Breonna Taylor.

Thank you,

Elizabeth A. McGuire

Brighton, MA

From: Keith Smith <keithsmith@outlook.com>
Sent: Thursday, July 16, 2020 9:06 PM
To: Testimony HWM Judiciary (HOU)
Subject: Objections to S.2800

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street <https://urldefense.proofpoint.com/v2/url?u=https-3A__eur06.safelinks.protection.outlook.com_-3Furl-3Dhttps-253A-252F-252Fwww.google.com-252Fmaps-252Fsearch-252F24-252BBeacon-252BStreet-252B-25250D-25250A-252B-25250D-25250A-252BBoston-252C-252BMA-252B02133-253Fentry-253Dgmail-2526source-253Dg-26data-3D02-257C01-257C-257C5c1648bef45a43aa288908d829ecbd90-257C84df9e7fe9f640afb435aaaaaaaaaaaa-257C1-257C0-257C637305444046881242-26sdata-3Denhcf3uO5Et0G9S7EghPTHiyCmxMCelTvofX1NPf-252FX8-253D-26reserved-3D0&d=DwMF-g&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=dScqiEfU3U8XpZzFifNfk2T6dkpiDokH1tEEJq84ZGo&s=VdBVG5QtwLwYg0fPtLBRDAWZg9G_SgUJp6hR6I4BZZc&e=>

Boston, MA 02133 <https://urldefense.proofpoint.com/v2/url?u=https-3A__eur06.safelinks.protection.outlook.com_-3Furl-3Dhttps-253A-252F-252Fwww.google.com-252Fmaps-252Fsearch-252F24-252BBeacon-252BStreet-252B-25250D-25250A-252B-25250D-25250A-252BBoston-252C-252BMA-252B02133-253Fentry-253Dgmail-2526source-253Dg-26data-3D02-257C01-257C-257C5c1648bef45a43aa288908d829ecbd90-257C84df9e7fe9f640afb435aaaaaaaaaaaa-257C1-257C0-257C637305444046881242-26sdata-3Denhcf3uO5Et0G9S7EghPTHiyCmxMCelTvofX1NPf-252FX8-253D-26reserved-3D0&d=DwMF-g&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk

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wLwYg0fPtLBRDAWZg9G_SgUJp6hR6I4BZZc&e=>

My name is Keith Smith and I live at 2 San Souci Dr. in S. Hadley, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The

gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Keith Smith

From: David Furtado <davefurtado13@gmail.com>
Sent: Thursday, July 16, 2020 9:02 PM
To: Testimony HWM Judiciary (HOU)
Subject: House Bill 2820

To Whom It May Concern,

I am writing this email to express my grave concern over House Bill 2820. I cannot express my disappointment in the Massachusetts State Senate with the passing of House Bill 2820. Not only did the senate label the hardworking men and women of law enforcement, including officers of color, as racists but they also targeted all public sector employees and their unions with this haphazardly crafted bill.

Stripping public employees, especially police officers, of their Qualified Immunity will without a doubt hinder their ability to perform their duties to the utmost. The principle of Qualified Immunity is fully supported by the Supreme Court of the United States in case law and allows public servants to work without fear of personal liability for simply doing their job. The Senate Bill not only affects police officers, but also

firefighters, EMS, other healthcare workers, and teachers. It makes little sense to go after people who play such a vital role in the well being of our communities.

I am in full support of holding people accountable for wrongdoing, however officers should not need to work in constant fear of legal retaliation for doing their job. I am in full support of measures such as more frequent and intensive training for police, but the loss of Qualified Immunity is something I cannot under any circumstances agree with.

I hope that the Massachusetts House of Representatives sees the clear flaws in this Bill and takes corrective measures to ensure a safer Massachusetts for all.

Thank you for your time,
David Furtado
71 Emerald Drive
Lynn, MA 01904

From: Theresa <tjfm88@gmail.com>
Sent: Thursday, July 16, 2020 9:05 PM
To: Testimony HWM Judiciary (HOU)
Subject: DO NOT SUPPORT HOUSE BILL S2820

I DO NOT SUPPORT HOUSE BILL S2820.

Please do not pass this bill. This will destroy out state and FRONTLINE WORKERS!!!!

Theresa J. McIrney
tjfm88@gmail.com

Sent from my iPhone

From: Bret LaBelle <bhlabel@aol.com>
Sent: Thursday, July 16, 2020 9:05 PM
To: Testimony HWM Judiciary (HOU)
Subject: Crime Bill

My Name is Bret LaBelle. I'm a Boston police Sergeant and I have been a police officer since 1998. Early in 2016 I was working in the seaport area of Boston when a man walked up to me and told me a man was passed out on the street a few blocks away. (The reporting man continued on his way…didn't help the victim besides telling me that he was in distress.) I arrived on scene to find a man in his 50s'/60's wearing an expensive suit and overcoat lying on the ground. I immediately checked his vitals and learned he was not breathing and he didn't have a pulse. I notified Boston operations of my location, asked for an ambulance and immediately

started CPR. I performed CPR for seven minutes (Seemed like forever) until the Boston Ambulance arrived. During the seven minutes at least two times I heard ribs breaking, which they tell you will possibly happen in CPR training in the academy. Knowing that by doing CPR on the victim I was doing more good than bad even with the broken ribs I continued. The ambulance arrived and transported the victim to the hospital. The victim survived!!

I arrived on scene that day in 2013, and rendered aid to a complete stranger without worrying that the man I was trying to save would try and sue me later. I'm terrified of a world where officers, nurses, doctors, or teachers fail to act due to the fear of being sued.

Consider a call for a child locked in car on a 90 degree summer day.… or a dog for that matter. Break the windows of the car to set them free and then you will be held liable for any damages. Lawyers already comb police reports looking for new cases. I was recently struck by a car on a bicycle while working. Days later I was contacted by 15 law firms asking me if I wanted to sue the person who accidently struck me. They had my home address and phone number which wasn't on the report!!! Without the qualified immunity, the law suits will come, even in cases where we save or try to save people's lives.

I have been a police officer for 22 years. 99.9% of police officers retire without ever using their service weapon (GUN). Thank god I have never been in a situation at work where I had to use my service weapon. Contrary to the rhetoric recently, Officers pray every day that they never have to use it.

The part of the bill that says "Officers will not have sex with persons in custody" is just insulting. I have never in my years seen this or ever heard of it happening. I looked online and couldn't find one case of a Police Officer having sex with a prisoner in Massachusetts. Who in god's name came up with that section??? You really need to stop and look at this bill. A lot of sections are completely ridiculous.

This bill does not help keep people safe. It does the opposite. It puts your constituents in jeopardy. Officers will be be scared to act due to fear of legal retribution for simply doing what you hired them to do, save lives and help people in times of need.

I URGE you not to pass this Crime Bill legislation in Massachusetts for atrocities that occurred in Minnesota. We live nowhere near that state. That would be like me disciplining my children because I learned about two kids in New Jersey playing with fire. It just doesn't make sense!

Thank you,

Sergeant Bret LaBelle
Boston Police Department

From: Ariel Eromin <arielbrianne93@gmail.com>
Sent: Thursday, July 16, 2020 9:05 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Testimony

Dear Chair Michlewitz and Chair Cronin,

My name is Ariel Eromin and I live at 13 Waverly Road, Woburn MA 01801. As a constituent and a long time girlfriend of a Law Enforcement Officer, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

???????????????? ????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

???????? ???????? ??????????? ??????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

???????????????? ?????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the

appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste.

Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Ariel Eromin

From: Marina K Burliss <cutterfarm@comcast.net>
Sent: Thursday, July 16, 2020 9:04 PM
To: 'Marina Burliss'
Cc: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820.

Dear Chair Michlewitz and Chair Cronin,

My name is Marina K Burliss and I live in Dracut, MA <x-apple-data-detectors://2> . I own and work at The Cutter Farm in Dracut. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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???????? ???????? ??????????? ??????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

???????????????? ?????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Marina K Burliss

Sent from my iPhone

Marina K. Burliss

The Cutter Farm

C: 978-697-7858

info@cutterfarm.com

www.cutterfarm.com

From: Louis C Rosa <lourosa@mit.edu>
Sent: Thursday, July 16, 2020 9:04 PM
To: Testimony HWM Judiciary (HOU)
Subject: University Police Union Coalition Testimony for Bill S.2820

University Police Union Coalition

MIT Police Association, Harvard University Police Association, Boston College Police Association, Boston University Police Association, Tufts University Police Association and Northeastern University Police Association

To the Honorable Members of the Massachusetts House of Representatives:

Police Officers within the University Police Union Coalition provide public safety services at the six largest Universities in Eastern Massachusetts. Our Coalition represents over 250 sworn law enforcement Officers.

We are universally opposed to Massachusetts Senate Bill S. 2820 "police reform" presently under consideration by the House of Representatives. The reasons for this opposition is that we see Bill S. 2820 detrimental to public safety in Higher Education Campus Law Enforcement, as well as all Law Enforcement in the Commonwealth of Massachusetts.

This Bill lacks transparency for Law Enforcement Officers to have Due Process and the Right of Appeal. Officers and their families will be impacted the greatest from this Bill due to a loss of employment and the degradation of their career path in Law Enforcement.

The measures under consideration are grounded in incidents of abuses in other parts of our country. As deplorable as those are, there is simply

no body of evidence that compels drastic action at this time in Massachusetts to eradicate non-existence abuse.

Passage of these measures under consideration are so lacking in due process for police officers, so destabilizing to job security, and so likely to leave police officers more vulnerable to violence, injury and death from lawless elements.

We are urging the Massachusetts House of Representatives to not consider Bill S. 2820 as it is currently constructed. The elimination of Qualified Immunity and the lack of transparency in an appeals process needs to be replaced with new language that does offer Qualified Immunity and Due Process with the right of appeal for Officers.

We want to continue to serve our universities and their communities with the fair, compassionate and protective policing that has so consistently characterized our service over time. We urge you take a step back and allow for research, citizen input, debate, and thoughtful deliberation before you take extreme actions that may well have disastrous, unintended consequences.

Thank you,

Joseph S. West.

MIT Police Association

President

(Cell) 617-852-7627

jswest@mit.edu

David Sacco

MIT Police Association

Vice President

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Louis Rosa

MIT Police Association

Secretary/Treasurer

(Cell) 617-852-0608

lourosa@mit.edu

Santos Perez

Boston College Police Association

Union Steward Representative

(Cell) 617-828-8151

Santos.perez@bc.edu

Michael Allen

Harvard University Police Association

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Joseph Steverman

Harvard University Police Association

Vice President

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(Cell) 781-727-0285

Stephen Brown

Tufts University Police Association

Vice President

Stephen.brown@tufts.edu

(Cell) 978-375-4959

Glenn Lindsey

Northeastern University Police Association

Vice President

g.lindsey@northeastern.edu

(Cell) 774-210-0023

?

From: Faton Ramadani <fatonrama@gmail.com>
Sent: Thursday, July 16, 2020 11:24 PM
To: Testimony HWM Judiciary (HOU)
Cc: fatonrama@gmail.com
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Faton Ramadani

Winthrop, MA 02152

Fatonrama@gmail.com

From: Steve <197stevev@comcast.net>
Sent: Thursday, July 16, 2020 11:22 PM

To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

To all who will listen.
Please vote against the new proposed Police Reform Bill.
Since Ferguson, Police Officers have hesitated and been hurt for doing so.
Please review the facts!!!
If this bill passes, Police Officers will not be able to perform their duties.
Qualified Immunity is so important to protect each and everyone of us, including our families.
We're watching everyone bow down to the mob. Please do not be a statistic.
Please stand for Law & Order!!!
Please vote no!!!
Thank you
Officer Steve Valério

Sent from my iPhone
From: Daniel Shea <danielshea0@gmail.com>
Sent: Thursday, July 16, 2020 11:21 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Opposition

Good Evening,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and

regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Daniel Shea

Daniel.shea0@gmail.com

From: Tim Cannistraro <tim.cannistraro@icloud.com>
Sent: Thursday, July 16, 2020 11:20 PM
To: Testimony HWM Judiciary (HOU)
Cc: Garlick, Denise - Rep. (HOU)
Subject: Police Reform Bill Testimony

? Dear House Members,

I have noticed these concerns with the bill you are looking to pass. I think we as a community who will be directly effected by this bill passing have a right to have these questions answered to why this bill should pass. I don't believe this will make us safer. I believe this is strictly political, which can be seen with the small almost petty way the identification wording of the laws had to be changed, and the fact that the movement has been pushed in on you guys to take this action. I think that this is something that a lot of cities and towns within the commonwealth will use to pass their own change to policing and I think something that is basically a list of demands from an activist organization or organizations is not what we should be pushing through to make law. These things that you have in here are not new ideas. They

have been ideas since the 90’s and some back to the 60’s and there is a reason they have never passed before. Please take my questions into consideration when you are thinking about making this bill legal law. I think things definitely have room to improve but they should improve for the better of safety for the entire community of the state and not just the POC of the state or vice versa.

Sec 1 lines 64-66: . Funds received under this subsection shall be deposited in a separate account with the state treasurer, received by the treasurer on behalf of the commonwealth and expended by the commission in accordance with law.

What does the law allow this money to be spent on? I believe this is very important to know since it is being paid to the commonwealth which is essentially the tax payers money at that point.

Why do we not have any white members on this board? Would this every be allowed to happen today, that we would have a group of members put together for whatever reason and not have a POC be on the board? I believe it would be considered discrimination if we did not allow a person of color specifically.

Section 2 Lines 73-75 (c) personnel and medical files or information and any other materials or data relating to 74 a specifically named individual, the disclosure of which may constitute an unwarranted invasion 5 of 72 75 of personal privacy; provided, however, that this sub clause shall not apply to records describing the disposition of a law enforcement misconduct investigation.

This is wrong on every level. This means that there only has to be an investigation opened up on a police officer in order for you to access their medical records. This has no stipulation that doesn’t allow the commission to make this public without any due process. This is not right and should have language that is put in it that counsel can look at the information but can not make it public. The public does not need to know about a police officers health records. This will make it so that people will not want to join the police in the future because the HIPPA law will not apply to them. Which will in turn put areas of higher crime into a bigger whole in terms of safety.

Section 4 lines 128-129: (iv) the history of slavery, lynching, racist legal institutions and racism in the United 129 States.

Where is this history coming from? What history book and racist legal institutions and racism is not a history, it's an opinion and a theory. I don't think its right to make a cop be put through opinion trainings and theory indoctrination attempts. If you want to teach them the history we need to go to actual history textbooks and keep political theory's out of our law enforcement institutions.

Section 6 lines 164-165 164 <tel:164-165%20164> Section 221. There shall be an independent police officer standards and accreditation 165 committee within the executive office of public safety and security: 1 person appointed by the ACLU (Open Society funded has Bernadine Dohrn on board of directors who was part of weather underground a communist terrorist organization back in the 80's she once said "Dig it. First they killed those pigs, then they ate dinner in the same room with them, they even shoved a for into a victims stomach. Wild!" when talking about the Charles Manson crew murders, she also murdered a cop in 1970 during a Boston Bank robbery) 2 NAACP appointees (open society funded with $15Million in October of 2019) and zero white people.

How are we going to allow groups who are funded by an international terrorist by the name of George Soros who is against law enforcement and one of these groups has someone on their board of directors who has served jail time and also was an active member of the terrorist group Weather Underground, to have complete control over our policing of the state and on our state college campuses. How does this make policing better for anyone? Why do they have to control all training for police?

Section 223: line 248-249: the age, gender, 249 race and ethnicity of each person involved in the incident, if known;

First of all why wouldn't this be known, this is something that is very basic and should be mandatory to make a claim against a police officer. Also if you are going to be making the name of the police officer public, it is only fair that the name of the people or persons bringing the investigation or complaint against them? Do you not agree and why or why not?

Line 306-308 The police officer standards and accreditation committee shall have the authority to 307 issue subpoenas to obtain all documents, materials and witnesses relevant to a complaint. A 308 subpoena may be issued by the chair or by any 3 committee members acting concurrently.

So there are three members from George Soros funded organizations on this committee so they automatically can get any subpoena that they want. How is that fair? Why wouldn't it be a vote by the committee? What's the point of having a committee of 13 people if they don't vote on something like this?

Section 225. (a) The police officer standards and accreditation committee shall revoke an 327 officer's certification if:

Lines 339-347: (ix) the officer has a sustained complaint of misconduct based upon conduct consisting 17 of 72 340 of: (A) use of deadly force in violation of chapter 147A <x-apple-data-detectors://2> ; (B) use of force in violation of said 341 chapter 147A <x-apple-data-detectors://3> resulting in serious bodily injury as defined section 13K of chapter 265; (C) failing 342 to intercede to prevent the use of unreasonable force in violation of section 3 of said chapter 343 147A <x-apple-data-detectors://4> ; (D) conduct that would constitute a hate crime, as defined in said section 32 of said 344 chapter 22C; (E) intimidation of a witness, as defined in section 13B of chapter 268; (F) 345 tampering with a record for use in an official proceeding, as defined in section 13E of said 346 chapter 268; (G) perjury, as defined in section 1 of chapter 268; or (H) filing a written police 347 report containing a false statement, knowing the statement to be materially false.

So all that has to happen for them to have their certification taken away, which in turn would make them ineligible to work as a cop, would be to have someone bring a complaint against them for any of these things? It doesn't say anything about being convicted of a complaint, it just says the complaint needs to be brought up against them. This is going to put police officers in a place that no matter what they do, people will be able to bring up a complaint against them with no fear of if the complaint is justified or not. The cop will be fired so they have the power in the situation. Do you believe that the complaintive should have the ultimate power against the cop? If you do wouldn't that nullify his ability to do his job which is to enforce the law?

The word "Shall" should be removed from this bill because it is deceptive language that could mean, has a duty to or is required to and at the same time it could mean, may. Do you agree that the word is deceptive? Do you think it should be removed?

Line 543 to 547 A person who has attained the age of 19 on or before the final date for the filing of 544 applications for the state police cadet program shall be eligible to take the qualifying 545 examination for the state police cadet program. A person who has attained the age of 26 on or 546 before the final date for the filing of applications for the state police cadet program shall not be 547 eligible to take the qualifying examination for the state police cadet program.

Why would you want to lower the age of the cadets of the state police? The older you are the wiser you are. It was 21 and 34. Can you tell me how you think this will help keep the community safer. Why you back this portion of the bill.

Qualified immunity. If you think the police officers and other public servants should not have it then it should not be available for anybody. Judges, mayors, teachers, governors, members of senate and members of the house. Do you agree with this and why or why not?

I believe these questions should be very easy for anyone to answer if they are familiar with the bill that they are voting on. I understand that there is call for change and people feel that they have been given the short end of the stick for a long time. I believe that by doing it this way will only hurt the community. I could even see if you guys were to enact a temporary order on some of this stuff to test out its efficiency and see if it is even practical and what problems come up while you are enacting the laws.

The people that you ultimately bring on the committee will have a lot of power over the people who are here to protect our streets and communities. We just need to be careful who we entrust with that power. I believe that glue should have representation from the Cop Union, as well as an advocate for white cops as well. It’s really sad that in 2020 we have to put labels on cops by skin color as well. It’s not unifying at all. We are supposed to be the UNITED states of America. This is ripping our country apart. Hopefully you will take my questions to heart and I hope you have some answers to them as well.

Thank you,

Timothy Cannistraro

MA Resident

6178933191

Tim.cannistraro@icloud.com

617-893-3191

Tim.cannistraro@icloud.com

From: Christopher Alves <christopheralves58@gmail.com>
Sent: Thursday, July 16, 2020 11:19 PM
To: Testimony HWM Judiciary (HOU)
Subject: Re: Bill

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820.
I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you’re going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers,

experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Christopher Alves

850 Main Street Unit B, Falmouth, MA 02540

From: richardflinn@aol.com
Sent: Thursday, July 16, 2020 11:19 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,
From: Samantha Pizzi <samanthapizzi@yahoo.com>
Sent: Thursday, July 16, 2020 11:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

To whom this may concern:

My name is Samantha Pizzi, a dental hygienist living in Abington, Ma. My friends, relatives, and boyfriend are all in the police force. I know whoever is reading this you also know someone who is also a police officer.

I am reaching out in regards to the new police reform bill. I disagree with the qualified immunity part of the bill, immensely. This bill that is

up for debate is not only hurting the police force but it is hurting the civilians who will need their help. As police men(women), their duty is to act when in need, in very high tense situations that we could not possibly even comprehend. You now put them in a UNETHICAL decision(should I think of myself, or help the helpless civilian in need), which could lead them to hesitate to act.

On the news, social media, the internet we hear about the horrible things cops do. Well now you are putting the good cops at risk. You're putting the cops at risk who love to help people in need, who save lives giving BLS(basic life support), when seeing a dog in a hot hot car - save the animal, and most importantly doing their job aka doing what they can do for others.

I truly urge you to think of the last time your family or friends needed a police officer. I want you to think about what would of happened if the cop was not able to help the best he/ she could because of his life/ family being on the line.

Please take this into consideration

Respectfully,
Samantha Pizzi
From: dg2142@aol.com
Sent: Thursday, July 16, 2020 11:18 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.
I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:
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immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.
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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.
Thank you,
Daniel J. Gill
48 Squire Shaler Ln.
Lancaster, Ma 01523

From: Rebecca Bailey <merzrl@yahoo.com>
Sent: Thursday, July 16, 2020 11:17 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony for S2820

Dear MA Representatives,

I am so grateful that the MA Senate has passed S2820, a set of very important police reforms with which I am in total agreement. I am writing to urge you in the strongest possible terms to vote in favor of this bill, and in fact to strengthen it in a few ways: 1) by including an outright ban on chokeholds and tear gas; and 2) by prohibiting the use of facial recognition systems entirely (rather than the one-year moratorium in the Senate bill).

There is so much evidence that many things we ask police to do right now are more appropriately handled by social workers, mental-health professionals, crisis counselors, and so on. In addition, there is no need for our police to have military-style equipment — they are not an invading force facing a hostile enemy, but rather are supposed to protect and help.

I look forward to the passage of a strengthened version of this bill as a major step toward police reform that will better serve both the men and women who wear the uniform as well as our Black and Brown communities.

Thank you for reading my comments.

-Rebecca Bailey
Reading MA
617-512-0995