

From: Kelly Raghavan <kellyz.raghavan@gmail.com>
Sent: Thursday, July 16, 2020 11:17 PM
To: Testimony HWM Judiciary (HOU)
Subject: Virtual testimony re: SB 2800

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

My name is Kelly Raghavan. I am a resident of Lincoln, 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.

I support this bill because I believe it is vitally important to change the way law officers police people of color in our state and in our country in general.

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,

Kelly Raghavan

Lincoln, MA

From: Reza Akhtar <akhtar.reza.nik@gmail.com>
Sent: Thursday, July 16, 2020 11:17 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reform, Shift, and Build

Hello,

My name is Reza Akhtar, and I am a resident of Boston, MA. I am writing to encourage the Massachusetts House of Representatives to pass the Reform, Shift, and Build Act (S.2800). Policing in this state and across the country has exceeded its reasonable use, and it is being leveraged to

punish citizens' poverty, mental illness, and race. It is imperative that we rely on positive change, not policing, to create a safer society.

Please vote to reform the police, shift funding away from police departments, and build up our communities.

Sincerely,
Reza Akhtar

From: David Faucher <david.faucher@gmail.com>
Sent: Thursday, July 16, 2020 11:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: House Bill S.2820

Representative Michlewitz and Representative Cronin,

I am writing to you this evening to share my personal thoughts on the proposed bill in the house S.2820 in regards to police reform. Seeing the context of the bill that was passed by the Senate was disheartening to say the least.

For the past 12 years I have served the Town of Shrewsbury as a police officer. Since 1973 my family has been a part of serving the community. My father laid the groundwork for me to become a police officer, even though he attempted to persuade me to choose another career field. My job is very important to me and I have served my community with an extreme level of professionalism since I graduated from the police academy in 2008. Unfortunately my father and I share a common bond that I honestly wish did not exist. My father lost his friend and coworker James Lonchiadis in 1975, and I lost my friend and academy mate, Sean Gannon, in 2018. Regardless of the dangers of my job I show up every day to do whatever I am asked to do. I treat people with respect and how I would want my family treated by police officers.

I watched the Senate hearings and was completely taken back by the characterization of the hard working individuals in my profession by Senator Brownsberger and others. Senator Brownsberger continued to use the issues of one jurisdiction to paint the police in a negative way throughout his arguments. This appears to be one of the failures in this entire "movement." The country, the media, and now politicians are basing their thoughts and ideas of policing on single issues and painting the entire profession as a problem. I came across a social media post the other day that said the police are killing unarmed blackmen every day in the United States. If you take 30 seconds and look at the facts, 7 unarmed black men were killed by police in the United States in 2020. I cannot attest to each of the cases but it is clearly evident that people are using skewed facts and false narratives to build an ever growing battle against the police.

The bill passed by the Senate and now before you will decimate the profession of policing in Massachusetts. I would ask you to ask yourself

the simple question; looking at the bill before you, the salaries officers are paid, and the recent uptick in violence towards police, would you become a police officer? I would be hard pressed to believe any reasonable person would not.

I love my job. I love helping people. I don't ask for recognition or accolades, I just like doing my job. No one talks about when I bought two days worth of meals for a family stuck in a motel who were not the same race as I was. No one talks about having to view child pornography as an Internet Crimes Against Children investigator, thinking of how to protect your own child from predators. No one talks about when a female attempted to stab me in the arm with a crack pipe and saw no punishment. When something happens 1500 miles away where a police officer commits an atrocious crime, suddenly I am no different than him in the public's eyes. That is a grave injustice to police officer's like me, who do the job in a professional and respectful manner and serve the population regardless of skin color, sexual orientation, religion or socio-economic status. I did nothing wrong. Yet I am paying a very painful price for someone else's actions.

There are many issues to the current bill that I believe will have dire consequences if passed. The first issue is regarding qualified immunity. Changing or weakening the current qualified immunity protections will bring a flood of lawsuits not against just police officers but all public officials. The amount of frivolous lawsuits will cripple the court system, create an unnecessary log jam, and immense financial burden to the municipalities where officials serve. More importantly from the view of a police officer, hesitation will continue to be at the forefront of every officer's mind when thinking their actions, when judged by others not present, will potentially hurt them financially. Hesitation is one of the most dangerous aspects of the police world and results in one thing, harm. The harm will reach far and wide. Crime rates will surely rise, residents in your towns and cities will be crippled by fear of not being protected, and officers will leave the job or slip into a condition of only acting when absolutely necessary.

The legislature needs to move forward with reform for policing and there are many officers who agree with that notion, myself included. Rushing this bill through both the House and the Senate while stripping an officer of their rights to due process if terminated, leaving them open to enormous scrutiny by individuals who have never put on a uniform, and putting targets on their back for reacting to the violent world that appears before them is dangerous and disrespectful to those who wear the badge proudly.

I believe that there is a level of reform needed in policing. I also believe that this is a two way street and there should also be reform in society. The news over the past two days has been frightening. Children killed in cities, police officers being attacked and murdered. Chaos is starting to break out nationwide. We cannot allow this to permeate

Massachusetts. We have some of the finest law enforcement agencies in the country and we need to strengthen them, not weaken them. We need to be able to recruit professional individuals who will serve their communities proudly. If this bill passes without taking into consideration a fair treatment for police officers I truly fear that we will never recover from the harm that is done.

Please consider slowing this bill down. Bring more stakeholders to the table to craft a sensible bill that protects those who will be most affected by the bill. The fathers, mothers, daughters, sons, brothers and sisters that put on a uniform each and everyday to protect you and your constituents from the evil that lurks in the shadows deserve more than what is being proposed.

I appreciate you taking the time to hear my testimony.

Respectfully,

David Faucher
Shrewsbury, Massachusetts

From: Meagan Cotter <meagan.cotter@gmail.com>
Sent: Thursday, July 16, 2020 11:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: Urgent Action to support Mass. Police Reform Bill

Hello,

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
<

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.

This is important to the public health and safety of all citizens of the United States. We must be better.

Thank you,
Meagan Cotter
6 Island Rd, Groton, MA 01450
978.502.5585
From: Emmet Smith <remsmith@comcast.net>
Sent: Thursday, July 16, 2020 11:12 PM
To: Testimony HWM Judiciary (HOU)
Subject: Objections to S.2800

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street

Boston, MA 02133

My name is Robert Emmet Smith, I reside at 92 Spruce Road, Reading, MA.

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 straightforward. 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.

Also and most importantly, 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.

Lastly, let me say enough is enough ! Is this how we are supposed to adjudicate ? Because of the heinous actions of an individual, or even several, we should throw common sense out the window ? Our institutions are under siege, and in particular, those who choose to serve and protect us, and they should not be thrown under the bus for the sake of political expediency.

Sincerely,

R. Emmet Smith

remsmith@comcast.net

617-257-3730 M

From: jfcoughlan@aol.com
Sent: Thursday, July 16, 2020 11:12 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.

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,

Jack Coughlan

Mashpee, MA

From: Yessenia Gomez <gjess04@gmail.com>

Sent: Thursday, July 16, 2020 11:10 PM

To: Testimony HWM Judiciary (HOU)

Subject: Written Testimony

My name is Yessenia Gomez and I live at 23 Leos Lane Avon. 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 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.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve. Sincerely, Yessenia Gomez
Police Officer
617-281-5953

From: Eric Yelle <yelleboski@aol.com>

Sent: Thursday, July 16, 2020 11:10 PM

To: Testimony HWM Judiciary (HOU)

Subject: SB 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Eric Yelle and I live in Bellingham Ma. I work at the Massachusetts Department of Correction 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,

Eric Yelle

Sent from my iPhone
From: AEM <amymac.ellis13@gmail.com>
Sent: Thursday, July 16, 2020 11:09 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S.2800

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street

Boston, MA 02133

Dear Chair Michlewitz and Chair Cronin,

My name is Amy MacHugh and I live at 29 Wilson St in Reading, 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 straightforward. 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,

Amy MacHugh

From: Nuss, Eric <ENuss@yarmouth.ma.us>
Sent: Thursday, July 16, 2020 11:08 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

To: Massachusetts House of Representatives
From: Eric Nuss: Yarmouth Police Detective (508) 726-9550
Date: 07-16-20
Re: Bill S2820

I would like to address the bill that is being considered by the House of Representatives. My goal is to not address the bill, but the reasons it is being proposed. My understanding is that this is an emergent action due to the systematic racism in policing. What this means is that the system of policing is systematically racist. So I would like to propose a challenge to House members. If the act of policing is systematically racist in the Commonwealth of Massachusetts, I would ask each representative to cite 3 examples of policing where Officers based their actions or responses based simply on race. This should be a very simple task seeing as racism is ingrained in the profession. And to be clear, I am not asking you to read form letter emails from the NAACP as proof of this claim, or emails sent by individuals "claiming abuse". I am asking Representatives to name 3 confirmed cases which have been independently investigated and substantiated. Not only can you not name three, you cannot name one.

I have been a police officer for 26 years. I have seen the evils of this world. Make no mistake about it, this evil exists. What this bill, if passed, will succeed in doing is simple. Police departments and police officers will no longer do their jobs for fear of civil action. There will be mass exodus from the profession that I am passionate about, and very few qualified individuals will be willing to fill those shoes. The crime rate will SKY ROCKET. Only the representatives will be left to answer the complaints of their constituents as to why they were allowed to be victimized.

Eric Nuss

Sent from my iPhoneFrom: The Keifers <ekeifer@wans.net>
Sent: Thursday, July 16, 2020 11:08 PM
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 Jennifer Keifer. I am a resident of Danvers 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.

As the law-abiding parent of a Black son with mental health struggles, our family has had many interactions with police. Each time, I worry that my son's mental health diagnosis could become his death sentence.

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,

Jennifer Keifer

42 Centre St

Danvers, MA 01923

March like a Mother: for Black Lives

Sent from AT&T 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_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=yWC7hC1kgvNAI7dZ5f7rdfKBet91mDkuHtclQABixvc&s=JK-AnEo-IFrpxyb6mabGYEwY7cKuog4ewHNjzSRpNno&e=>>

From: Maryann Rodman <maryannrodman1002@gmail.com>
Sent: Thursday, July 16, 2020 11:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Thank you for allowing for me to be heard regarding my feeling on this bill.

What had happened to bring all of this on was and is terrible and I do not know anyone who feels otherwise including Police

Officers. This is not how they do their job.

I am very much against this bill and the way it is written, the way it is written is very negative and it generalizes all Police officers. We cannot have this the way it stands, we cannot generalize our Police Officers, qualified immunity needs to be protected. It protects the Police Officers and every public employee from frivolous lawsuits who have acted in good faith and not broken the law. Qualified immunity does not protect Officers who break the law or policy, there are policies in place to oversee these already.

I am not against training and accountability, resources, and more to improve the standards of the profession, we need that in every job no matter what risks there are, but for this and the lawsuit culture we are in it is wrong. But that is how we reform, we teach, we train, we make sure people have the tools they need to do their jobs, we make sure they have the resources they need as well, we don't go after everyone and fight to destroy them.

I am also against the formation of the civilian committee that would be the oversight on disciplinary situations. Having a civilian committee not having experience in law enforcement would not have an unbiased opinion. It would leave the doors wide open for anyone to say anything true or not, exaggerated or not how would it be sifted thru. Where is due process, one word against the other? Too many unanswered questions. If this committee has to stay in place it needs to have people with understanding of law enforcement and would protect the rights of the Policer Officer as well.

Between having this committee and not protecting Qualified Immunity would put our Police and the profession in a bad situation for the Police and the public.

As I had said before, I am not against Reform but it needs to be done right, there needs to be more conversation, and more than this one time, we need to protect those who protect us.

People are angry now, I perfectly understand that, but we can do better and we need to do better, we need not to generalize the whole population of good Officers. These are the Police officers that deserve better.

So please be brave, be strong insist on conversation with the people who know the profession. Talk to each other, slow this down.

Making decisions in anger, or quickly never work in any form, not in our family life or work life or political life.

We need to have conversations with Law enforcement input and have public hearings on the reform measures. So what if it takes time, our Police Officers, our 1st Responders deserve it.

We need to start over with this bill, but in the meaningful way to make changes, changes that will improve us a society, and protect the integrity of these professions.

Thank-you for your time, I hope there will be many more hearings. This needs to be done correctly, and I would be more

Than happy to give my time to work with any of you to make sure there is something in place we can all be proud of.

Please feel free to touch base with me.

Maryann Rodman

From: mowings30@gmail.com
Sent: Thursday, July 16, 2020 11:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: 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

Good Evening

* I would like to voice my condemnation of Bill S2820 as it is written. This bill was rushed through the senate without much thought and it shows. I think that it is time for the House to show that cooler heads can prevail. By taking a step back and voting no on the bill, with proper research, a bill could be created that would benefit everyone in the commonwealth. There are certainly areas that could improve in law enforcement and I think that by voting no on this bill as written, it would provide time for a committee to be formed, research to be completed and an intelligent solution found and presented as a new Bill. The issues in this Bill are important ones that can't be thrown together haphazardly and expected to have a positive outcome for our citizens. The public was excluded from providing important insight on this bill. The fact that

there was no input from the public tell me that the creators of the bill were aware of what input would be given by the public and that there would be resistance. Instead, they created the bill days before it was to be voted on the senate floor. I urge you to vote no on this bill.

* Police across the commonwealth support uniform training standards and policies and have been requesting more training for years. This is a great idea, but I would like to see it researched in depth. Where will this funding come from and how will it be instituted? Will the local municipalities be left to carry the monetary burden for this mandated training? Again, I'm being repetitive, but more time has to be put into researching the implementation of these points.

* 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. This is a sticking point for police officers across the commonwealth. I could understand if there were serious issues regarding officers in Massachusetts but that's just not the case. We have some of the best trained officers in the state and an incident that happened in another state shouldn't dictate changes to a system that works without much issue in Massachusetts. Officers need these protections. You are going to welcome frivolous complaints against officers and these boards will hear those complaints. I can see this ending badly when you involve people that don't understand the job of policing, case and point, our Senators. With the Bill written the way it was it's clear that they don't understand the current climate of policing in Massachusetts. We don't want the bad apples on the job and we do a fairly decent job of rooting them out.

* 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. There needs to be more thought put into this, and changes made. I think this can be accomplished by taking the time to do the proper research. Is this even really necessary?

* I've said this already, but the senate is jumping on a bandwagon with a knee jerk reaction and is changing a system that doesn't appear (in the 15 years of LE experience) to have been an issue here in Massachusetts. Officers here are highly trained, and most are well educated individuals.

* 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. Officers can still be criminally charged for their actions and can also be sued in federal court for civil rights violations. It just doesn't make any sense why we are endangering the livelihood of many for the actions of a few. The thought that Qualified Immunity should be taken away blows my mind. Any change to the way in which it is written will have officers second guessing themselves and god forbid, outright refusing to get involved for fear of losing their homes and property. Through the research I've done, if Qualified immunity is taken away or changed for any reason, I'll have more protection by not taking action. That's a scary thought. This doesn't just apply to police officers either. This will affect police, fire fighters, teachers, nurses, doctors and the list goes on. If you vote to change Qualified Immunity I can guarantee that there will be a mass exodus of officers from the job. You'll also have issues recruiting candidates. Think about that for a minute. Who is going to take a job or stay on a job any longer than they have to when you could lose everything for doing the right thing? I noticed that officers would be open to a law suit if the persons rights were taken away and in the context of the bill I can only imagine that if someone had been taken into custody and at some point during the arrest that person was found not to be the suspect or probable cause was not found, the officers would now face a personal lawsuit. That's just one example of how that change would affect officers. I could have misread that article but for some reason I doubt that. This article more than anything will affect how policing continues into the future. Officers will be afraid to make that split-second decision that might hurt them, their family, or take their home from them. Bottom line, this is scary, and the fact that the senate saw a need to attack this protection is just absurd.

* Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard. As for use of force incidents and choke holds, a complete ban on any defensive tactic is absurd. When an officer is in a fight for their life, you don't think they are going to second guess themselves in using a chokehold if that is all that stands between them going home or being killed? With all the oversight, the threat of being called a racist and being the next YouTube officer, guys are second guessing themselves every day. Take Sergeant Michael Chesna for example. I can only imagine what went through his head

in the seconds before his death, but he hesitated and for whatever the reason ended up not going home to his family that morning.

* 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.

* I know that police reform is the hot button issue these days, but your focus shouldn't be in places where problems don't exist. You should be concentrating on the victims of crime. Whether the officer was the perpetrator or not, laws need to be changed to better protect them. I'm sure that you are aware of it but if not, with the recent court decision regarding interfering with a police officer, if someone commits a crime against you and it isn't an arrestable offense, Officers have no power to force the aggressor to identify themselves? As an example if someone commits an assault and battery against you, and we are called to the scene (disturbance is over and everyone is just standing around) and the person that assaulted you refuses to identify themselves, Officers have no way to force that person to identify themselves. Assault and Battery in the past is not arrestable. I then have to tell you as the victim to contact your legislator to change the law, where in the past I would have been able to arrest that person for interfering with a police officer. Under the new ruling we are powerless to help that person seek justice, and their aggressor walks away. Interfering with a police officer now has to be committed using physical force. This is just one example of ways in which our jobs are being made more difficult and when legislation like this is presented and voted forward, it makes the future seem that much dimmer.

Thank you for your time and consideration,

Matthew Owings

35 Jillians Way

Bridgewater Ma 02324

(508) 989-1008

MOwings30@gmail.com

From: Joan Krokowski <picka232001@yahoo.com>

Sent: Thursday, July 16, 2020 11:06 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 jenkins <kjenka05@comcast.net>
Sent: Thursday, July 16, 2020 11:05 PM
To: Testimony HWM Judiciary (HOU)
Cc: cis@sec.state.ma.us
Subject: My concerns and testimony s2820

Good evening,
My name is Kim Jenkins and I live at 108 Tecumseh Drive 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. I write to you as the wife of an active Weymouth Police Officer who has served his community with dignity and respect for over 15 years. Like all police wives, I watch my husband leave for his shift and hope and pray that he comes home safely every day. I rarely sleep well and my children know that their Father risks his life every time he goes to work and that there is no guarantee he will come home alive after his shift. 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.

This week we all 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. When we got the call about Mike my Husband and I were on a rare but needed trip to relax on the cape. We got a call about an officer down, immediately paid our breakfast bill, we checked out of our hotel early and we went home to support the department. The coming days would prove to be some of the most difficult days our entire family have ever experienced. I remember seeing Mike laid to rest in the same exact uniform my Husband wears. I remember seeing the

grief and sadness in his Widow's eyes as she sobbed and her children clung to her. I also remember seeing many politicians, including Governor Baker, at his services to "pay respects". Well this bill does the exact opposite! This bill would only increase situations like the one that happened to Mike Chesna. The suspect "only had a rock". Mike, a purple heart veteran, very experienced Police Officer, hesitated and was killed. Why????!!

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. As I understand it, 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. 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. 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 in the middle of the night do not serve the citizens of our Commonwealth. The early acts in the Senate to rush a vote on this bill at 4am 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,

Kim Jenkins

108 Tecumseh Drive

Hanover, MA 02339

617-962-6696

From: Louis C Rosa <lourosa@mit.edu>
Sent: Thursday, July 16, 2020 11:04 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

(Cell) 617-438-1583

dsacco@mit.edu

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

President

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Joseph Steverman

Harvard University Police Association

Vice President

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Stephen Brown

Tufts University Police Association

Vice President

Stephen.brown@tufts.edu

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Glenn Lindsey

Northeastern University Police Association

Vice President

g.lindsey@northeastern.edu

(Cell) 774-210-0023

?

From: David D'Amico <daveded9@gmail.com>
Sent: Thursday, July 16, 2020 11:04 PM
To: Testimony HWM Judiciary (HOU)
Subject: Comments on An Act to Reform Police Standards

To the members of the Legislature,

My name is David D'Amico. I am not in law enforcement, but have many family and friends who are. I've had the pleasure of hearing many stories of policing over the years. I'll say that all of them share something in common. The stories deal with what a reasonable person would do in situations, both in terms of members of the public and the police officers involved. I have no doubt that policing standards need to be reformed. Let's do it with common sense and from the perspective that the vast majority of police are good people wanting to do a good job.

I urge you not to accept the Senate bill which was done without public input and in great haste. Proper reform, to be done well, will be in stages. There are immediate needs. Moving misconduct reviews from the police to an independent review board makes sense. That board needs to be small in size, able to act quickly, and focused on policing policy, the justice system, and fairness to the public. Police unions will protect their members regardless of the situation. They have to do that. The review board needs to rise above that and be able to document and catalog cases, make them generally available, and stay focused on acting in the best interest of the public. Good police will stay to do what they do best. Bad cops will get weeded out more quickly and stay off of our streets.

Moving funds from policing to social services sounds like a good idea, but understand that in many cases, we'll want police officers working with these professionals. It will be dangerous for them to act independently in many, many cases. This area needs further review to understand all the impacts and interactions that it presents. Certainly we ask too much of our police officers today. The job needs to be redefined in a thoughtful way.

Lastly, I'd ask you to tread very carefully on qualified immunity. Every government official in Massachusetts is covered by qualified or absolute immunity. This is done to shield officials from frivolous actions taken against them while they are doing their job. It is a necessity for any public official to do their job effectively. They should not have to

worry about their financial livelihood every time they go to work. In the case of police, they are forced to make split second decisions to protect themselves and others from violent criminals. Qualified immunity does not shield them from illegal acts. When someone in government including the police breaks the law, they are held accountable. To strip protection from police for actions they are forced to make in seconds is wrong. However, proper review and being held accountable for those decisions needs to be the goal.

The State Police Association of Massachusetts put forward a request for several common-sense amendments to the Senate Bill that would give law enforcement a voice in reforming policing. To reform policing you must include those doing the job. They only ask for a voice in this process so that the final product benefits everyone. I have included the State Police Associates recommendations below for you and urge you to consider them.

Massachusetts has always been a national leader in policing standards. Please take the time this legislation needs to provide a more balanced and thoughtful bill than the one passed through the Senate. Doing it in stages makes a lot of sense and can ensure that we do it right and lead the country again in this most important issue.

Thank you for your time,

David D'Amico, Medway, MA, 508-533-7824

State Police Association of Massachusetts recommended amendments to the Senate Bill

48 - State Police Colonel - Filed by Senator Rush

This amendment seeks to retain the rank of Colonel coming from within the ranks of the MSP. It states that the Colonel could also fill the dual role as a Superintendent (as is the case today), and if a civilian Superintendent was to be appointed, it greatly increases the requirements of a Superintendent, and retains the position of Colonel from within the ranks of the MSP. Further, if such an outside appointment was to be made, this amendment would ensure that the appointee would have the basic elements required to command and operate a diverse organization such as ours and would double the minimum years' experience required from 10 to 20 years.

74 - Qualified Immunity - Filed by Senator Tran

This amendment seeks to amend the bill in SECTION 10 by striking subsection (c) of section 11I. The following would be struck - "In an action under this section, qualified immunity shall not apply to claims for 431 monetary damages except upon a finding that, at the time the conduct complained of occurred, 432 no reasonable defendant could have had reason to believe that such conduct would violate the 433 law."

Complimentary to this amendment is #137 (filed by Senator Velis), which also strikes the Qualified Immunity section and adds a special commission to study Qualified Immunity.

"Qualified immunity balances two important interests--the need to hold public officials accountable when they exercise power irresponsibly and the need to shield officials from harassment, distraction, and liability when they perform their duties reasonably." Pearson v. Callahan.

77 - Discipline Changes - Filed by Senator Tarr

This amendment moves to amend the bill in SECTION 18 by striking in line 621 the words "1 year" and replacing therewith- "45 days". This would allow for our officers to seek an appeal of an administrative suspension without pay within 45 days, not the 1 year as drafted. This is an important Due Process piece for our officers and grants the Department of State Police more than the required 30 days to complete their investigation.

114 - Representation on POSAC - Filed by Senator Rush

This Amendment move to amend the bill in SECTION 6, by striking lines 164-192 in Section 221 and inserting in place thereof:-

"Section 221. There shall be an independent police officer standards and accreditation committee within the executive office of public safety and security consisting of: 13 members appointed by the governor, 1 of whom shall be the Attorney General or her nominee, 1 of whom shall be the Colonel the Massachusetts State Police (or a sworn Officer designated by the Colonel), 1 of whom shall be the Commissioner of the Boston Police Department (or a sworn Officer designated by the Commissioner), 1 of whom shall be a chief of police of a mid-sized municipality who is a person of color to be nominated by the Massachusetts Chiefs of Police Association Incorporated, 1 of whom shall be the President of the Massachusetts Association of Minority Law Enforcement Officers, Inc., 1 of whom shall be the President of the State Police Association of Massachusetts, 1 of whom shall be the President of the Boston Police Patrolmen's Association, 1 of whom shall be a sworn Police Officer nominated by the Massachusetts Law Enforcement Policy Group, 1 of whom shall be a retired judge, 1 of whom shall be a Professor of Criminal Justice from a Massachusetts College or University; 1 of whom shall be an expert in the field of use of force, 1 of whom shall be an expert in the investigation of firearms discharge; and 1 other member; provided, however, that non-law enforcement members shall have experience with or expertise in law enforcement practice and training, criminal law, or the criminal justice system. Appointments to the police officer standards and accreditation committee shall be for terms of 3 years and until their successors are appointed. Vacancies in the membership of the committee shall be filled by the original appointing authority for the balance of the unexpired term. Members of the police officer standards and accreditation committee shall be compensated for work performed for the police officer standards and accreditation committee at such rate as the secretary of administration and finance

shall determine and shall be reimbursed for their expenses necessarily incurred in the performance of their duties."

From: Diana Chase <desolari@gmail.com>
Sent: Thursday, July 16, 2020 11:03 PM
To: Testimony HWM Judiciary (HOU)
Subject: MA Police Reform Bill

To Whom It May Concern,

I write you as the daughter, granddaughter and great-granddaughter of 3 men that bravely put their lives on line on a daily basis to protect their neighbors and community on a daily basis. To learn that this new bill eliminates qualified immunity is both maddening and terrifying. Families will no longer just have to worry about their loved one coming home from the job, but will now have to worry about being sued if they injure someone while trying to perform the duties of their job to serve and protect the public.

We all know that change is necessary and cannot condone the actions of those that abuse their power, but this bill that was approved by the Senate without any public input, goes against everything we stand for as a country. As a mother, I'm incredibly saddened to be raising my children in a world where the crimes of a few result in consequences for all.

Thank you for your time,

Diana Chase
Haverhill, MA
978-702-4725
From: N P <noahpack@gmail.com>
Sent: Thursday, July 16, 2020 11:02 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Everyone supports reasonable police reform. Police officers especially want to be better - not one officer took the job to needlessly harm another human being or to be the perpetual scapegoat for society's and our leaders' failures. This police reform bill is an opportunity to do something meaningful, to build a better system and to thoughtfully encourage police excellence. Please do it thoughtfully, intelligently, and fairly.

The Senate made a mistake by passing S.2820 as it was written. The Senate went looking for trouble, diagnosed it incorrectly, and applied the wrong remedies. Taking away due process, incentivizing complaints and personal lawsuits, and publicly punishing and humiliating officers does not make them better - it takes out their knees and their souls - and makes them

worse. Our citizens deserve better, and their Senate let them down. The House has a chance to fix this and to not make the same mistakes.

As your constituent and a resident of Hampshire County, I write to you today to express my strong opposition to many parts of the recently passed S.2820. We need to prioritize reform efforts to focus on establishing a standards and accreditation committee, which includes increased transparency and reporting, as well as the promotion of diversity and restrictions on excessive force.

However, I am deeply concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form 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 must not be viewed as an arduous impediment for police officers but still as a demanded principle of fundamental fairness, procedure, and accountability in all other professions.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers or shield officers from criminal or all civil liability, and we must stop spreading that false narrative. It does not protect the officers who were responsible for the death of George Floyd or any other criminal situation, contrary to Senator Cyr's misunderstanding of the law. 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 and reduces 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. If you want to lower recruitment of qualified and diverse candidates, encourage retirement of

every police officer who is able to do so, and completely gut the morale and security of every single police officer working in the Commonwealth, go ahead and support this amendment with that result clearly in mind.

(3) POSA Committee: The composition of the POSA Committee must include more police leaders/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. Creating a POSA committee that is overwhelming comprised of groups with political agendas and no practical knowledge or experience in the field will result in a tremendously unfair process that will lack basic integrity, trustworthiness, and professional support.

In closing, the men and women who chose to serve our communities across Massachusetts, like us all, are imperfect human beings. For that we must all work to help them become better. But you as legislators must treat them fairly and you must think about the long term damage that will be done by taking their legs out from underneath them - not just harm to the officers themselves, but to the very people who need their commitment and above and beyond service the most. I 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,

Noah Pack

PO Box 15568, Springfield, MA 01115

413-384-5150

From: MacHugh, Robert <rmachugh@ci.reading.ma.us>
Sent: Thursday, July 16, 2020 11:02 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

Detective Robert J. MacHugh
Reading Police Department
Cell - (781) 656-3120
From: Joanne Smith <jojolib@aol.com>
Sent: Thursday, July 16, 2020 11:02 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: ROUND 2: S.2820 Reforming Police Standards Hearing Notice
- HWM and Judiciary Committees - DEADLINE July 17, 2020 at 11 a.m.

Sent from my iPhone
Please email comments to Chair Aaron Michlewitz and Chair Claire Cronin at
Testimony.HWMJudiciary@mahouse.gov
<mailto:Testimony.HWMJudiciary@mahouse.gov> no later than:

Friday, July 17, 2020 at 11:00 a.m.

Subject Line: Objections to S.2800

Representatives Michlewitz and Cronin
Massachusetts House of Representatives
24 Beacon Street
Boston, MA 02133

Dear Chair Michlewitz and Chair Cronin,

My name is Joanne Smith and I live at 92 Spruce Rd in Reading,
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,

Joanne R. Smith

From: Tarr, Bruce E. (SEN) <Bruce.Tarr@masenate.gov>
Sent: Thursday, July 16, 2020 2:08 PM
To: Tarr, Bruce E. (SEN) <Bruce.Tarr@masenate.gov>
Subject: S.2820 Reforming Police Standards Hearing Notice - HWM and Judiciary Committees - DEADLINE July 17, 2020 at 11 a.m.

Good Afternoon,

Because of your expressed interest in S. 2800, which is now numbered S. 2820, I am writing to inform you that the House, unlike the Senate, will be holding a form of public hearing on the bill. The notice for that hearing appears below, and I strongly encourage you to share your thoughts with the House through this process and if possible, share with me a copy of your written testimony.

Sincerely,

Bruce Tarr

State Senator

The Commonwealth of Massachusetts

STATE HOUSE, BOSTON 02133

Rep. Aaron Michlewitz

Rep. Claire D. Cronin

Chair, House Committee on Ways and Means

Chair, Joint Committee on the Judiciary

HEARING NOTICE

Deadline Date: Friday, July 17, 2020

Deadline Time: 11:00 AM

Re: Acceptance of Written Testimony
Only

Contact: Testimony.HWMJudiciary@mahouse.gov
<mailto:Testimony.HWMJudiciary@mahouse.gov>

WRITTEN TESTIMONY VIA EMAIL ONLY

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, will accept written testimony only via email until Friday, July 17, 2020 at 11:00 a.m. on the following bill:

Bill No.

Title

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

Please email comments to Chair Aaron Michlewitz and Chair Claire Cronin at Testimony.HWMJudiciary@mahouse.gov <<mailto:Testimony.HWMJudiciary@mahouse.gov>> no later than:

Friday, July 17, 2020 at 11:00 a.m.

The Chairs request that those submitting testimony provide your name, organization, and phone number.

You may contact staff with any questions at (617) 722-2990 or (617) 722-2396.

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From: Phyllis Neufeld <pbneufeld@gmail.com>
Sent: Thursday, July 16, 2020 11:01 PM
To: Testimony HWM Judiciary (HOU)
Subject: House Bill 2820 as amended

House Ways and Means Representative Aaron Michlewitz and Judiciary Chair Representative Claire Cronin:

As a 40 year veteran teacher, I am deeply concerned about the Senate language on qualifying immunity. I believe the wording is so confusing that teachers will hesitate to get involved to protect their students. Let me be specific. If two students begin fighting and place the teacher in the position of having to pull one of the students off the other to protect the student(s), the teacher would have done so knowing that "you are not supposed to touch your students". Under the language that exists presently, the teacher would not be faulted for breaking up the fight. Under the new language, if the teacher has to admit that touching a student is known to be taboo, they could be held liable for pulling that student off the other. The law as it exists now is fine. Please don't change it to language that could potentially harm educators, social workers, and many others.

Thank you for your consideration.
Phyllis Neufeld
3 Meadowvale Rd., Burlington, MA 01803
From: Jon Sturgis <jsturgis@redhat.com>
Sent: Thursday, July 16, 2020 11:00 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Testimony

Members of the House Committee on Ways and Means and Judiciary members,

I am writing in regards to the S.2820 proposed legislation that will be discussed and voted on.

I want to preface my opinion below with that I am a current voter, family of 5 in the Worcester County area. I am a public servant, as well as my wife. My extended family includes diverse cultural backgrounds that are public servants such as nurses, firefighters, teachers, military and police. We collectively have discussed the recently passed senate bill, and although I do not represent each voter, I can speak to the overwhelming feedback from them.

- Do not support the removal of Collective Bargaining.
- Do not support removing Due Process
- Do not support removing Qualified Immunity
- Do not support close door sessions without representation

- Support training reform and identify training gaps that make our public servants and communities safer

Lastly, and most importantly, we do not support the mob mentality and knee jerk reactions that we have seen at 4am in the Senate and across the nation. Massachusetts has some of the finest and professional, educated, hospital workers, teachers, police and fire that set the standard across the nation. We are proud to be a part of that history, and you as our elected leaders should be embracing and thanking the commitment to those in uniform.

I would encourage you to view the FBI crime statistics. I can assure you after considering national data, you will conclude the evidence to our inner city problems is not the public servants in our Commonwealth. This legislation, if passed, will put our communities at risk and most importantly, the communities with high crime rates that need police, fire and EMS services.

We can do better, together, but not by legislating public servants out of a profession they have committed their life to doing. I would be honored to discuss further.

Respectfully,
Jonathan Sturgis
978-503-4648

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Jon Sturgis

Product Manager, Cloud and Service Providers

Red Hat US Westford, MA

T: 978-503-4648

<<https://marketing-outfit-prod-images.s3-us-west-2.amazonaws.com/f5445ae0c9ddafd5b2f1836854d7416a/Logo-RedHat-Email.png>>
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From: thomas.carey55@gmail.com
Sent: Thursday, July 16, 2020 11:00 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 testimony

I am a resident of Milton and a Sergeant for the Norwood Police. I, like any decent person, was horrified to watch George Floyd's murder. I

realize that people in my profession have caused a great deal of damage to minority communities in the past, and I am motivated to make law enforcement better in the future. I am saddened that it took Mr. Floyd's murder to get people moving.

I am seriously concerned with a few of the items put forth by the Senate, and I am entrusting the House will correct these things. One of these items that I feel will have an extremely negative impact on my profession is ending qualified immunity. Police officers make split second decisions in rapidly evolving and dynamic situations, and we do so to protect the public. Qualified immunity DOES NOT and SHOULD NOT protect us, should we violate clearly established law, or prove to be incompetent. Qualified immunity does shield police, and many other public officials, including yourself, from frivolous lawsuits. In a recent study done by UCLA, researchers found that courts only accept a qualified immunity defense around 12% of the time.

Ending qualified immunity will have a disastrous effect on police hiring. It will be harder to attract quality candidates to effect the change that the profession needs. This comes at a time when our candidate pools are already at all-time lows. We desperately need to attract the best people from our communities to work in law enforcement. Ending qualified immunity for police will be counterproductive to that. Please consider opposing ending qualified immunity for police.

I am also concerned that the Senate's bill takes away due process in disciplinary matters. A right that the Supreme Court has upheld in all civil and criminal cases since the birth of our nation, and a right that organized labor has fought for since its inception. The Senate wishes to create a disciplinary review board with no law enforcement representation to sit in judgement after the fact, to judge an officer's reasonableness. Reasonableness being the key operating term set forth by the Supreme Court in many landmark use of force cases. Unless politicians and activists can say that their knowledge supercedes the US Supreme court, then it becomes essential that the review boards are compromised at least partially by law enforcement. What can a community activist speak to in terms of reasonableness of a job they know nothing about, except as an uninformed observer?

I ask you to help law enforcement effectively keep our communities safe. The unintended consequences of the Senate's bill will reap a whirlwind of consequences for our communities if left unchecked by the House.

Sergeant Thomas Carey
182 Thacher St
Milton, MA
7816302318

Sent from my iPhone
From: lydia005@gmail.com
Sent: Thursday, July 16, 2020 10:58 PM
To: Garballey, Sean - Rep. (HOU); Testimony HWM Judiciary (HOU)
Subject: Testimony re S.2820

Dear Rep. Garballey:

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.

Sincerely,
Lydia Carmosino
617-901-2209

Arlington, MA

From: James McCurdy <jamesmccurdy1@gmail.com>
Sent: Thursday, July 16, 2020 10:58 PM
To: Testimony HWM Judiciary (HOU); Murray, Brian - Rep. (HOU)
Subject: Amendments to S2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

As a father of two children and a husband living and working in Massachusetts, I am shocked that the State Senate would pass legislation that makes it more difficult for police officers to protect my family and our community.

I'm even MORE shocked that they would do it at 4:00 AM on a holiday weekend with no hearings. I am sure you can imagine how this makes the average resident feel. Not exactly like we are part of the process. In my opinion, making laws in the dark like this feels like a threat to our democracy.

As a peaceful person who wants law and order in our town, it is mystifying to me that anyone would consider making police work more dangerous than it already is. These first responders have been crucial during this pandemic, saving lives and protecting us. They are the moral fiber that holds our community together, keeping us from anarchy. Removing their qualified immunity and making them subject to endless lawsuits under S2820 will only make their policing less effective and make us all less safe.

Certainly, I recognize the need for reform and training in light of recent events where police brutality has gone unchecked. There is no doubt in my mind that reform, training and standards are needed.

My neighbor is a police officer in the City of Boston. He asked me to help the Boston Superior Officers Federation (BSOF) reach out to the Committee and ask for support for Amendments 114,116,126,134,129, and 137 to Senate Bill S2820.

These amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I ask the Committee to support these amendments and support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, including police officers.

Further, I ask you to seriously consider the removal of Qualified Immunity (QI) and think through the impact police officers who are already hamstrung by fear of being sued, fired or prosecuted will now have if they are constantly worried about being sued.

I would ask you to support the BSOF and the aforementioned amendments to S2820 when it is considered in Committee and debated on the House floor.

In this time of civil unrest and pandemic, the last thing our communities need is for the police to be unable to better do their jobs. My children and my family depend on them to keep us safe, and I'm sure they keep your families safe as well.

I thank you for your consideration of my testimony on this crucial public policy issue.

Sincerely,

James McCurdy
10 Jasmine Road
Medway, MA 02053
508-942-8818

jamesmccurdy1@gmail.com
From: mackenzie reynolds <mackenzielaurenreynolds@gmail.com>
Sent: Thursday, July 16, 2020 10:58 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820 (S2800)

Dear Members of the House and Ways and Means,

My name is Mackenzie Reynolds and I am writing to you in regard to the Police Reform Bill S2820. I am asking you and the rest of the House of Representatives to please consider making amendments to this bill. The following 3 areas are concerns of mine. All public employees should have the same rights when it comes to Qualified Immunity, Due Process / Collective Bargaining, and then make up of then POSAC board. When it comes to Qualified Immunity even you and the rest of the House and Senate enjoy this protection so why should those that put their life on the line every day not have the same protection which they won't if you don't make changes to the bill. When it comes to the POSAC board, again why should Police Officers not be judged by their peers just like Doctors, Lawyers, Judges, and every other profession? The way it is set up now they will be judged by individuals that have no Law enforcement experience, those that already don't like the police, those that already sue the police. Then to decide whether they (the Police) did anything wrong or should have done things different don't know what it is like to be in the position the officer was in and have never been in a high-stress situation where seconds could mean life or death for them or the general public. How many times does Police go to a domestic call safe a woman or man that was getting beat up and abused to only have that same person make false accusations against the Police and say that what is in the report never happened? If you have never been in that situation how can you possibly judge someone who has? Again there is no consequence for someone who lies about police misconduct, excessive force, or claiming they are lying in their reports. When it comes to due process again the way the bill is written its up a board just about entirely made up of non-law enforcement and those that have an ax to grind with the Police. They are going to say your fired, suspended, and the Police officer will not have the ability to challenge that decision anywhere, and then they can't even get another job in law enforcement anywhere. The bill is basically taking away civil service and the protection it offers. Some say that's why it needs to be gone, but there are steps the Cities and Towns can take to get rid of a bad Police officer they just have to do it the correct way instead of jumping from a-z. Sure there is room for Reform in the Criminal Justice System, but you have tom remember this is no Minnesota, New York, Atlanta. We have some of the very best-educated and trained Police Officer's here in MASSACHUSETTS. You should not punish our officers for the bad behavior of other officers from other states. If you do I fear we will lose a lot of officers to retirement and have one hell of a time trying to replace those officers with good candidates because who would want this job with no job protection, protection from frivolous law suits, and worst going to jail or charged with a crime because you are being judged by someone that doesn't know how to do the job.

Thank You for listening

Mackenzie Reynolds

24 Dolge Ct

Charlton, Ma 01507

From: Eli Adler-Roth <elirothri@gmail.com>
Sent: Thursday, July 16, 2020 10:58 PM
To: Testimony HWM Judiciary (HOU)
Subject: Re: S2820 Testimony

I just now realized that I failed to provide my phone number, as requested by the honorable Chairs. My apologies. It is (401)439.3628.

I am not speaking on behalf of any organization; I'm a private citizen and my views are my own.

On Thu, Jul 16, 2020, 10:07 PM Eli Adler-Roth <elirothri@gmail.com> wrote:

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 communities 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: Meaghan Welch <welch.me@gmail.com>
Sent: Thursday, July 16, 2020 10:57 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate police reform bill, S.2800

Good morning,

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.

Best,
Meaghan Welch
Salem, MA
From: ALAN LABELLA <djconnn@comcast.net>
Sent: Thursday, July 16, 2020 10:56 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

My name is Alan LaBella and I live at 5 Cherry Street Saugus and as a concerned citizen and father in law of a Massachusetts State Police Officer , I am writing to voice my opposition to the Senate's Police Reform Bill.

From: Wendy Holt <wendyh@dmahealth.com>
Sent: Thursday, July 16, 2020 10:56 PM
To: Testimony HWM Judiciary (HOU)
Cc: Gouveia, Tami - Rep. (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.

Wendy Holt

978-424-5468

30 Dover Street

Concord, MA

From: Doug Connor <connor.doug@gmail.com>
Sent: Thursday, July 16, 2020 10:54 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,

Douglas Connor

7 Tilden Rd.

Canton, MA 02021

Connor.doug@gmail.com

From: Christopher Peckham <co5363@me.com>
Sent: Thursday, July 16, 2020 10:54 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2820

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 "Christopher Peckham" and I live in "Fall River Massachusetts." I work for the "Massachusetts Dept of Correction" and I'm an "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,

(Officer Christopher Peckham, Massachusetts Dept of Corrections)

Christopher M Peckham
City Councilor, Fall River Massachusetts
Chairman, Public Safety Committee

1 Government Center, Fall River Massachusetts
c.peckham@fallriver.org
C: 774-379-2717
O: 508-324-2000

From: Jesus Dones <jssdones@gmail.com>
Sent: Thursday, July 16, 2020 10:54 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 Jesus A. Dones and I live at 362 Rindge Ave apt 8H Cambridge, MA 02140. I work at Dynavac and I am a Welder. 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 they 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. 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. My wife is a Correction Officer and I worry for her safety everyday she goes into work. I pray she comes back home to my son and I safely. She works in a place where some of the most dangerous people live in. Although, we are not opposed to Officers being 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'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. We want to raise our son and future children in a safe state. We want our family and friends to live in a safe state. Thank you for your time.

Sincerely,

Jesus A. Dones From: Michele Giglio <mmgiglio@aol.com>
Sent: Thursday, July 16, 2020 10:54 PM
To: Testimony HWM Judiciary (HOU)
Subject: In support of law enforcement

To Whom It May Concern,

Being the Mom, Niece, Cousin, Neighbor and friend of current and past law enforcement, I support the police and first responders. I am wholeheartedly against getting rid of the legal protection they currently have.

Sincerely,

Michele M Giglio
40 Farmington Circle
Marlborough, Massachusetts
01752

508-873-5556

From: nick clemente <nickclemente4@yahoo.com>
Sent: Thursday, July 16, 2020 10:53 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

Dear Chairs Michlewitz and Cronin,

My name is Nick Clemente and I live at 78 Webster St. in Medford 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 straightforward. 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,

Nicholas Clemente

78 Webster St.

Medford, MA 02155

Sent from my iPhone

From: Matthew Kane <mattkane1986@gmail.com>

Sent: Thursday, July 16, 2020 10:53 PM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony S 2820

Good Evening,

My name is Matthew Kane. I am currently a State Trooper assigned to the Russell barracks. Prior to becoming a Trooper I was a Firefighter/EMT in Westfield. I am a 3rd generation civil servant. I am proud of the job I do everyday. Despite the loud vocal critics of police I believe the silent majority of citizens support us. Many Senators spoke in support of police across the Commonwealth during the debates on S2800.

In many rural parts of the Commonwealth the State Police function as the primary law enforcement agency. Many of the towns in my patrol area have small, part time police departments, if they have one at all.

As you can imagine I have dealt with a wide range of calls for service and emergencies. I have approached and handled each one as if it was my loved one involved. I have dealt with autistic juveniles armed with a knife, felons with stolen guns, fatal crashes, domestic disputes, parenting issues, solved breaking and entering cases and used a lasso to catch a loose llama on a state highway. Police today are social workers, mental health workers, de facto parents, investigators and everything in between. I don't think my skills or empathy are extraordinary or unique. I believe police officers across the state go to work everyday to make a difference and provide a good life for their family. Although there is always room for improvement and I agree with portions of S2820 I believe it is overly ambitious and far reaching.

Qualified Immunity and the protection it provides all public servants cannot be understated. If this legislation passes there will undoubtedly be an increase in lawsuits against all public servants. With those lawsuits come trials and rulings by a judge which will establish case law. Reasonableness will be ever evolving and change with each court ruling. Decisions that are made in a split second will be scrutinized years later. In my opinion this will cause Troopers to hesitate during life or death situations. Proactive policing will suffer severely, the citizens of the Commonwealth will bear the brunt of those consequences.

I have no issues with Troopers being certified. More training and continuing education benefits everyone. I think it's very important the Commission tasked with overseeing this be comprised of professionals trained in law enforcement. No one hates a bad cop more than a good one. Who better to help hold the bad ones accountable than those who strive for perfection.

Perhaps the most concerning testimony I heard during a debate in the Senate was In reference to 2 police officers a local police Chief "couldn't get rid of". The Senator made reference the Chief couldn't because they made a minor administrative error during the process. I have no doubt the local Chief told the Senator that but I doubt the veracity of that being the case. There are processes in place currently to terminate officers. If they aren't followed sometimes cases are overturned at arbitration or civil service. No different than our court system, if evidence isn't obtained properly or legally it is thrown out, as it should be. Police officers deserve the same rights all citizens are afforded. Labor unions have fought for due process and rights for members since their inception. Should a certification be revoked by POSAC there needs to be some route of appeal before a neutral party. Civil service was established to ensure jobs were obtained on merit and not patronage. I'm fearful of POSAC being used as a tool to circumvent Civil Service, that is why I believe it's important to have police unions represented on POSAC.

Respectfully submitted,
Matthew Kane
(413)335-6032
mattkane1986@gmail.com

From: Sue Bertone <smbertone@live.com>
Sent: Thursday, July 16, 2020 10:52 PM
To: Testimony HWM Judiciary (HOU)
Cc: McMurtry, Paul - Rep. (HOU)
Subject: Fwd: Rushed Police Reform

To House representatives: please consider my concerns for the current police reform legislation as explained to Representative McMurtry below. Thank you.

Begin forwarded message:

From: Sue Bertone <smbertone@live.com>
Date: July 16, 2020 at 10:01:08 PM EDT
To: "Paul.McMurtry@mahouse.gov" <Paul.McMurtry@mahouse.gov>
Cc: Sue Bertone <smbertone@outlook.com>
Subject: Rushed Police Reform

?Mr. McMurty,

I hope this note finds you keeping healthy in these uncertain times.

I'm a voting citizen in Westwood and have never written to ask for consideration of legislation, as I typically support the great work those in our state, county and town governments do!

However, while we may need some type of review related to clear, unnecessary police brutality, I strongly believe the current legislation for Police Reform that will be voted upon on Friday July 17th is rushed and does not fully consider the consequences we will all face if it passes in its current form.

I respectfully ask for you to NOT vote in favor of this rushed and deeply flawed legislation until a more rationale reform bill can be drafted. Please also emphasize to your colleagues in the legislature they should not feel rushed on this- it's too important - let's all work to get this right before it's too late.

Please continue to help us protect our state and citizens by rejecting this legislation and asking for more time to develop a sound proposed reform that addresses true issues.

Thank you for your service and support.

Regards,

Sue Bertone

142 Stanford Drive

Westwood, MA

781-269-5005

From: Teresa Rodriguez <teresa_a_rodriguez@yahoo.com>

Sent: Thursday, July 16, 2020 10:51 PM

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 Teresa Rodriguez. I am a resident of Jamaica Plain 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.

I am a teacher and have been waiting for decade for this type of police reform. We need to put parameters, accountability and reform efforts in place to protect our citizens. In fact, I wish it went further but this is the legislation we have for now. I want to you know I support it whole heartedly.

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,

Teresa Rodriguez
790 Centre Street
Jamaica Plain, MA 02130

From: David Meulenaere <dmeulen@hotmail.com>
Sent: Thursday, July 16, 2020 10:51 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,

David Meulenaere

152 Pakachoag Street

Auburn Ma

Dmeulen@hotmail.com

508-345-7920

From: Carline Kelly <cek678@gmail.com>
Sent: Thursday, July 16, 2020 10:50 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please pass a strong version of S2820

As a constituent living in Waltham, MA, I am writing to ask you to please pass a strong version of S2820. I have lived in Waltham for the past 6 years and am raising my family here. I am a white woman, married to a black man and together we have two biracial sons. I have also been a teacher in Boston Public Schools for the last 16 years. I have friends who are police officers and I support them and much of the work that they do. However, for far too long, there has been legislation passed that has changed policing so that it is much more aggressive, more detrimental to our communities, and completely inequitable. As my sons are growing up, I fear for their lives and no one should have to feel this way. Supporting this bill does not mean that I think police officers are bad people. It

means the system and structures in place are inequitable and they need to change. Now.

I'm writing to ask you to please support prohibiting violent police tactics -- this includes ANY choke holds that could come close to injuring a person! These have no place in our community, especially since implicit bias exists; racism exists. We, as white people, are all racist because we are part of a racist system. It doesn't mean we are bad people. It means that it is OUR JOB to strive to be antiracist and to find all the ways in which we can consistently fight racism day to day to create a more just and equal society. That includes not harming or killing community members, especially when a disproportionate number of individuals stopped by police are people of color.

I also ask that you impose meaningful restrictions on qualified immunity. Police officers need to be held accountable for their actions. Maybe if police officers are held accountable, more police officers will make a greater effort to strive to be antiracist and the amount of tragic deaths, injuries, and violence at the hands of police officers will be diminished. As a white high school teacher in Boston, I am on my own journey of becoming antiracist and I strongly believe that if I do not fight to be antiracist (through educating myself about race, racism, whiteness, and my personal biases, decolonizing my curriculum, using culturally responsive teaching methods, analyzing and changing racist policies at my school and in my district, etc), I should not be in this profession. I did not learn any of this in my teacher prep program so it is on me to do this on my own time. Police officers should be learning how to be antiracist in their profession as well - in their preparation would be best!

Finally, please support a BAN on the use of dangerous and discriminatory facial recognition technology. This technology is not valid and has been proven to make policing even more racist than it already is.

I am a mom, a wife, a teacher, and a resident of Waltham. I know many of my neighbors support these same ideas. You are in a unique position to fight for antiracist policies - I am doing my part by sharing my opinions with you, but I cannot vote to change the law. Please do your job and fight for anti-racist polices; fight for our community.

Thank you for your time.

Sincerely,

Carline Kelly Bowen

From: loumetzger@aol.com

Sent: Thursday, July 16, 2020 10:50 PM

To: Testimony HWM Judiciary (HOU)

Subject: House Action Needed Now on Police Reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means and Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Based on the multiple instances of misconduct that are being illuminated by news accounts, legislation is urgently needed to ensure a change in police behavior and culture so as to reestablish trust between law enforcement and the community. Accordingly, I support the position of the Greater Boston Interfaith Organization (GBIO) and urge you and the House to pass police reform that includes:

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

Thank you very much.

Louis Metzger

loumetzger@aol.com

508-650-2921

1 Morgan Drive

Natick, MA 01760

From: McGrath, Michael <McGrathM@worcesterma.gov>

Sent: Thursday, July 16, 2020 10:50 PM

To: Testimony HWM Judiciary (HOU)

Subject: New Police Reform Bill S2820

Good Evening,

My name is Michael McGrath I am currently a Police Officer for the Worcester Police Department. I am writing to you to discuss my feelings about the New Police Reform Bill S2820. Looking at the Qualified Immunity first, if we lose our qualified immunity this directly impacts my family on multiple levels. Not only will I now be subject to personal lawsuits that will not only affect me personally but it will also affect my wife and our two little boys future as well. My wife and I have worked very hard to give our children the life they deserve (also my wife is a public school teacher so she is also subject to personal law suits if we lose this) and now their future may be in jeopardy. I have been a Police Officer for 10 years and I love this profession, and I feel I have done a

great job (0 lawsuits or complaints) now I feel a sense of hesitation and uncomfortableness answering routine calls for service.

Looking at due process which I was always informed was fair treatment through the judicial system to every citizen. Now that I am a Police Officer in a City that has done a great job in a State that has done a great job I now am no longer afforded this treatment because of a tragedy that occurred hundreds of miles away. The Senates Bill goes against their platform as being labor/ union supporters, it seems as if this bill is an Anti-Labor Bill.

POSAC board makes me the most nervous as an Officer. Now a panel of members of the community who have never walked in my shoes, have never dealt with the public, and have never been a Police Officer can determine whether I can continue to remain an Officer because they don't agree with a split second decision that was made by myself or my fellow Officers. The POSAC board needs to have men and women who have worked in this profession if it is going to determine our fate. I wouldn't want to be on a board to determine the fate of a Doctors medical decisions because I don't know anything about his or her profession and I don't feel that is fair.

I appreciate you taking the time to listen to what I have to say! I still love this profession and am still determined to do a good job, and continue to make my family proud!

Respectfully Submitted,

Michael McGrath

508-799-8606

From: Karen Blumenfeld <oxbow3@comcast.net>
Sent: Thursday, July 16, 2020 10:50 PM
To: Testimony HWM Judiciary (HOU)
Subject: Include language about Raise the Age in the Reform, Shift, + Build Act.

Dear Chair Michlewitz and Chair Cronin,

I'm a huge supporter of More Than Words, a social enterprise that helps system-involved youth take charge of their lives by taking charge of a business. I've been volunteering at More Than Words for four years and have seen the incredible results of this visionary organization's work. In full support of More Than Words' mission, I urge you to include language about Raise the Age in the Reform, Shift, + Build Act.

Thank you,
Karen Blumenfeld
113 Oxbow Road
Wayland
From: A Barrett <barretthanover03@gmail.com>
Sent: Thursday, July 16, 2020 10:49 PM
To: DeCoste, David - Rep. (HOU); Testimony HWM Judiciary (HOU); Brady, Michael (SEN)
Subject: Police reform bill

Dear gentleman,

As a concerned resident and voter of Massachusetts I would like to request that the police reform bill be reviewed again. This reform does not work. Our officers at both state and local levels put their lives on the line everyday. To vote on this bill at 4am on the anniversary of Sargent Chesna shows so much disrespect to the men, women and families of LEOs.

I ask that you please listen to the public, in this state, and reconsider the police reform bill.

Sincerely,
Amy Barrett
Hanover, MA
From: Kevin Walsh <kevin.v.walsh@gmail.com>
Sent: Thursday, July 16, 2020 10:48 PM
To: Testimony HWM Judiciary (HOU)
Subject: Public Comment

Im writing to support the following measures. Please vote in favor of each. It's in the citizens best interest that these get passed. No knock warrants in particular are an evil practice, and the police force should be taught from day 1 that it is their duty to serve the public transparently.

Thank you,
Kevin Walsh - 617-416-2919 - Kingston MA

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety (State Representative Liz Miranda
<https://www.facebook.com/voteliz/?__tn__=K-R&eid=ARAOqrvxbqxcHkbaGFFDal2duSLy5lzQwskyvWjSckN0ysQRjD_hYuVo9hUS8qQ7GsXpQxRtDfuqyFxu&fref=mentions&__xts__%5B0%5D=68.ARCpDWxSSsBCAr4mlQWUG89eamUATJiOejOVVzTb_h5TYPotPwTkxZ2JtqfZoMTFI-1fSGgJE_AdM69hnlW0GxpWGCmB-DeQIKK4gMQFDv9KdbZTqybbTQab81GKdWQqCJl6NpVz0rWrm5Tat7OE-j1U99acZzdP8YctIDWcI-QfxYjvYfn5aO_-tZqgE1N7OCvfaYTnFPi6&__xts__%5B1%5D=68.ARCsE3jwnf44Ut1V5yxeUeitokiHS8IfRqKW7y5d7lrfWZSLQ_-ia6raSWtb-JEKkrHSiJXfST6cctxcSql6TDIPSnWYGZ5-791HR8_l2VtsmgzRx8tc4qq3WUOU4J4PGwbcqNNBg0EA48fbsS4ZvFjsdOXjom-FkRlVqJvT_yQY91DelrFlM64p_EBM0xjItLpLLZa5P00x3YA40zOBmAHAvgsP4hFwVU-_3kjcEmmgc1Xvt1fZn1eDjbMJMjMFGvduJqBmPNaf1aOPPl154kwsSZYz3un4ohPybzpuI6IcV

NRO5150_t5yRlbwCf7XeUfft8Gigp5FdyGwZUbrVGy>) 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.URGENT ACTION!

From: JENNIFER T REYNOLDS <reynolds2424@msn.com>

Sent: Thursday, July 16, 2020 10:49 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill S2820 (S2800)

Dear Members of the House and Ways and Means,

My name is Sue Reynolds and I am writing to you in regards to the Police Reform Bill S2820. I am asking you and the rest of the House of Representatives to please consider making amendments to this bill. The following 3 areas are concerns of mine. All public employee's should have the same rights when it comes to Qualified Immunity, Due Process / Collective Bargaining, and then make up of then POSAC board. When it comes to Qualified Immunity even you and the rest of the House and Senate enjoy this protection so why should those that put their life on the line everyday not have the same protection which they won't if you don't make changes to the bill. When it comes to the POSAC board, again why should Police Officers not be judged by their peers just like Doctors, Lawyer, Judges and every other profession. The way it is set up now they will be judged by individuals that have no Law enforcement experience, those that already don't like the police, those that already sue the police. Then to decide whether they (the Police) did anything wrong or should have done things different don't know what it is like to be in the position the officer was in and have never been in a high stress situation were seconds could mean life or death for them or the general public. How many times do Police go to a domestic call safe a woman or man that was getting beat up and abused to only have that same person make false accusations against the Police and say that what is in the report never happened. If you have never been in that situation how can you possible judge someone who has. Again there is no consequence for someone who lies about police misconduct, excessive force, or claiming they are lying in their reports. When it comes to due process again the way the bill is written its up a board just about entirely made up of non law enforcement and those that have an ax to grind with the Police. They are going to say your fired, suspended, and the Police officer will not have the ability to challenge that decision anywhere, and then they can't even get another job in law enforcement anywhere. The bill is basically taking away civil service and the protection it offers. Some say that's why it needs to be gone, but there are steps the Cities and Towns can take to get rid of a bad Police officer they just have to do it the correct way instead of jumping from a-z. Sure there is room for Reform in the Criminal Justice system, but you have tom remember this is no Minnesota, New York, Atlanta. We have some of

the very best educated and trained Police Officer's here in MASSACHUSETTS. You should not punish our officers for the bad behavior of other officers from other states. If you do I fear we will lose a lot of officers to retirement and have one hell of a time trying to replace those officers with good canadites because who would want this job with no job protection, protection from frivolous law suites, and worst going to jail or charged with a crime because you are being judged by someone that doesn't know how to do the job.

Thank You for listening

Sue Reynolds

123 Holden St Apt J8

Worcester, Ma 01606

Sent from Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=ktU0N1ZBLdQg-nyIAMV_VQhQleN-8v0KFvRJyZrKMPw&s=2sPLW2UVSAA9X87AqJt43uXdtWrHufTwNjry2uwB_sc&e=>> for Windows 10

From: Charlene <kevcharl@comcast.net>
Sent: Thursday, July 16, 2020 10:48 PM
To: Testimony HWM Judiciary (HOU)
Subject: The police

Dear Chairs Michiewicz and Cronin,

My name is Charlene Coughlin and I live in Burlington, 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. I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. 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 unacceptable 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. I hope you will take these concerns into consideration.

Sincerely,

Charlene Coughlin

Sent from my iPhone

From: Thomas Wilson <thomas.d.wilson1@gmail.com>

Sent: Thursday, July 16, 2020 10:48 PM

To: Testimony HWM Judiciary (HOU)

Subject: Disappointed Trooper

Good Evening,

I can't help but to feel utter disappointment in my Senate, I'm not really mad because I understand the game of politics, just disappointed. I highly doubt anyone will read this, but I'm still going to write it. I guess it will serve better then the standard cookie cutter template.

I have served my country and I have served the Commonwealth for the majority of my adult life. Over my years of service I have encountered thousands of people, many of them with questions about my profession. Friends, family, and even strangers would ask me "What's it like being a cop?" I always responded basically the same way, from my heart and honestly. I wanted people to understand what it's really like to be a police officer. I wanted to humanize the people of my profession. Tonight I want to share my thoughts with you.

This is a mentally taxing job but it needs to be done. It needs to be done by people of the highest standards of integrity. This job carries many risks, not only physically, but liability wise. I play by the rules and I act in good faith, I respect the constitution so I have no fear.

I do not enjoy writing tickets. I write them to only those that truly deserve them, for the safety of our roadways. Most people deserve a break- and usually get one.

I do not enjoy taking away people's freedom, but It is my job to enforce the law. I do what I have to do when I have to do it.

I do not disrespect people I encounter. I let their attitude determine the outcome of our interaction. I never want to get into a physical altercation unless it is absolutely unavoidable.

I never want to take a persons life, but I have accepted the fact that some day I may be called on to do so.

We the police are societies worker bees. We respond to the tasks given to us. We help those who need help, we stop those who need to be stopped, it's pretty simple.

Without us, society doesn't work. We are good and decent, we love our families, and we are loyal.

The facts don't lie. Nearly every single police interaction ends peacefully, that's how we like it. We have saved thousands of lives in the Commonwealth and have taken so very few, and only when left with no alternative.

We are assaulted, stabbed, shot, and killed. We bear the brunt of everyone's anger and frustrations.

Please do not make this job more difficult then it already is. We need your support. Do not cave to radicals who will never be pleased. We only want to be treated fairly and left to do our jobs.

The people of Massachusetts are not dumb. The overwhelming majority of the people support us and we support them. This bill is absolutely terrible and everyone knows it.

The best most qualified people will leave this profession. Good cops will go into self preservation mode and the people will suffer. Do not make good decent police officers fear for the way they provide for their families.

Respectfully,
Trooper Thomas Wilson
Massachusetts State Police

From: Lenore Montanaro <lenore.montanaro@gmail.com>
Sent: Thursday, July 16, 2020 10:47 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820: Special State Police Officers

Dear Chair Michlewitz and Chair Cronin:

Thank you for accepting public comment regarding Senate Bill 2820. I write today as an ordinary member of the Massachusetts Bar and not on behalf of any person or any entity.

I want to express my support and admiration for all that you do to ensure fair and just policing for all. As such, I humbly request that you include a provision in S.2820 that would require Massachusetts special state

police officers, as defined in Mass. Gen. Laws c. 22C § 51, 56, 57, 58, and 63 to be subject to public records requests.

Generally, municipal and other police officers who work on behalf of people and animals in their communities are subject to these requests, so long as there is no applicable privilege. Likewise, special state police officers who are empowered with police powers on behalf of animals, for example, should also be subject to public records requests laws to ensure transparency. See Mass. Gen. Laws c. 22C § 56

As an attorney, I understand that public records laws are another tool in the toolbox for information gathering and for ensuring justice. Now, more than ever, our society needs this balanced openness of information: "transparency breeds legitimacy."

Thank you for your leadership. Please contact me if I may be of service.

Kind regards,

Lenore

LENORE M. MONTANARO, ESQ.

Licensed to practice in Massachusetts, Rhode Island, District of Columbia, and the U.S. District Court of Rhode Island
401.447.6930

From: paul.lazar17@gmail.com

Sent: Thursday, July 16, 2020 10:47 PM

To: Testimony HWM Judiciary (HOU)

Subject: Opposition to S. 2820

Dear House of Representatives,

My name is Paul Lazar and I live at 845 East Third Street, South Boston. 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. 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,

Paul Lazar

Sent from my iPhone From: kimballw22 <kimballw22@gmail.com>

Sent: Thursday, July 16, 2020 10:46 PM

To: Testimony HWM Judiciary (HOU)

Subject: Please consider the consequences

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,

William R. Kimball

141 Center Rd Gill, MA 01354

Kimballw22@gmail.com

Sent from my Verizon, Samsung Galaxy smartphone

From: Thomas Parker <tolylu473@gmail.com>
Sent: Thursday, July 16, 2020 10:46 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,

Thomas A. Parker

From: Jayne Serratore <jserratore@amorymedical.com>

Sent: Thursday, July 16, 2020 10:44 PM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony S2820

To whom it may concern,

I'm writing to you tonight as an aunt of two state troopers, friend to numerous police officers and Mother of a newly inducted Correctional Officer writing diligently to become a man in blue to protect and serve.

My son is just beginning his life, he's just started investing in his future with his fiancée, buying a home and looking forward to a family one day. By passing this you are potentially crushing the goals he's creating that will effect so many others.

Why would he want to buy a new home, put a wife and children at risk because you are stripping them from protection and serving.

My nephew was on the special task force that hunted for the Boston Marathon bomber, how can you forget moments like this when you're trying to pass this monstrous and disastrous bill. Can you imagine the Tsarnaev brothers being able to sue or physically attack these troopers trying to protect and serve Massachusetts after the devastation caused during the bombing. Because this is what will happen should this pass.

My niece faced so many discriminatory challenges working her way up to a state trooper, she saw her brother in action looking for Dzhokhar Tsarnaev and his dedication in making sure communities stayed safe while searching for him. She knew at that moment what her calling was. She came down with a severe case of the flu and mono during training and never skipped a beat. Her 1st night solo she made 3 arrests of drunken drivers and saved countless families on the roads from potential fatalities. How can she continue safely do her job facing backlash that could cause her to lose her beautiful home of 2 years and her family because someone she kept off the streets hunted her down!

Massachusetts has been our families home since my great great grandparents immigrated over 100 years ago, it's so sad that many people are threatening a mass exodus of the state we are proud to call home and ask that you humanize this bill. We are not blind and know 1st hand there

are bad cops out there, let's remove them and replace them with more gems like my family and friends are.

Please vote no, come up with a better solution, there has to be a compromise where the right people win and the citizens of our great state will continue to feel safe.

Thank you for your time.
Jayne M Serratore
170 Pleasant St
Norwood MA 02062

781-414-2876

Jayne M. Serratore, CMA, LSSGB, CSM, ASM, CAPM
Amory Medical
1101 Beacon St
Suite 2W
Brookline, MA 02446
(O) 617-731-2000 (C) 781-414-2876
From: Laura Guggenheimer <lguggs@gmail.com>
Sent: Thursday, July 16, 2020 10:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: Public Testimony for 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 Laura Guggenheimer with the Greater Boston Interfaith Organization (GBIO). I live at 25 Romsey St, Dorchester, MA 02125. 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

I believe that these reforms are long overdue and critical to include.

Thank you very much.

Laura Guggenheimer

Lguggs@gmail.com

914-815-2896

25 Romsey St, Dorchester, MA 02125

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Laura Guggenheimer with the Greater Boston Interfaith Organization (GBIO). I live at 25 Romsey St, Dorchester, MA 02125. 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

I believe that these reforms are long overdue and critical to include.

Thank you very much.

Laura Guggenheimer

Lguggs@gmail.com

914-815-2896

25 Romsey St, Dorchester, MA 02125

From: Samantha Eshner <samantha.eshner@gmail.com>

Sent: Thursday, July 16, 2020 10:41 PM

To: Testimony HWM Judiciary (HOU)

Subject: Concerns Regarding S2800

Dear Representative Michlewitz and Representative Cronin,

I write to you today to express my opposition to S.2800. This bill has been thrown together without the full consideration of the lasting negative outcomes. It robs police officers of the same Constitutional Rights extended to citizens across the nation. I write to you as a concerned citizen who is afraid that if this bill is passed, the safety of our communities will decline and I for one do not want to raise my children in a state where I need to worry anymore than I already do about their safety but I am also writing to you as the proud wife of a police officer- an educated, respectful, fair man who has served his country honorably and has now chosen to serve his community.

My husband has chosen a career that keeps him away from our family quite often which is not easy but it is a career he is extremely proud of and happy to do because he cares and wants to make a positive impact for which I could not be any prouder. He and his fellow officers have spent countless hours working to bridge the gap between officers and the community they serve. He created the 1st Community Officer position in our town and from there has started a Junior Police Academy Camp for kids, held presentations for parents on drug awareness, followed up with overdose victims to offer assistance and many other community based events. By passing this bill without taking the time to research the effects you are just taking away the progress they and many others have made and putting a divide between officers and their communities.

I would also like to share a recent experience that my family went through. Our 15 year old daughter was at the South Shore PLaza during the shooting that happened there 2 weeks ago. I can't explain the absolute sick feeling that came over me when I got the call, "Mom, don't panic but there is a shooter at the mall". That call will forever haunt me. I immediately rushed to the mall to get her and when I approached the mall entrances I saw dozens and dozens of officers running towards the mall. They were putting themselves in danger to help others. People they didn't know but knew were in danger and needed their help. They didn't care what your race, gender, beliefs, etc were- they just wanted to help! That is what good officers do, they help those who need it and keep us safe.

Nobody is more upset at what happened to George Floyd than good cops. Why are those good cops being vilified? They are just as outraged and hurt. If a few bad officers makes the whole group bad then that should stick for all groups- teachers, doctors, nurses, politicians, bankers and so on.

I am asking that you do what is right and not rush into this bill. I think I speak for many when I say there are some good parts of this bill but there are many parts that will only lead to the decreased safety of our communities and mass exodus of the good police officers we need. A couple of the key parts I believe need to be reevaluated are Qualified Immunity and the POSA Committee. Why would anyone want to do this job knowing they are not supported. We are better than this as a state! We all know this bill needs more time to be the best it can be. I am pleading with you to not rush into this and give it the time and research it deserves.

Sincerely,

Samantha Eshner
63 Stevens Drive Holbrook, MA
617-721-6721
From: Sean Harrington <sharrington517@gmail.com>
Sent: Thursday, July 16, 2020 10:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2800 Opposition

To whom it may concern,
I am sending this email to express my strong opposition of Bill S.2800. This Bill has language that is going to significantly tie the hands of police officers, and as a member of the law enforcement community, it is extremely worrisome for not only myself and all police officers, but to our families' livelihood as well. Please take the word of all stakeholders seriously for we protect the communities that we love and need the support from our government in return. I am always available to discuss this matter further. Thank you.

Respectfully,
Sean Harrington From: Vincent Pizzi <vinniepz@icloud.com>
Sent: Thursday, July 16, 2020 10:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2820

I have always encouraged my children as they were growing up, do something that is rewarding and gives back to others. They have followed that advice.

Now as the father of a law enforcement officer, I can say I find it truly disturbing that some of those in our government would consider taking away from these hard working men and women only to satisfy the sins of a very few.

I pray that they are protected properly as they go out each day to serve the public. Their families worry for them every time they leave for work and face the unknown.

I am proud of my son and all that he has done to achieve his dream as a police officer. Please continue to do what is best for these noble men and

women of law enforcement and ensure their immunity stays in tact as it has for many years.

Thank you

Vincent Pizzi

445 Great Neck Rd North

Mashpee, MA

02649

508-274-3619

From: Jim Gillespie <jegillespie1020@aol.com>

Sent: Thursday, July 16, 2020 10:38 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: Mike Mosher <mmosherlmt@yahoo.com>

Sent: Thursday, July 16, 2020 10:38 PM

To: Testimony HWM Judiciary (HOU)

Subject: Senate bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Michael Mosher and I live at 48 Old Mill ln, Templeton MA 01468. I work at North Central Correctional Institution-Gardner 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,

Michael Mosher

From: ebkarp4@aol.com

Sent: Thursday, July 16, 2020 10:37 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform bill

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

Representative Claire Cronin, Chairperson, Join committee on the Judiciary

Hello, my name is Dr. Eleanor B Karp with the Greater Boston Interfaith Organization (GBIO). I live at 372 Weld St. West Roxbury, MA. I am writing to urge you and the House to pass police reform that includes:

- * Implement Peace Officer Standards and Training with Certification
- * Civil Service access reform
- * Commission on structural racism
- * Clear statutory limits on police use of force

thank you very much.

Eleanor B Karp, Ph.D.
ebkarp4@aol.com
617-510-2430
372 Weld St. West Roxbury, MA 02132-1033

From: Nick Pak <nicholas.r.pak@gmail.com>
Sent: Thursday, July 16, 2020 10:37 PM
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,

Nicholas R Pak

45 Sachem Rock Ave

East Bridgewater

Nicholas.r.pak@gmail.com

Sent from my iPhone

From: Mike Close <mclosel4@gmail.com>

Sent: Thursday, July 16, 2020 10:37 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

My name is Michael Close, Trooper with the Mass State Police and presently living in Canton. 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. Imagine if qualified immunity was applied to our judges? Any time a convicted felon was let out of jail and committed a crime, that judge could be sued civilly?

(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 truly believe that our training should, in fact, be a model for other police agency's throughout USA. We have adapted to and lead the way from previous BLM protests; we have been under the microscope of racial profiling since the early 2000's where we embraced the new uniform Massachusetts citation to collect data into racial profiling and continued to be advocates in the efforts of racial equality. The amendments that have been implemented are extremely short sighted and need a good hard look at what is fair and equal, to everyone!

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,

Tpr. Michael Close
69 Kenney St
Canton, MA
michael.close@pol.state.ma.us
617-719-6454

Mike Close
617-719-6454

Sent from my iPhone
From: Hannah <varnerh@gmail.com>
Sent: Thursday, July 16, 2020 10:37 PM
To: Testimony HWM Judiciary (HOU)
Subject: I support S.2820

Hello Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820. I hope that you are able to pass this through committee and through the full Senate very soon. I know legislation can sometimes get caught up or tabled with controversy or shifting priorities, but this bill should stay a priority.

It would also benefit the Commonwealth if S.2820 could be strengthened so that the final bill includes the following key actions (in addition to those already included) that will make our communities safer. These include:

1. Eliminate qualified immunity so police can be held accountable
2. Create strong standards for decertifying problem officers, and
3. Ban tear gas, chokeholds, and no knock raids entirely.

I trust that we are all in agreement that the people of Massachusetts are good and kind, and would not want a no know warrant to kill the next Breonna Taylor in our community. We need to legislate our good intentions and our values, this starts with S.2820

Thank you,
Hannah Varner
Cambridge, MA

Pronouns: she/her/hers
From: Sharon Bonanno <sharbonanno@gmail.com>
Sent: Thursday, July 16, 2020 10:36 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support Amendments...

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,

Sharon Bonanno

Resident

33 Raven Rd

Canton, MA 02021 <x-apple-data-detectors://61/1>

617 699- <tel:617%20699-2914> 6771

From: Gavin Keenan <gavinkeen@comcast.net>
Sent: Thursday, July 16, 2020 10:36 PM
To: Testimony HWM Judiciary (HOU)
Subject: Comments on Bill S.2820

I am writing to express my opposition to Senate Bill S.2820 currently under review by the House Ways and Means Committee. Specifically, I oppose

adoption of the bill in its present form inclusive of Section 11(c) which states:

" In an action for monetary damages under this section, qualified immunity shall not apply unless no reasonable defendant could have had reason to believe that such conduct would violate the law at the time the conduct occurred. Nothing in this section shall affect the provisions of chapter 258 with respect to indemnification of public employees."

As a former chief of police in Massachusetts and someone with thirty years of policing experience, I am keenly aware of the liability risks shouldered by police officers in the course of their everyday duties. We expect police officers to both observe and respond to reports of crime, suspicious activity, domestic violence, accidents, public disorder and other situations creating risk to the law abiding public. Many of these situations involve people under the influence of a substance, inclined to violent reactions to law enforcement or exhibiting other anti-social behaviors. Often there is no playbook response that police may employ to deal with these situations, requiring them to use their skills and limited array of tools available to improvise and bring about a reasonable solution to the problem. When involved with a violent, non-cooperating subject or subjects, police are uniquely challenged, with a peaceful solution often beyond their abilities to bring about. In these situations involving confrontational subjects, police often need to use reasonable force to survive the encounter, make an arrest and restore order and public safety. These situations are neither text-book perfect nor pleasant to witness or participate in. Until now, police have always been secure that their necessary and lawful actions done in the performance of their official duties would render them immune from personal liability incurred through frivolous lawsuits filed by those seeking to punish officers for their actions and suppress effective policing through civil intimidation. The thrust of Section 11(c) would rob the police of this reasonable protection.

Should this section be adopted in the current anti-police climate, I fear the police will be further exposed to personal and financial risk, with municipalities leaving officers so accused to defend themselves, risking crippling financial and personal loss. People rightly expect the police to protect and serve the interests of their community. The community rightly owes the police the same protection. I urge the committee to eliminate this egregious section from the bill under consideration.

Sincerely,
Gavin Keenan
Chief of Police (Ret.)
Ipswich, MA
(978) 500-6769

From: Y! <depol82@yahoo.com>
Sent: Thursday, July 16, 2020 10:35 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill relating to Police REFORM

The Chair of the house judiciary committee,

Recently there has been given much attention to reforming the Police many reforms have been tossed about. I have watched in dismay the publicity and rancor surrounding this controversial bill.

For 39yrs I had the honor to serve the City of Boston as one of its Police Dept. I watched as then Lt. WILLIAM BRATTON began and organized community Policing in Dist 4. I watched as the focus changed from Law Enforcement to order maintenance. The community in many ways embraced the concept and great strides were made in Police Community relations.

Now the actions of a small percentage of Police Officers have placed an onus on the Majority of Officers who perform honorably, competently and professionally. Yet this bill especially the "QUALIFIED IMMUNITY" part seeks to punish the vast majority of these officers.

I read how so called peaceful demonstrators have attempted to sway your judgement with mob rule and intimidation. Please do not pander to these violent people. One officer breaks the law and a hat is placed on All POLICE OFFICERS. Much violence and destructive vandalism is perpetrated by these mobs yet they are labeled as only a few are violent rest are peaceful. These officers stand on the front lines determined to perform professionally and in compliance with the laws by which they are governed. I respectfully request you consider this when pondering the fate of this bill that is before your committee. Many of these so-called reforms are in place in one form or another. If a POLICE OFFICER COMMITS A CRIME then he/she should be so adjudicated. That is already in Place. Please do not punish the vast majority of Police Professionals who only seek to be professional and who do (as any human being does) make an honest mistake. That even then they are punished by rule and regulation.

Police Officers answer to the public, to their superior officers, to defense attorneys, to district attorneys, to the law and finally to dept rule and regulation. Why even consider many parts of this bill that was formed in haste and seeks to PUNISH ALL THE OFFICERS who serve the commonwealth. Especially the many departments that are diverse racially and perform well and I might add under increased pressure from all the aforementioned.

Respectfully,

Robert C. DiPasquale

Sgt. (retired) Boston Police Dept.

dep0182@yahoo.com

From: Richard Carey <racarey3@yahoo.com>
Sent: Thursday, July 16, 2020 10:35 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 iPad
From: PETER A SOUTHWICK <p.southwick@comcast.net>
Sent: Thursday, July 16, 2020 10:34 PM
To: Testimony HWM Judiciary (HOU)
Subject: 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.

Peter Southwick
617-710-2691
Arlington, MA

From: Barbara O'Toole <barbara.j.otoole@gmail.com>
Sent: Thursday, July 16, 2020 10:34 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

I am totally against this bill. The house and senate can sit in the comfort of their homes while these police officers put their lives on the line everyday and this is the thanks they get. You should all be ashamed of yourselves. You forget 911, Boston marathon. Las Vegas and much more. Their lives matter.

Sent from my iPadFrom: Julie Pennellatore <juliempennellatore@gmail.com>
Sent: Thursday, July 16, 2020 10:33 PM
To: Testimony HWM Judiciary (HOU)
Subject: Concerned Constituent

To the House Committees on Ways and Means and the entire Judiciary,

Thank you for taking the time to solicit public testimony and for reading my email in its entirety. As a constituent, and having not been provided this opportunity by the Senate, I find it imperative that you hear my

thoughts and concerns over S.2820 and the strong opposition I have to many parts.

I am a resident of Worcester. I was born, raised and educated in this Commonwealth and am a proud public school teacher and an even prouder wife of a Law Enforcement Officer.

I appreciate the intent behind a reform bill, one that builds a more equitable, fair and just Commonwealth. 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:

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. Does it not seem counterintuitive to do anything else?

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 is a principle of fundamental fairness, procedure and accountability. It neither makes sense nor is fair to take this away from police officers.

Qualified Immunity: Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments. The misconception is that Qualified Immunity protects bad police officers. This is untrue, and quite the contrary - it protects the good, well-intentioned police officers, like my husband. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. Therefore, it should be noted to the public that this is far-reaching and affects the public sector as a whole, not just police officers. 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. Furthermore, it creates fear in these workers: fear of losing their homes and livelihoods.

The mere proposition of this, as a teacher and a police officer, has incited anxiety, panic and frustration in our household.

Collective Bargaining Rights: Collective Bargaining is the reason why Massachusetts is comprised of the most intelligent, well-educated and hard working police officers, teachers, nurses, fire fighters, corrections officers, etc in this country. Working for fair wages, in safe settings, with good benefits is the fabric of this Commonwealth. Instating this anti-labor law is a major flaw and goes against the support of labors and unions.

Seeing these potential changes has brought up much conversation in our home. With this potential change, my husband and I have discussed leaving the very state we were born, raised, educated and married in. Seeing these parts of the bill go into effect tells us that we are no longer meant to be here - a fate we wish not to encounter, as we believe in Massachusetts and what it can be moving forward, for all.

In closing and to reiterate, my husband and I, along with so many other constituents of the Commonwealth want to see change, especially for those in communities of color, but taking away the rights of those in the public sector will not aid in this fight. 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, and the public sector as a whole, with the respect and dignity they deserve.

Sincerely,
Julie Pennellatore
508-320-6378

From: Dawn Thyne-Naddaff <jtsandprints@gmail.com>
Sent: Thursday, July 16, 2020 10:33 PM
To: Testimony HWM Judiciary (HOU)

Dear Chairs Michiewicz and Cronin,

My name is Dawn Naddaff and I live in Burlington, 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. I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. 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 unacceptable 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. I hope you will take these concerns into consideration.

Sincerely,
Dawn NaddaffFrom:Nate <nate_dumas@ymail.com>
Sent: Thursday, July 16, 2020 10:33 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2800

?
?

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Nathaniel Dumas I live at 42 Brookside Ave in Webster MA. I work at MCI-Concord 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: 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.

Nathaniel Dumas

Sent from my iPhone

From: Laura MacHugh <laura_diangelis@yahoo.com>

Sent: Thursday, July 16, 2020 10:32 PM

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 Laura MacHugh and I live at 358 Summer Avenue in Reading, 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,

Laura J. MacHugh

From: Alyssa Kelly <lyssmarie10@gmail.com>
Sent: Thursday, July 16, 2020 10:32 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

To whom this may concern:

My name is Alyssa Kelly, a dental hygienist living in Weymouth, MA. My fiancé is a police officer with the Abington Police Department. My phone number is (413)8228906.

I am reaching out in regards to the new police reform bill. I highly disagree with the qualified immunity part of the bill, as police officers have a duty to act, and without qualified immunity, good police officers will hesitate to act. This will not be a safe world without qualified immunity, and I would hate to see individuals get hurt because officers have to second guess their actions. Please take this into consideration.

Thank you for your time,

Alyssa

From: Rob Coppola <coppolarf@merrimack.edu>
Sent: Thursday, July 16, 2020 10:32 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S 2820

Good evening,

My name is Robert Coppola and I live at 12 Locke Hill Lane, Amesbury, Ma. I am writing you to tell you about my support for the Police who serve the Commonwealth of Massachusetts. Furthermore, I would like to reinforce that this bill (S2820), written as it is, is dangerous for the police, their families, and the communities they live in.

There is no foreseeable way that this bill will help anyone except those looking for a way to break the law.

I understand and accept that change will make the world a safer place in which to live; however, this bill is not that kind of change.

Take a moment to listen closely, that sound you hear is the wind being let out of the sails of thousands of Massachusetts Police Officers. The people who respond whenever a person calls, no matter how frivolous or dangerous. The people who volunteer countless hours of their own time to improving their communities. Coaching sports teams, volunteering at the Special Olympics, and donating their own time and money to help others. The men

and women who will drop what they are doing to change a flat tire, or fill a gas tank with their own money, most instances which will never be spoken of. These are the men and women who run toward the sound of gunfire and bombs going off when everyone else is running away. The bill that passed in the Massachusetts State senate was a slap in the face to everyone that wears the badge, as well as their families.

I urge you not to pass bill S.2820

Respectfully,

Robert CoppolaFrom: Ryan <ryguyk22@msn.com>

Sent: Thursday, July 16, 2020 10:32 PM

To: Testimony HWM Judiciary (HOU)

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Ryan Kane and I live at 2248 Washington St. East Bridgewater MA 02333. I work at Old Colony Correctional Center and am a Correction Officer 1. 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,
Ryan Kane

Sent via the Samsung Galaxy S20+ 5G, an AT&T 5G smartphone

From: Kristen Gmail <kristenbishopre@gmail.com>
Sent: Thursday, July 16, 2020 10:31 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support our police!!

Kristen Bishop
Cell/text: 617-962-7065
Success Real Estate
Sent from my iPhone
From: Tina McWhinnie <mcwhinnie.tina@gmail.com>
Sent: Thursday, July 16, 2020 10:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: Law enforcement bill

Dear Chairs Michiewicz and Cronin,

My name is Tina McWhinnie and I live in Burlington, 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. I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. 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 unacceptable 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. I hope you will take these concerns into consideration.

Sincerely,
Tina McWhinnie

Sent from my iPhoneFrom: Rita Colafella <colafella@gmail.com>
Sent: Thursday, July 16, 2020 10:29 PM
To: Testimony HWM Judiciary (HOU)

Subject: Testimony for Senate Bill 2800

Dear Judiciary Committee:

Please preserve the following from Senate Bill 2800.

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 add the following to the 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

Don't buckle to special interests.

Thanks,

Rita Colaela

From: Dawn <sunnydawn772@gmail.com>
Sent: Thursday, July 16, 2020 10:29 PM
To: Testimony HWM Judiciary (HOU)

Dear Chair Michlewitz and Chair Cronin,

My name is Dawn Favalora and I live at 41 Bexley Rd Framingham, MA . I work at MCI-Norfolk 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: 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 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 ask 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,
Dawn Favalora

Sent from my iPhoneFrom: Bob <bobdog8662@verizon.net>
Sent: Thursday, July 16, 2020 10:28 PM
To: Testimony HWM Judiciary (HOU)
Subject: POLICE REFORM BILL S2820 - Concerns with qualified immunity within this bill to be considered

To Whom It May Concern;;

My name is Robert J. Tibert and I live in Rockport MA. I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the House and Senate consider legislation revolving around public safety, and in particular police reform, 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 - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous.

Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31st.

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you for your consideration,

Robert J Tibert
4 Mckays Drive Rockport, Ma.
bobdog8662@verizon.net
From: Brian Gavioli <bgavioli@gmail.com>
Sent: Thursday, July 16, 2020 10:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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, extremely 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 for your time and attention.

Respectfully,

Brian Gavioli
9 Cirrus Drive
Ashland, MA
bgavioli@gmail.com
From: Carolina Bellani <bellani.c@northeastern.edu>
Sent: Thursday, July 16, 2020 10:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support the Reform, Shift + Build Act (S.2800)

Hello,

I am a student in Boston, MA and I unequivocally support the Reform, Shift + Build Act (S.2800).

Massachusetts has always been on the forefront of states passing legislation to support the people that live here and we've never shied away from decisions that seemed radical at the time. I have always been proud of MA being the first state to legalize gay marriage, and I hope to see us continue to make the right choices ahead of the curve and set the standard for the rest of the country to follow. It's time to eliminate qualified immunity, ban chokeholds, reallocate state funds to communities disproportionately impacted by the criminal justice system, and allow the Mass AG to file lawsuits against discriminatory police departments. I hope to see this legislation pass so I can continue to be a proud resident.

Thank you,

Carolina

From: Crighton, Brendan (SEN) <Brendan.Crighton@masenate.gov>
Sent: Thursday, July 16, 2020 10:27 PM
To: Sean Crowley; Testimony HWM Judiciary (HOU); Wong, Donald - Rep. (HOU)
Subject: Re: [External]: Police Reform bill S.2820

Thanks Sean. Appreciate you reaching out and sharing your concerns. Do you have time for a call to talk more? If so what is the best number and time to call?

-Brendan

Get Outlook for iOS <https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_ooukef&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-

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eTvCdhaza9TB6s&s=12x141ZDAuFAhJwAWYUz655nqfliwS6-9gbaGyXStZg&e=>

From: Sean Crowley <stc012@icloud.com>
Sent: Thursday, July 16, 2020 8:02:06 PM
To: Crighton, Brendan (SEN) <Brendan.Crighton@masenate.gov>; Testimony HWM
Judiciary (HOU) <Testimony.HWMJudiciary@mahouse.gov>; Wong, Donald - Rep.
(HOU) <Donald.Wong@mahouse.gov>
Subject: [External]: Police Reform bill S.2820

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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 T Crowley

19 Allston St, Lynn MA, 01904

From: Joseph Veilleux <jlv82199@comcast.net>
Sent: Thursday, July 16, 2020 10:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate bill #2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Joseph Veilleux and I live In Franklin, I work at MCI Cedar Junction and I 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,
Joseph Veilleux

Sent from my iPhone
From: Ken Pedone <kfpedone@gmail.com>
Sent: Thursday, July 16, 2020 10:25 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

To Whom This May Concern,

I'd like to express my opposition towards this proposed bill, as a police officer in Massachusetts, I have spent a long time trying to get where I am. I have my degree in Criminal Justice, and while doing so, I participated in seven internships with varying agencies. I did everything possible to get a chance at becoming a police officer, however it was never my dream.

When I was younger, my cousin was a Boston Police Officer, and I idolized everything he did. Growing up I wanted to work with animals, but in high school I found out my cousin had been one of the "dirty cops," we see in the media. He went from being my hero, to someone I had to struggle with associating with. My cousin had lied in court, covered up another dirty cop's mistake, and thoroughly destroyed the trust of the community he served. I'll include the article from his court date within this email.

After finding out what my uncle had done, my hero, my desire to become a police officer formed. I wanted to do what I could to be better than him, to gain trust back between police officers and the public, and to make sure I was one of the "good cops." Fortunately, I was finally able to achieve the first step to that desire by becoming a police officer in 2017. I learned quickly that routine police work is fun, stressful, and exhilarating. It's also very rewarding, even when I'm put into situations that I have to enforce the laws with a citation, criminal application, or arrest, I always treat someone with respect and as a human. My partner has often said that I can end any situation with a handshake.

I'm not trying to gloat or brag, but I have been placed into plenty of situations, stressful and not, that I always handle appropriately because

that's how it should be. In my career I have seen other officers abuse their badge, and I have even spoken up against them, because it makes other officers look like monsters. However there are officers like myself that want to help, and that treat people like people.

The proposed bill would only cause a negative impact on police and the community. Essentially, I could be sued in court for placing handcuffs on a suspect. I could be sued for performing CPR on someone unresponsive. The qualified immunity protects first responders from having frivolous lawsuits against them. It doesn't target dirty police officers, it targets all police officers wearing a badge.

Massachusetts has always been ahead of the curve with mostly everything, but specifically in policing. Police departments in Massachusetts have had advanced policies and procedures that cover everything, for years. The use of force model has been implemented and practiced in Massachusetts for years. Officers in Massachusetts are often reprimanded, counseled, or otherwise terminated for any sort of misconduct.

The job is stressful enough, from seeing death often, people at their worst, or department affairs, now officers have to worry about being sued for doing their jobs. A lot of officers who are eligible to retire, are retiring, a lot of officers on the job are considering leaving policing, and a lot of people interested in becoming police officers aren't.

More people will be hurt, the career will be even more understaffed than we are, and a further divide will happen between policing and the community. If anything, we need more training in tactics, medical affairs, and deescalation.

Most departments send their officers to these trainings already, my department does, and a lot of these trainings are available anyway. However, a lot of these trainings cost money and officers either can't afford it, or the department can't afford to send them. I believe we need more training if anything, if we're defunded, or afraid to do our routine jobs, then policing will take a negative turn. More problems will arise from this with more undertrained police officers, understaffed departments, and poor community relations.

Personally, I know officers who would be more hesitant to act in any routine situation, if they were afraid to be sued. Violent criminals may run free, knowing that officers won't act right away, or be afraid to go hands on. Some of us may wait for paramedics or EMTs to perform medical related duties, causing a delay in treatment. We act in good faith and in the course of our duties because it's what we signed up for and it's our job. This bill isn't what we signed up for, and a lot of us feel it's rushed, not well thought over, and only proposed to "appease" as if "something was done." Officers will retire, will quit, and it's a sad thing to leave communities without police.

I chose to be a police officer to help everyone, and I wanted to be the best police officer for every person I interact with. My cousin disgraced the badge, I want to bring pride and honor to it.

Respectfully,

K. Pedone

Article about my cousin:

http://archive.boston.com/news/local/massachusetts/articles/2004/10/07/lying_in_police_probe_not_a_big_deal_witness_says_he_was_told?pg=full
<https://urldefense.proofpoint.com/v2/url?u=http-3A__archive.boston.com_news_local_massachusetts_articles_2004_10_07_lying-5Fin-5Fpolice-5Fprobe-5Fnot-5Fa-5Fbig-5Fdeal-5Fwitness-5Fsays-5Fhe-5Fwas-5Ftold-3Fpg-3Dfull&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=EpA4L5sJMtl_7LL2Ouf60QFnqFGX184qdGh-MWX6kxI&s=QvaxX1QYVFpBehVY7Co4SJazCOYpox-IYIGVj0jJqlY&e=>>
From: Ronald Mazzola <ronmazzo@aol.com>
Sent: Thursday, July 16, 2020 10:24 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,
From: Jim Raso <jimrasol@comcast.net>
Sent: Thursday, July 16, 2020 10:24 PM
To: Minicucci, Christina (HOU); Nguyen, Tram - Rep. (HOU); Testimony HWM Judiciary (HOU)
Subject: Testimony S.2820

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Dear Representatives,

My name is Jim Raso and I am a North Andover resident. I have had the honor and privilege to be a member of the Lawrence Police Department for the last 25 years and a patrol supervisor for the last 19 years. In addition, I have been a Massachusetts attorney for the last 23 years. I have had the opportunity to work with, train and supervise numerous hardworking, dedicated and compassionate officers in the department during this time. I have also been fortunate enough to have the responsibility of working with and training law enforcement officers throughout the Commonwealth. Day and night we as officers risk our own lives to protect our communities and we deserve more from our legislature; more input, more support and much more respect.

For the past eleven years I have been a member of the Massachusetts Municipality Police Training Committee and have trained both recruits and veteran officers from all over the state in various subjects, including criminal law and procedural justice. Our Massachusetts officers have been and continue to be trained to the highest standards and take their training seriously. Have you taken the time to actually review any of the training materials you think are deficient? Have you taken the time to compare our training to that of other states? Have you taken the time to review Massachusetts statistics for everyday police interactions? The answers have to be no because there is no way that the necessary and proper research could have been done in the unprecedented short amount of time that this legislation was thrown together.

In 2011, I and about twelve other officers were called in for an emergency. Two men, one of them elderly, had been tied up and beaten while working at a liquor store. The victims had been pistol-whipped with guns and were seriously hurt. The perpetrators were still in the building, armed with firearms, when police arrived. Our job was to go into the building, knowing they were dangerous and knowing they were armed with firearms. And do you know what all of us did that day when we got the call to come in? We dropped what we were doing, kissed our families' goodbye and responded as quickly as possible to help. After a five-hour stand off we were able to arrest the suspects. Do you know what the citizens of Lawrence did as we escorted the suspects out of that building? They clapped and thanked us.

In April 2013 every law enforcement officer in every law enforcement agency in Massachusetts made themselves available to assist in investigating and locating the suspects who were involved in the Marathon bombings. Again, without hesitation myself and numerous other members of the Lawrence Police Department were called in to head to Watertown to help search for the terrorists. Guess what we all again did without hesitation? Dropped what we were doing, kissed our families' goodbye and headed to Watertown. There were hundreds of officers working together to protect the Commonwealth and other potential victims. Do you know what happened when he was located and taken into custody? Every person in the area came out of their homes, lined the streets and cheered and clapped for us. They were grateful for our sacrifice and appreciative for what we had done.

In September 2018 as I sat home with my family taking care of my infant twins and a two year old I, like many other law enforcement

officers in the Merrimack Valley, got the call that we had to come into work as quickly as possible because there were gas explosions everywhere. Guess what we all did yet again without hesitation? Dropped what we were doing, kissed our families' goodbye and headed into a city that was literally exploding. For the days and weeks that followed we came into the city and protected the homes, property and the people of Lawrence and the Merrimack Valley. The citizens and politicians were thankful and appreciative every single day for what we were doing.

Now, less than two years later I sit here wondering and asking myself what has happened? Why are you all turning your back on us now? The law enforcement officers of Massachusetts are NOT the law enforcement officers of Minneapolis. If any of you have actually taken the time to talk to any officer you would know that none of us agree with what he did and none of us think it was ok.

What you have chosen to ignore or don't understand is that qualified immunity does not protect that behavior. Qualified immunity protects good officers from doing the right things. It does not and has never protected bad officers from doing bad things.

I can honestly say what the Senate did this week is nothing short of disgusting. Passing a bill that directly impacts policing without any input from law enforcement proves that this bill has nothing to do with what is in ANYONE'S best interest when it comes to law enforcement. This bill is a political stunt and the reason why it was done in the middle of the night was because they didn't want people to realize what was going on.

You are going to have a police review board made up of people that have no law enforcement background or experience? Are they going to attend an academy? Are they going to undergo the same training we go through? Are they going to come to Lawrence at 2am on Saturday morning to experience what actually happens? When a doctor's judgment is called into question isn't his/her conduct reviewed by other doctors to see if it was reasonable? When a lawyer's judgment is called into question isn't his/her conduct reviewed by other lawyers to see if it was reasonable? Why should we be treated any differently?

There are some really good things that could have come out of a bill that was created with the input of all involved. We can always do better and if there are things that can be done that make me a better police officer I would embrace that without hesitation, as I am sure my colleagues would as well but this bill is not that. This bill and the way it has been created a horrible divide in our communities. We should be coming together to make our communities safer for all and what this has done has made it more dangerous.

I respectfully request that you not support this bill. Please take the time to properly research these crucial issues. I would be happy to answer any questions or share my first hand experiences with any and all of you. In fact, if any of you want real life first hand experience I invite you to come with me for a ride along at anytime.

Sincerely,
/s/ Jim Raso
Lt. Jim Raso
Lawrence Police Department
(978) 655-5374

From: Erin Moreno <esmoreno11@yahoo.com>
Sent: Thursday, July 16, 2020 10:23 PM
To: Testimony HWM Judiciary (HOU)
Subject: BILL s2800

Dear Elected Officials:

My name is Erin Moreno and I am a voting constituent living in Northborough Ma. The men and women who serve and protect our communities deserve better than what our elected officials in the Senate have done in moving forward Bill S 2800 I strongly oppose Bill S 2800, not only for the underhanded way I believe this bill has circumvented the public process, debate, and input across the board but also for some of the content. I am told with less than a day's notice that "public" input can be provided via email....by 11AM tomorrow.

What a State we are living in where our politicians may expect an officer to choose between dereliction of duty and civil liability; essentially what the SCOTUS stated-although far more eloquently, when it justified the NEED for qualified immunity for our police. What a State where police officers are told they "shall arrest" under certain circumstances all while a DA in the Commonwealth indicates resisting arrest won't be prosecuted. What a State we live in, where I as a civilian could use whatever reasonable force is necessary to save my own life but an officer, who is more likely to be in said situation, may be told that he/she cannot. What a State we live in where public officials across the Commonwealth are granted variations of qualified immunity, but police, whom will be placed in the MOST volatile of situations are told they may not be protected. I have read this bill and its amendments and am deeply concerned that its passing will result in many good officers leaving due to undue and ill considered burdens. For this same reason I believe the Commonwealth, who has been on the forefront of recruiting qualified individuals, would be discouraging many new and qualified candidates whom desire to make a difference in their calling from seeking a career in policing. This bill if passed would seem to invite the opportunity to deny our Police men and women with some of the same Constitutional protections, for which they swore an oath to defend and protect and for which they are required to uphold. Police reform is important and should be addressed but Bill 2800 as it is written is NOT the answer.

I ask you to consider who comes when people call for help, who we wish was there when we witness a crime or feel scared, who runs to danger when others run from it, whom stays with our loved ones bodies after an unattended death so we may grieve - at times for hours, who helps deliver

babies on the side of the road, who works 16 hour shifts then shows up in court to testify when they should be sleeping, who administers Narcan before the medics arrive and who offers services to our loved ones suffering addiction, who stays up to date on case law and is expected to be an expert within a hour of a new law, mandate, or policy being enacted, who throws out their clothes at the end of shift because they have been bloodied, who is spat upon during a situation where police "shall" arrest, who helps you change your tire on the Masspike, who despite universal precautions may be injured and subject to HIV exposure protocols and all that entails for the officer and their family in the coming months, whom responds to and investigate the most heinous acts of domestic and sexual violence, who file Section 12s on behalf of those whose mental illness has resulted in danger to self or others, who conducts wellness checks at the request of family, friends or coworkers who worry about another, who file Section 35s on behalf of those whose drug or alcohol use makes them a danger to themselves or others, who completes risk assessments on victims of domestic violence and refers victim's to agencies available to help, who assists DV victims with obtaining 209A restraining orders, who assists victims of harassment, stalking and sexual violence with 258E Harassment prevention orders, who respond to alarm calls at your residence or business ensuring the safety of your person and property, who accompanies Probation Officers and DCF workers when needed at home visits, who see the results of the most abhorrent and unconscionable acts by offenders, who regularly works holidays and weekends, overnights and are forced on doubles, who on average dies within 5 years of their retirement and 12 years earlier than the average for the general population, who buys lemonade while driving by some kids with a stand, who is willing to leave their family to protect ours, who shows up early for shift because there aren't enough school crossing guards to man the posts, who responds to car accidents-providing medical attention while simultaneously conducting an investigation and securing a scene, who blocks intersections during loved one's funeral processions, who engages in community policing daily, who get home from work and tell their family their day was "fine" and whose family knows what that means, for those who every day have dozen's of interactions with those in their communities, for those men and women of our Police Departments whom do so much more than I can honor in an email and for their family and friends who are shaking their head in disbelief upon reading this Bill. Please consider us.

I ask this sharing that I contacted my Senator and Representative days ago with only one responding with an automatically generated email (how personal) asking for my contact information.. although they never used it. I hope for your time and serious consideration and thank you for your service to the Commonwealth on behalf of your constituents.

Erin Moreno
Northborough, MA 01532

Sent from Yahoo Mail on Android
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From: Brian D. Menton <bmenton@yahoo.com>
Sent: Thursday, July 16, 2020 10:23 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

Brian Menton
43 Sparkill St.
Watertown, MA 02472
(617) 645-6226

Dear Chairman,

As a State Police lieutenant (retired) I encourage dialogue on police reform. But thrust upon us, our communities, an emergency bill that's clearly motivated to appease a radical and dishonest movement and I'm frightened. Frightened for my family's future, frightened for our communities and especially frightened for our young and dedicated law enforcement officers who provide us ALL with a sense of civility and security. Was the mental health and stability of police officers involved in your discussions? For these young woman and men chose their profession of public safety service for the most honorable of causes. The psychological abuse inflicted upon them currently, primarily due to the lack of governmental support, is second only to their fear of violence specifically directed toward them. On a much smaller scale I've been here before. In the past it was falsely alleged that law enforcement disproportionately targeted minorities regarding traffic violations. After spending millions of tax payer dollars investigating and changing protocols the allegations were unsubstantiated and after much initial media brouhaha the matter quietly faded away. During my 29 years of service I did witness isolated cases of racism within law enforcement, however I never witnessed systemic racism. I NEVER witnessed anyone being targeted solely due to race so help me God. For the security of our communities and the health of our honorable police officers I implore you to table this bill and continue rational discussion on police reform.

Respectfully submitted

Sent from my iPhone
From: Paul Moses <suemopaul@yahoo.com>
Sent: Thursday, July 16, 2020 10:23 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,
Paul Moses

Sent from my iPhone
From: chachi2257 <chachi2257@gmail.com>
Sent: Thursday, July 16, 2020 10:22 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

Good evening,

I am writing you today asking you to please not vote for this bill.

This will only put our officers lives in more danger and now they can be sued personally for anything and everything.

There are 800,000 officers in this country who proudly protect and serve everyday to keep us safe, yet they are being judged on the actions of a few.

Not long ago they were being hailed as heroes for being on the front lines and now because of the radicals who have waged war on them and have left them to fend for themselves.

How can we turn our backs on them when every minute of every day they are there for us.

They are so much more than the general public know, they are there to stop crime, to help children who are victimized, hold the hand of a crying parent who just lost someone.

They have not even been shown the respect to be part of the board, but rather have people who know nothing of what they face everyday.

I suggested you go on a ride along some Friday or Saturday night to see what they deal with daily.

No one has asked them what their thoughts are, most give their hearts and soul to the job, its something they were born to do help people all people.

We all need to admit there are bad people in this world and bad things happen, see these men and women for all they do. We, I don't want to lose them, we need them, please lets work together i believe we can do this.

I respectfully ask you to stand up and do the right thing.

We families see our loved ones leaving for their shift and pray they come home safe from all the danger in the world, but we now have an added worry about their future and the future of every good citizen from those who should be standing with them.

Respectfully
Diane Bourisk

Sent from my Verizon, Samsung Galaxy smartphone

From: Laura <lgregcpt@aol.com>
Sent: Thursday, July 16, 2020 10:20 PM
To: Testimony HWM Judiciary (HOU); Pignatelli, Smitty - Rep. (HOU)
Subject: Bill S.2820

Good Evening Judiciary Committee and Rep Pignatelli,

As a resident of Blandford MA and a wife of a retired MSP LT and mother of Northampton PD patrol officer, I am writing to you in support of my family and their peers in law enforcement against the senates decision to pass this bill without appropriate democratic process which excluded public

comments. I am writing in the hope that you will recognize the injustice this has resulted and neglected due process.

Bill S.2820 was constructed out of emotions of a national tragedy which should have led to a conversation instead of punitive conduct toward our Commonwealths professional and highly trained officers. It is my opinion that foresight and common sense have been forgotten when this bill was drafted and passed in an overnight session. I believe that promoting this bill is moving backward in history and undermines the work and commitment which our officers, police departments and unions have competed to strive to be the best that they can be. Qualified Immunity does not protect officers who break the law nor does it hinder a criminal investigation into officers who abuse power. It actually protects the good officers who act in good faith and put their lives on the line for all citizens. If passed I fear an officer would actually have more protection by not acting rather than acting in good faith. So then what will that mean for us citizens.....less protection. More chaos. More crime.

In Blandford we have very low crime and rely on a part time force shared with Chester as well as the Russell SP barracks. I fear if qualified immunity is taken away our part time force will dissolve as I do not believe any officer would be willing to accept the increased liability, especially in a culture of dehumanization toward the police. I also fear that this result will also trickle into other public servants such as teachers, firefighters, judges and even politicians.

Based on my beliefs I am encouraging you to not accept this bill as presented.

Thank you for your time.

Laura Gregory
84 Chester Road
Blandford

From: Madeleine Kaduboski <mckaduboski@yahoo.com>
Sent: Thursday, July 16, 2020 10:21 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 Reif <spreif78@gmail.com>

Sent: Thursday, July 16, 2020 10:21 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police social worker's written testimony S.2820

It is difficult to be at a place where this written testimony needs to be submitted, and it is challenging to know the right words to say at a time like this, but I'm going to try to express how social services and policing CAN and already DO play beautifully together. I have been a police based clinician for approximately 5 years and through this period I have had the privilege of partnering with law enforcement officers (LEOs) on policy reform, co-response, training, advocacy, and multiple different elements of where social work and police overlap. The important thing to remember moving forward is that police and social work each have important jobs and roles, however, I do not believe it is appropriate to ask one to do the other's job as I wouldn't ask the other to do the other's job. Police serve roles as police and social workers serve roles as embedded clinicians, they both are valued, needed, and should be respected.

I am a social worker, and therefore my professional organization, the Massachusetts' Chapter of the National Association of Social Workers (NASW), is in support of the S.2820. However, I, as a social worker, am NOT in support of this bill and feel it is counterproductive with efforts which this same group (NASW) are proposing and efforts/advancements which have already been created and established within Massachusetts police departments.

I am a police social worker, and therefore the unions which my co-responders are part of are primarily against this bill. None of my co-workers or LEOs feel what transpired with George Floyd was fair, just, or right. None of my co-workers or LEOs support bad police officers, support illegal behaviors completed while on duty, nor advocate for injustice.

Over the past 5 years, I have developed a unique insight on how police departments function, what goes into being a police officer (as best as I can understand as a civilian), and how most cops come to work highly valuing their oath of protecting and serving their community and state. I have worked in two different police departments and therefore not only having one department's experience but two very different departments - one urban and one suburban. There were differences, but ultimately both departments had dedication and commitment to serving their residents in whatever needs that entailed. For some, that means slowing down traffic

where their kids play, for others that means removing their abuser from the home, and for yet others that means deescalating behaviors so that they can seek professional psychiatric supports. For families this means reviving a brother, daughter, or child after a possible fatal overdose, for friends this means finding justice for the person whom broke into their roommate's bedroom window, for strangers it means knowing someone will respond within moments to help the child they see without a parent. Whatever the situation, the public has and continues to call on police for these and other types of calls for service. During the last few weeks, police have had thousands of people say horrible comments, attempt to victimize their loved ones, refused them service, rejected them from public areas, and made it overall very uncomfortable to be a cop. And yet, those same people who reportedly dislike police, have continued to call police for help during a crisis - whether that be a Restraining Order, an intoxicated party whom has become aggressive, or investigation into a break-in. Police continue to show up and do their job.

The current proposed bill outlines multiple elements. I'd like to address just a few:

* Calls to limit qualified immunity - this is something that as a police social worker I've been able to understand how this is very much a knee-jerk reaction and not going to serve practical purposes in the long-run. Qualified immunity ONLY protects those officers whom have followed standard protocol and policy as outlined by their town/city and/or state. If a cop is to go outside of this protocol and policy, they would not be eligible for qualified immunity. Similarly to Judge's having qualified immunity so that they don't feel swayed or pressured to make one decision over the other in court without the threat of being sued for a disliked but fair outcome, it has similar importance and need amongst first responders. LEOs, similar to Judges, have challenging jobs and need to feel supported and backed by their decisions so that they are not in situations of not being able to do their job for fear of what will come if they do complete their job as expected. Please, do not remove qualified immunity for LEOs; furthermore, why is this only directed for police and not for all individuals/professions protected under immunity? This is not fair and just if taking away from just one protected group.

* Set clear limits on the use of force - Massachusetts is far superior to other states in the country, we have use of force expectations and levels of behavior/violence which correspond with tools an officer would be qualified to use under those circumstances. I do not believe, and I believe that a good cop will agree with me on this, that the goal is to use lethal force if not absolutely necessary. I agree that there should be a continuum of use of force and this should be outlined in trainings, policies, and practice; this policy is also likely only as good as black and white words can document on a piece of paper and therefore society needs to be trained and educated around use of force practices and tactics used by police as well. The use of force continuum is currently taught in the police academy throughout the state of MA, but this seems to not be shared in liberal based debates because it does not feed into their agendas. It cannot be expected to have police engage in countless hours of trainings and recertifications if the public is not going to do their

share of engagement in understanding of how and why police work as they do as well. This, in my opinion, is why we are at where we are today - most of society does not get the unique seat that I get in understanding firsthand how and why certain things are done. Citizen police academies are a great start to society better understanding, however, unlike requirements which police must face, there is not a requirement mandating a citizen of a city/town to attend this insightful trainings put on by police.

* Tear gas and bean bag rounds - the original name of this bill was "Saving Black Lives", does this title not lead to an assumption that there is a desire for less people to be killed? How are police expected to do this if their less lethal tools are removed from their use of force continuum? There have been decades of advocacy for levels of force to reduce fatal encounters, it is counterproductive to remove those tools in a bill that has a goal to save lives. A bad bruise or a few moments of discomfort is a better alternative than death.

* Creating community policing and behavioral health advisory council - ultimately, there will always be a need for police, as much as social workers may think they can do, I did not go to college to be a cop, I went to college to be a social worker. I did not become a cop because I do not want to have arrest individuals, I do not want to have to break up fights, etc., I want to be able to work WITH police once safety has been secured so that we, together, can best serve our residents. Social workers don't have blue lights on their cars, and therefore, I can't get to a call as quickly as police can. Society is claiming that they don't want police to respond and don't want police involvement, but yet continue to call police for help, for assistance with their protests, and when their loved one is in crisis. I'd like those in favor of this bill to explain that rational to me, because as my co-workers get criticized and, for lack of a better word, hated on, on a daily basis, they continue to do their job and help all those people who the day prior was aggressively protesting a "pro police" yard sign. Furthermore, there is no other profession (to my knowledge) that has a standards or advisory board that is made up of "outside" professions - a medical review board does not have non-MD's, a plumbers review board does not have anyone besides plumbers; 1 or 2 civilians are possibly fine, but to have a disproportionate number of civilians to cops (more civilians), this is not an appropriate advisory board. Additionally, the board should be comprised of more than just 3 departments representation and should include union personal, all levels of rank (patrol officer up to chief), and if a civilian is required this person should be someone whom has experience firsthand with law enforcement practices, procedures, and policy.

* Create a process for certifying and de-certifying police - If there is a desire for further education and training requirements for LEOs - fund that! If there is a desire for increased tactical skills and/or field training, increase those mandated hours per year. If there is a push for better training on ranges, allow departments to utilize their private ranges at any time and require monthly range hours and provide department-funded ammunition so it is not at cost to the officer. Most officers have a bachelor's degree and many also have a master's degree. Although not all degrees are in criminal justice, I don't believe a good department has 100% criminal justice degrees; this does not give variety, various specialties (ie - an administrative lieutenant might serve best with a business or administrative degree, a court prosecutor might serve best

with a law degree, an SRO might serve best with an early childhood development degree). Instead of creating certifying processes, let's encourage ongoing training, diversity in training, and adequate and practical training. Let's update training so it is not just a "snooze day" but actually interactive and helpful. But if your bill wants to require further training - you must be ready to provide that funding as well.

* Choke holds - This is not even taught in the academy as is, please, know your department's and state practices before trying to put together a bill which is not even applicable.

* Amendment 128 - prioritize non-police community based interventions and services - this is already being done across the state of MA to some capacity or another, depending on the town/city. We should not be breaking down things which are already working and clinical supports which are already supporting and working along side police. In my role I respond with and follow up to many types of interventions and provide crisis support and long-term support to residents. I agree that this is not a police role, however, the initial contact a lot of the time is a police call. My role was created to partner with public safety, most frequently police, in order to provide some of the acute and crisis-related supports and services to community members. In my position, I co-respond with police, follow-up on calls for service, work on inter-disciplinary teams, and most importantly meet individuals where they are at in order to assist them in meeting their basic needs, working on ensuring everyone's safety, and providing brief treatment until long-term treatment can be established. A beautiful piece of my job is the ability to have strong relationships with my co-workers (police officers) in order to best serve our community members when they call in crisis; together we work with individuals and families to meet their needs.

Police officers are tasked on a daily basis with one of the most challenging jobs - to keep the peace while society is allowed to yell, scream, hurt, and mock cops in the process. Name another profession which has this same tolerance. I agree that there are racial justice inequalities and things which need to change, however, as a state we need to look at the bigger issues rather than one small portion - we need to look at the in proportionate death rate amongst black women post child delivery, the exceptionally high rate of "medical error" on the OR table, the rate of sexual exploitation during the Super Bowl, the number of children abused by their "all-star coach" of a father, the number of teachers who ignore the "challenged" child, and so many more. I agree that more training is needed amongst police and that reform can happen, but I don't believe that limiting qualified immunity and inserting social workers as a response instead of police will solve anything. These are extremely out of place responses to a crisis. Individuals need to step back emotionally and think rationally, dig into research that is factual rather than the research which supports their argument, sit down with first responders to better understand before speaking, and let LEOs speak about what they need in order to meet the "demands" which are being put on them instead of having a group of people speak about a profession that they have no experience in.

Someone on Facebook posted the following and I couldn't help but agree, so I wanted to share. He posted something to the extent of the following: "this (Senate) passing has led to this: a vote yes to end professional police officers; a vote yes to end proactive policing; a vote yes to increased crime rates, a vote yes to emboldened criminals, a vote yes to frivolous law suits against individual officers and municipalities; a vote yes to increased taxes and property insurance due to increased crime rate and theft/malicious destruction of property; a vote yes to flood police retirements and those who are vested leaving to find careers in the private sector, and therefore rise of poor replacements". When the Senate passed this bill, it was not done according to the democratic system of government which the U.S. prides itself on, voices were not allowed to be heard and the bill was rushed through all other processes. Changes need to happen, yes, but changes created this quickly will only come back and make things worse. Before voting on your bill, please make sure it meets the needs of everyone - not just the liberal and vocal population.

I ask you with a heavy heart that you do not support this bill. I ask you that you support reform that will be effective, practical, and useful - rather than harmful and in a long term projection not effective. We have a state full of primarily wonderful and dedicated cops, ones who protect and serve; if MA takes this bill forward, I am extremely fearful how many of those actually good cops will remain on this job. We will then see an increase in less qualified and possibly more of the "bad cop" type increasing in numbers on departments. Empower and support the wonderful and progressive work which this state has already accomplished - the fact that many departments have embedded clinicians, that there are recovery coaches and other addiction support staff within departments, that departments attend Critical Incident Training, that Chiefs support their officers in attending training to better be able to use their firearms and are on specialized teams to be able to better serve yet. Instead of beating down this profession, let's re-frame it and look at all the good they have done and continue to do.

Let's look at how social workers and police can continue to partner instead of replace, and let's remember that we are all human and most American's have no idea what it is like to stand in a cops shoe's - let alone be willing to even try to understand or ask to better understand. If you are someone who supports this bill, but cannot speak to efforts, initiatives, policies, and procedures which are already in place in your town's police department or Massachusetts in general, please learn firsthand before speaking further. Please become informed rather than just listening to the news or reading the thousands of comments of people claiming to "know the truth" or going with the vote which will get you re-elected. Reform can and will occur, but please, let's make sure it doesn't interrupt the reform that started years ago and is finally starting to take off and be trusted in.

Massachusetts is already a leading voice in positive response to mental health and substance use, to name a few, please acknowledge this and continue this leading status as you create a bill that will actually support police while supporting the need for reform as well, while also highlighting the years of work and dedication which has already been poured into this tag-team type response to modern day policing.

Please reach out if you'd like to have further dialogue around the interesting and important intersect which I sit in in my role as a police based social worker.

Thank you,

Samantha Reif

570-939-0333

From: Yury Rapoport <y_rapoport@hotmail.com>
Sent: Thursday, July 16, 2020 10:21 PM
To: Testimony HWM Judiciary (HOU)
Subject: Against restricting police qualified immunity.

Dear representative Aaron Michlewitz and representative Clair D. Cronin,
We raise our voice in strong objection to the provisions in the Police Reform Act that will restrict qualified immunity for police in Massachusetts. The negative effects of such provisions are obvious - frivolous lawsuits against the policemen who attempt to use legitimate force against the people who violate the laws This, inevitably, will make police less willing to enforce the laws (the major function) and to impede their recruitment efforts. This is a disaster in the making, in our opinion.

Please consider changing the incoming legislation in the way that does not have these extremely negative consequences.

Respectfully

Yury & Rita Rapoport, Newton Center, MA

From: Jennifer Reynolds <jennreynolds24@yahoo.com>
Sent: Thursday, July 16, 2020 10:21 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Dear House and Ways and Means Committee,

I am writing to you today to please reconsider the bill s2820. For all public servants to do their job efficiently they should not be in fear that someone is going to judge them on the decisions that they need to make. I am asking you to help change these amendments.

1. Qualified Immunity
2. Due Process/Collective Bargaining.
3. Make up the POSAC board.

I work in the school department. I have been in cases where the child was going to harm herself. I needed to intervene to keep the child safe. Then the parent then pressed charges. If I had not intervened and the child fell off the top of the swing set and broke a bone I would have been neglectful at keeping the child safe. How does a public employee do what they have been trained for with their first thought could I be sued for doing this. We are now putting the public in danger because we will not act as quickly as we have been trained .

My husband is a police officer. Everyday he is put into dangerous situations. His job to keep him and everyone else safe. If police are to do their job the way they are trained. Their first instinct should not be could I be sued because I offended someone's feelings first. They are professionals and they are trained to handle stressful and dangerous situations. If they are second guessing their training because they are afraid they could lose their job or be sued. They are now putting their life in danger along with the law abiding public.

As a public employee Due process/collective Bargaining is extremely important. Public employees are most vulnerable to elections, political winds, and changing current events. The fact that a bill wiping out their rights is even under consideration a good example of why this protection is of the utmost importance

As for the POSAC board. I am extremely concerned that a group of people who have never been under the stress and demand of a Police Officer are allowed to determine if there was excess force. Even as a wife of a police officer I could not judge if there was excess force. I have seen my husband come home hurt, defeated and frustrated at what he has witnessed and dealt with. Being a family member of a policeman, I understand that not all situations are as easy as people like to believe they are. How can

you make a board and not have someone who has lived in their shoes determine if they could have used other means to de-escalate a situation. Please reconsider the makeup of the board and to make it fair for all involved. If your goal is to make fair for all why is the board made up of non police members?

Thank you

Jennifer Reynolds

24 Dolge CT

Charlton MA

774 253 6431

Sent from Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=5zHVxsS96hwubW9QUzo30HsOJm4_9UKNkDC_yrQuU2A&s=9L_N0DyNA11LD1NkSRXAlLACBn6ITIkWUV_TDLZPX50&e=> for Windows 10

From: Jean Rosenberg <jl.rosenberg@comcast.net>
Sent: Thursday, July 16, 2020 10:20 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 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.

Jean Rosenberg
617-710-2568
Arlington, MA

From: Anthony Gabriele <tonygabe90@gmail.com>
Sent: Thursday, July 16, 2020 10:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill S.2820

To Whom It May Concern:

My name is Anthony Gabriele, a police officer from Shrewsbury, for the past three and a half years. I've wanted this job ever since I was a young child; when I watched my uncle graduate from the Worcester Police Academy when I was 7 years old. Growing up, it was a dream of mine to protect and serve, and am lucky enough to do so in the town I grew up in. I am writing today to express my concerns for bill S.2800 (now, bill S.2820).

Proposed bill S.2820, has many sections that make me question my future in this profession. This Anti-Labor bill diminishes collective bargaining for police, it reduces qualified immunity, and does not offer any law enforcement on the POSAC committee, unlike every other profession (i.e.: lawyer's board has lawyers, doctor's board has doctors, etc.). I have a long way to go in my career and I believe I perform my duties the way they were meant to be performed. However, the career of policing consists of many potentially life changing decisions, made only in a split second. This bill will jeopardize the safety of citizens, my colleagues, and myself.

The way this bill was proposed, many of my colleagues and myself would reluctantly leave the job. I believe there would be a mass exodus of police throughout the state, ultimately creating a large spike in crime and an underwhelming interest for the career in new recruits. The career I dreamt of doing my entire life would get cut short, due to the fear of risking my family's well being and assets. Please consider the effects that this bill would have on the thousands of police officers and their families lives across the state.

Thank you for your time,

Anthony Gabriele

Shrewsbury, MA.

Cell: 774-275-1303

From: aceadair@aol.com
Sent: Thursday, July 16, 2020 10:19 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony

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 Adair - Plymouth, MA

From: Barb <Ttheol237@aol.com>

Sent: Thursday, July 16, 2020 10:19 PM

To: Testimony HWM Judiciary (HOU)

Subject: S2820

I am a lifelong resident of Csnton Ma and I urge you to not pass this bill as written. My son is a police officer, you don't want people judging black people because of a few yet you are punishing police in this state because of the actions of a man in MN . You can't pass a bill in a year bit this bill is flying right through. Who protects you? Please step back and get input from all involved parties. This is the fair way to do this, pandering to this movement will not help anyone in the long term. I urge you to stop this and maybe try to focus your evergies on one of the many bills that are sitting in the pile that haven't been passed.

Barbara theodore

18 Charles Drive

Canton ma

A concerned citizen and a proud mom of a police officer .

Sent from my iPhone

From: Aaron Pelletier <jaguarzfan13@icloud.com>

Sent: Thursday, July 16, 2020 10:18 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:

(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.

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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,

Aaron Pelletier

239 Oakwood Ave, Revere, MA 02151

From: Cynthia Outhouse <cindyo610mb@gmail.com>
Sent: Thursday, July 16, 2020 10:18 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Regarding Bill s2800

Dear committee members,

I appreciate the opportunity to voice my thoughts as you prepare to debate Bill s2820.

Qualified immunity should stand and be removed from this bill.

I support further, not less, investment in law enforcement; more focus on exposing and prosecuting "bad" police and most of all standing behind and standing up for the great majority of police who serve us all, at their own risk and sacrifice, to keep us safe.

Black lives is language used in the summary of the original bill. No need to single blacks out. Communities of color says it all. Racism has no place in our wanting our police to be the best they can be.

I have family and friends who are devoted police officers, everyday heroes who deserve our respect and support.

A longtime resident,
Cynthia Outhouse
55C Minot Ave
Wareham, MA 02571
508-789-8899

Sent from my iPhone

From: L. Thomas <lindasth@hotmail.com>
Sent: Thursday, July 16, 2020 10:18 PM
To: Testimony HWM Judiciary (HOU)
Subject: Feedback on S.2820

Hello,

I am writing as a concerned resident of Tewksbury, MA to urge you to:

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

Thank you.

Sincerely,

Linda Thomas

290 Pleasant St.

Tewksbury, MA 01876

From: Meghan Fanning <mfanning323@gmail.com>
Sent: Thursday, July 16, 2020 10:17 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:

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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,

Meghan Fanning

10 Thurston Street, East Boston, MA

(617)-529-3486

From: Scott Spanner <span23@comcast.net>
Sent: Thursday, July 16, 2020 10:17 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Scott Spaner and I live at 46 Roy ave Attleboro, Mass 02703. I work at MCI-Norfolk and am a Correction Officer 1. 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 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 ask 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,

Scott Spaner

From: Julie Hartshorn <dannyandalexa@yahoo.com>

Sent: Thursday, July 16, 2020 10:17 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police bill

I agree with many parts of the new police reform bill, however, I do not agree with the part about qualified immunity. Police officers have the difficult task of making quick decisions under stress— just as doctors, nurses, and other front line workers. If we take that away we will be left with police officers unwilling to help or take risks. We will end up conveying a message to these brave men and women that the fact that they risk their lives, day in and day out, doesn't matter.

Please do not pass this bill as it is. It needs to be modified.

Thank you for your time,

Julie Hartshorn

North Andover, MA

From: Katelynn Fanning <katelynnfanning@gmail.com>

Sent: Thursday, July 16, 2020 10:16 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.

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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,

Katelynn Fanning

10 Thurston Street, East Boston, MA

(617)-529-8839

From: Debbie Freitas, Esq. <dfreitas@freitas-law.com>
Sent: Thursday, July 16, 2020 10:14 PM
To: Testimony HWM Judiciary (HOU)
Cc: cfreitas
Subject: Public Testimony on S.2820 - Expungement Expansion

Dear Speaker DeLeo, Chair Michlewicz, Chair Cronin, Vice Chair Day and
Committee Members:

Please accept this testimony for S.2820 in SUPPORT of expanding the current youth expungement law. As practitioners in the juvenile court for a decade, we have seen first hand how youth are harmed by the current limitations on expungement. While youth (as part of adolescent development) naturally grow and leave their juvenile behaviors behind them to become incredible adults and leaders in their communities, they currently cannot leave their youthful criminal cases behind them. This is incredibly important as criminal records are often no longer representative of the young adult but continue to be a large barrier to finding self-sustaining work and community roles. It is a stigma that young people should not have to worry about while they are young--in case after case, young people do not come to understand the impact of a criminal record until long after they are adults. This is not fair. By allowing young people whose cases have been dismissed to expunge their criminal records, including those youth who have more than one case, we are supporting their future. Part of tackling systemic racism requires us acknowledging who the brunt of insufficient expungement, even for dismissed cases, falls on: youth of color. As attorneys who stand for racial justice as part of the legal system's promise of justice for all, expansion of the current expungement law is critical. We are proud to be signatories to the Expungement Movement that has been organized by the state's amazing young leaders; we write separately to emphasize just how important this change is.

Thank you for your consideration,
Debbie Freitas, Esq., Partner
Cristina Freitas, Esq., Partner
Freitas & Freitas, LLP

--

Debbie F. Freitas, Esq.
Partner

<https://docs.google.com/uc?export=download&id=19UyjeMGEjE_0wyxAZxTlold8Af869ZbJ&revid=0Bz2D6IEbRa-1SE9tUDBBOW5lbEhydUtjOTNoQVBySVlPcnlzPQ>

Freitas & Freitas, LLP
Attorneys at Law

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Lowell, MA 01852

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W: www.freitas-law.com <https://urldefense.proofpoint.com/v2/url?u=http-3A__www.freitas-2Dlaw.com_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=5Xzy4oXRlx4CbYB1DQv30idSEtnk6r5lP-kU45PpX5Q&s=bXQ2X0gCnyuAGlKWdjPuW3R9VuJiZpyuubDZUWGB68k&e=>>

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From: Louis Williams <louiewilliams1012@gmail.com>

Sent: Thursday, July 16, 2020 10:14 PM

To: Lovely, Joan B. (SEN); Tucker, Paul - Rep. (HOU); Testimony HWM Judiciary (HOU)

Subject: S.2820

All concerned,

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,

Louis Williams

1 Hersey Street, Salem, MA, 01970

From: Stacyslattery <stacyslattery@comcast.net>
Sent: Thursday, July 16, 2020 10:13 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,

Stacy Slattery
16 Gilfeather Lane
Kingston, MA 02364
508-397-5428
Stacyslattery@comcast.net

Sent from my iPhone

From: nicole ventolieri <nicoleventolieri90@gmail.com>

Sent: Thursday, July 16, 2020 10:13 PM

To: Testimony HWM Judiciary (HOU)

Subject: Fwd: Oppose s2800

----- Forwarded message -----

From: nicole ventolieri <nicoleventolieri90@gmail.com>

Date: Wed, Jul 15, 2020 at 9:07 PM

Subject: Oppose s2800

To: testimony.hwmjudiciary@mahouse.gov
<testimony.hwmjudiciary@mahouse.gov>

To whom this may concern,

My name is Nicole MacLean and I live at 244 River Street, Waltham, MA. 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. My brother in-law, Jospeh Garcia, has been a law enforcement officer in Boston, MA for 25 years and has dedicated his life to the safety of others.

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.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Nicole MacLean

6178200745

From: Casandra Welch <chandorff@gmail.com>

Sent: Thursday, July 16, 2020 10:13 PM

To: Testimony HWM Judiciary (HOU)

Subject: Please read

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,

Cassandra Welch

65 Tower St. Boston, MA 02130

Chandorff@gmail.com

From: Rebecca Allis <allis.becky@gmail.com>
Sent: Thursday, July 16, 2020 10:12 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

To whom it may concern,

As your constituent, I'm writing to ask you include three essential measures in any legislation on police accountability and racial justice. Please prohibit violent police tactics, impose meaningful restrictions on qualified immunity, and ban the use of discriminatory face surveillance.

Massachusetts is not immune to systemic racism in policing. It's long been clear that Black people in the Commonwealth are over-policed and under-served. Meanwhile, police are rarely held accountable for corruption or serious misconduct. This moment presents a significant opportunity for racial justice, and we should seize it.

First, please implement strong use of force standards as set out in Rep. Miranda's bill, An Act to Save Black Lives, including complete bans on the most violent police tactics.

Second, impose strict limits on qualified immunity to ensure that police can be held accountable when they violate people's rights. Banning violent police tactics is meaningless if there is no way for people to hold the police accountable when they break the rules. Victims of police brutality deserve justice.

Finally, please support an unequivocal ban on the use of dangerous facial recognition technology that would supercharge racist policing. The dangers of face surveillance and systemic racism in policing will not evaporate in mere months. The moratorium on the use of this technology should not be lifted until the legislature enacts meaningful regulation to guard against racial bias, invasions of privacy, and violations of due process.

Sincerely,

Rebecca Allis
217 Thorndike St
Cambridge, MA 02141
From: MANDI SAFFORD <manwil98@yahoo.com>
Sent: Thursday, July 16, 2020 10:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: MY FAMILY

Dear Representative / Senator /Governor/

My name is Mandi Safford Williams and I live in East Longmeadow MA. I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the House and Senate consider legislation revolving around public safety, and in particular police reform, 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 - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous.

Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31st.

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you for your consideration.
Mandi-Safford Williams

9 Callender Ave
East Longmeadow, Ma 01028
4133482025

Sent from Yahoo Mail for iPhone

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From: Alexis Morrell <morrell195@yahoo.com>
Sent: Thursday, July 16, 2020 10:11 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,

Alexis Morrell/184 Nahant st Wakefield MA 01880 /morrell195@yahoo.com

Sent from Yahoo Mail for iPhone

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From: Neil Connaughton <connaughtonneil@yahoo.com>

Sent: Thursday, July 16, 2020 10:11 PM

To: Testimony HWM Judiciary (HOU)

Subject: Opposition to Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin

My name is Neil Connaughton and I live in Dorchester. I work for the Suffolk County Sheriffs Department 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. This bill turns its back on the very men and women who serve the public. I am asking for your support in ensuring this bill does not pass.

Thank you

Sincerely,

Neil Connaughton

From: Alex <atiberii@gmail.com>

Sent: Thursday, July 16, 2020 10:11 PM

To: Testimony HWM Judiciary (HOU)

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Alexander Tiberii and I live at 89 highland st, Middleboro ma 02346. 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 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,
Alexander Tiberii

Sent from my iPhoneFrom: Jessica O'Connor <jaoconnorphd@gmail.com>
Sent: Thursday, July 16, 2020 10:09 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

To whom it may concern,

As a registered voter in Agawam, Massachusetts, I am writing to express my support for S.2820. It is crucial for the safety of all residents of the state, especially black residents, that we put policies in place to hold problem officers to account by ending qualified immunity and decertifying officers who abuse their power. The use of tear gas, rubber bullets, chokeholds and no-knock raids must also be prohibited as they have been shown to lead to serious injury and/or death as well as further escalating already tense situations.

Sincerely,

Dr. Jessica O'Connor

<[From: timothy reynolds <tcr316@live.com>
Sent: Thursday, July 16, 2020 10:09 PM
To: Testimony HWM Judiciary \(HOU\)
Subject: Bill S2820 \(S2800\)](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.avast.com_sig-2Demail-3Futm-5Fmedium-3Demail-26utm-5Fsource-3Dlink-26utm-5Fcampaign-3Dsig-2Demail-26utm-5Fcontent-3Dwebmail-26utm-5Fterm-3Dicon&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=LTJvB_H8AFdRynKlnHw-6yDfzuGTEBcjPHsHITFJ7cg&s=aKbXqQhSvRABuAN1a99AY8-phhaURvdxwOAI5WVcoTs&e=>Virus-free. www.avast.com
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Dear House and Ways and Means Committees,

My name is Timothy Reynolds and I am a Police Officer for the City of Worcester. I am writing to you about the bill you received from the Senate. This bill is very ANTI LABOR and with the political landscape on the left side who are supporting to eliminate Collective Bargaining & the Right to Due Process is a Major flaw and goes against the platform of being Labor/Union supporters. I am asking that you please make amendment to the bill for the following areas;

- 1- Qualified Immunity
- 2 - Due Process / Collective Bargaining
- 3 - The Makeup of the POSAC board

I have been a police officer for 23 years and during that time I have been hurt several times which has led up to having one of my knees replaced. Another time I was put on meds as a precaution, because I had cuts on my arms covered with blood of a person that was HIV positive and this was when my wife was expecting our first child. Once after getting hit by a car and not being home around my normal time I had to call and wake my wife up and let her know I was ok and what had happened to me and the other officers. After that happened once I returned to work on the overnight shift, if I was going to be late I had to call home otherwise my kids were calling me thinking I was hurt and that is if they were not disturbed by nightmares that daddy was not coming home. This is an experience a lot of Police Officers have had and until it happens to you

or a loved one it's hard to really understand. Just imagine when going on these medical call or even a Breaking and entering call if Police don't have Qualified Immunity and they attempt CPR on someone's loved one and they break a rib which usually will happen and the family wants to sue them now, or the family member doesn't make it and wants to sue them. How about an Officer goes to a breaking and entering call see a person leaving the house or business and chases them. The suspect falls and gets hurt or struggles and fights with the police. Yup you guessed it they are going to sue. The officer may win the lawsuit but not before his family is dragged through the mud, or loses the case and has to pay thousands of dollars. Even though they were acting in good faith the way the bill is written the Police officers and the Cities and Towns are going to be facing way too many frivolous lawsuits that should have never happened. Before you think well the officer will be covered by the City or Town. You should know they do a cost analysis on each case and as you very well know most are settled out of court to limit the possible expense. So when Qualified Immunity is gone they will have to spend that much more. That money is going to have to come from somewhere whether the Police budget, the Fire Department, Schools, or DPW.

We know some people think the Police don't need to go to overdoses, medical calls like heart attacks, babies not breathing, car accidents and so on. But the reality is the Police are 9 times out of 10 right around the corner and are able to administer Narcan, start CPR, much faster than if people had to wait for an ambulance or a social worker. I have had to perform CPR on a newborn that was not breathing and still attached to an umbilical cord.. I'm sure that mother doesn't want to think of what the outcome would have been had she had to wait longer for the ambulance to arrive, considering the baby was breathing before they arrived. Don't misunderstand me. I do believe there are times that a social worker, drug addiction partner, or other individuals could answer some of the calls we get dispatched to. The Worcester Police Dept has officers that are trained and work with outside agencies to help the drug addiction problem, the homeless individuals in the city as well as those suffering from mental health issues.

Do Police Officers know there is room for Reform inside the Criminal Justice system, absolutely. Most Officers are not afraid of Body Cameras because they do their jobs correctly. They just want to know that when accused of wrongdoing and the camera footage shows they did nothing wrong then the person that lied should be held accountable.

DO YOUR OWN RESEARCH BEFORE YOU VOTE! You have been presented with a 71-page Bill that:

* changes dozens of laws, creates and funds many new agencies and Commissions

- * eliminates collective bargaining rights of police officers
- * removes authority from Cities and Towns to control their own employees
- * removes the rights of police to monitor gang activity in schools
- * removes the due process rights of public safety officers
- * exposes police officers and their families to personal liability even when acting in good faith
- * will open the floodgates for frivolous lawsuits against Municipalities and increase the cost to taxpayers to defend those cases
- * puts the lives of 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 thank all of you for the opportunity to be heard, and hope you will consider what I have said and asked of you.

Thank you,

Timothy Reynolds

24 Dolge Ct

Charlton, Ma 01507

(774)253-6432

Worcester Police Dept.

Please read the letter attached to this link from an Attorney and the Law Firms opinion.

https://mcusercontent.com/fdb5064f10a7ad27e13aff127/files/dd411756-b62e-4388-8ecc-027d11e9bd90/Opinion_from_Municipal_Counsel_on_Qualified_Immunity_Consequences.pdf <https://urldefense.proofpoint.com/v2/url?u=https-3A__mcusercontent.com_fdb5064f10a7ad27e13aff127_files_dd411756-2Db62e-2D4388-2D8ecc-2D027d11e9bd90_Opinion-5Ffrom-5FMunicipal-5FCounsel-5Fon-5FQualified-5FImmunity-5FConsequences.pdf&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=7jy1XLCGIiDfYNJ4NnMkeU3j9RdgsGFpUdUsjVNkRao&s=1PFG95kHkIOSdA1cx9yfBex1VEKn7mEgTmzls-3Io5c&e=>

From: The Office of Representative Sabadosa <info@lindsaysabadosa.com>
Sent: Thursday, July 16, 2020 10:09 PM
To: Jeff Lebeau; Testimony HWM Judiciary (HOU)
Subject: Re: [External]: Police Reform

Dear Committee,
I am submitting a statement from Mr. Lebeau on S2820, found below, which he would like the committee to consider.
Thank you for your time and dedication to allowing the public to fully weigh in on this legislation.
Kindly,
Lindsay N. Sabadosa

Lindsay Sabadosa, State Representative, 1st Hampshire
76 Gothic Street
Northampton, MA 01060

www.lindsaysabadosa.com <https://urldefense.proofpoint.com/v2/url?u=http-3A__www.lindsaysabadosa.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=W4rX1oB-lisuCk8C3nJLuY35a17kAlDU2pex335IBKk&s=bN-7ZqIIFHUDW90GsiJ1AoGMkth3CYJyNWIElpQBmHQ&e=>>
Facebook: @LSabadosaMA
Twitter & Instagram: @SabadosaMA
Pronouns: She/her/hers

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On Thu, Jul 16, 2020 at 9:00 PM Jeff Lebeau <jlebeau104@aol.com> wrote:

Thank you for responding. I'm glad there are no plans to end it. Much like health care professionals and teachers the law enforcement community has a job to do, it's not an easy one, but some days are good. There are always good patients, good kids, and good people we interact with. But it's not always that way, there might be that one person who we can't reason with or calm down. We may have to use reasonable force on them to protect someone else or to prevent them from hurting themselves. The majority of people in law enforcement take this responsibility seriously, at least every single one I know in Massachusetts. Other than excessive force or criminal acts we shouldn't have to worry about being sued because someone didn't want to get arrested.

Please forward this comment to the Chairperson

Respectfully
Jeff

Sent from my iPhone

On Jul 15, 2020, at 12:00 AM, The Office of Representative Sabadosa <info@lindsaysabadosa.com> wrote:

?

Thank you for writing Jeff. The Senate bill did not end qualified immunity and while we do not have a House bill yet, I do not think that there will be plans to do so either. That said, there will be a hearing at some point soon and I'm happy to forward your comments to the Chair if you would like. Just let me know.

Thank you again and I hope you are well.

Kindly,
Lindsay

Lindsay Sabadosa, State Representative, 1st Hampshire
76 Gothic Street
Northampton, MA 01060

www.lindsaysabadosa.com
<[Facebook: @LSabadosaMA
Twitter & Instagram: @SabadosaMA
Pronouns: She/her/hers](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.lindsaysabadosa.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=W4rX1oB-lisuCk8C3nJLuY35a17kAlDU2pex335IBKk&s=bN-7ZqIIFHUDW90GsiJlAoGMkth3CYJyNWIElpQBmHQ&e=></p></div><div data-bbox=)

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On Tue, Jul 14, 2020 at 11:27 PM Jeff Lebeau
<jlebeau104@aol.com> wrote:

As a resident of Northampton for 37 years I'm asking you to vote against any bill that ends "Qualified immunity". I get that people

are using this term because they think it's bad, but it's not. Please vote this down, thank you.

Sent from my iPhone

From: Sarah DeArville <sdearville@gmail.com>
Sent: Thursday, July 16, 2020 9:04 PM
To: Testimony HWM Judiciary (HOU)
Subject: A 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.

Thank you,

Sarah DeArville

88 Park Ave, Natick, MA

sdearville@gmail.com

From: EricTomasia <erictomasia@yahoo.com>

Sent: Thursday, July 16, 2020 9:04 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill 2800.

Testimony.HWMJudiciary@mahouse.gov

Dear Chair Michlewitz and Chair Cronin,

My name is Eric Tomasia and I live at 253 reed st New Bedford Massachusetts 02740 . I work at Ash street Jail which is a facility of the Bristol County Sherriffs Office and I have been a Corrections Officer for 10 1/2 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,

Eric Tomasia

From: Chris Almeida <calmeida4982@gmail.com>

Sent: Thursday, July 16, 2020 9:03 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Christopher Almeida and I live at 9 Bayview Ave. Berkley MA 02779. I work at Old Colony Correctional Center 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: 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
Christopher Almeida

From: Guinivere <guinivere@comcast.net>
Sent: Thursday, July 16, 2020 9:03 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,
Guinivere Terhune

Sent from my Verizon 4G LTE smartphone
From: Adam Ripka <adrluvskjpr@gmail.com>
Sent: Thursday, July 16, 2020 9:03 PM
To: cis@sec.state.ma.us; Testimony HWM Judiciary (HOU)
Subject: REJECT SB 2820

To Governor Baker and the MA Legislature,

I am writing on behalf of myself and my wife to strongly urge you to reject the recently passed SB 2820. This bill is a danger to public safety as it would essentially "handcuff" police officers. Even in normal circumstances police officers must make split-second decisions in order to protect their lives and the lives of others. With the current state of our country regarding COVID-19 and the racial issues we are facing, the circumstances are no longer normal. The volatility of the situations police face has increased exponentially. They are already hesitant to act due to the hostility they are facing from many in our culture, including elected officials. Removing qualified immunity and limiting legitimate use of force will put their lives in danger as well as the law abiding citizens who rely on them.

Also, the committee that would be created as a result of this bill would be significantly lopsided. Wouldn't it be wise to include members of the law enforcement community on this committee so there would be a balanced conversation including people who actually have experience dealing with the issues on the street?

Another disturbing aspect of the passage of this bill in the Senate, is the fact that it was passed without any public hearing. It's also interesting that it was passed overnight and completed at 4:30am on a Tuesday in the Summer. It's obvious that the Senate wanted as little attention as possible when it came to the vote/passage.

Lastly, it's also obvious that this is an attempt to appease the radical leftist activists that have been calling for defunding the police. I'm glad MA is not taking such extreme measures as other states but it's still concerning that this was handled the way it was.

I'll end with this question. Who would rather see police defunded or limited in their ability to use necessary means to fight crime, law abiding citizens or criminals?

Sincerely,
Adam & Katrina Ripka

From: Jared Needel <needel.jared@gmail.com>
Sent: Thursday, July 16, 2020 9:03 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform testimony

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,
My name is Jared Needel and I live at 31B Alewife Road, Plymouth, Ma 02360 .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,
Jared Needel

From: apdunne04 <apdunne04@aim.com>
Sent: Thursday, July 16, 2020 9:02 PM
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 Adam Dunne and I live in Southamptn, Ma. I work at a municipal as a Lineman. 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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Sincerely,

Adam Dunne

From: Matt Tibbetts <tibbettsmatt22@gmail.com>

Sent: Thursday, July 16, 2020 9:02 PM

To: Testimony HWM Judiciary (HOU)

Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Matthew Tibbetts and I live at 13 Fairway Lane Medway , MA. I work at MCI-Norfolk 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: 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 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 ask 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,

Matthew Tibbetts

From: Donna Belcher <belcherdonna@ymail.com>

Sent: Thursday, July 16, 2020 9:02 PM

To: Testimony HWM Judiciary (HOU)

Subject: House Bill S.2820

Dear House of Representatives,

My name is Donna M. Belcher and I live at 50 Jasper Street, Saugus MA 01906. As your constituent, I write to you today to express my 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 family and 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,

[Donna M. Belcher]

From: Francesca McDevitt <fmcdevitt24@icloud.com>

Sent: Thursday, July 16, 2020 9:00 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police Bill

Hello

I am a citizen of Massachusetts and my voice should be heard as much as those that everyone seems to quickly give in to.

I find it completely disrespectful to push this bill through without the proper procedure.

I also believe that being reactive verse truly making an educated positive change is an insult to the Massachusetts people. The bill overall has many issues but the biggest issue would be the qualified immunity bill. Taking away that protection from police is absolutely unacceptable. To allow anyone to sue them personally for anything they choose is plain ignorant.

This bill should not be put through without everyone taking a deep breath and thinking about what the real goal is. We want change not a quick fix. Please stop this bill!

Francesca McDevitt

Weymouth

7817061107

Sent from my iPhoneFrom: Cornelius Prioleau <ccpcorn@gmail.com>

Sent: Thursday, July 16, 2020 9:00 PM

To: Testimony HWM Judiciary (HOU)

Cc: Madaro, Adrian - Rep. (HOU); Gingras, Steven (HOU); Rivas, Gloribel (HOU)

Dear Chairs,

I am writing to voice my wholehearted support for the Reform-Shift-Build Act. As a resident of East Boston, I get to see and celebrate diversity every day. We are a community made up of many cultures, representing the full spectrum of race that this globe offers. My family and I have fed from that spectrum and we have given back as well. Right now, we are not safe. We have been unsafe for quite some time. We will remain unsafe as long as the current state of policing is maintained. We here in East Boston are not the only ones.

Our State and Nation face a long postponed reckoning with race., We must keep a stern dialogue with how we police one another as part of that reckoning. The Reform-Shift-Build Act opens that dialogue in unprecedented ways. Stringent certifications, inroads towards banning excessive force,

review boards staffed by community, and a stronger stance against surveillance technology are just some of the impressive pieces we will be bringing to the state with this Act. Perhaps the most impressive piece to this is a focused reform to the doctrine known as "qualified immunity."

Passing this act while keeping the reform of qualified immunity attached to it would be historical. It would send the appropriate message to the Nation. If we as a people are to be policed, it must be under an entirely reimagined officer. There are glimpses of good in all of us. There are glimpses of good in our law enforcement. But there is also an unspeakable bad in all of us. As it permeates all of us by degrees, so too does it fester in our law enforcement.

I have witnessed firsthand what can occur when unchecked racist thought and sentiment spills into human behavior. There is no thermometer check for hatred, dislike, annoyance, ambivalence. And that temperature rises and subsides throughout a life. Thoughts are truly free, and should not be governed. Action is governed. But actions are rooted in those thoughts. The action to take another's life, to choke another out, to abuse another, to dominate another, to correct another, without impunity is what I believe qualified immunity too often permits.

Reform, and regulation are necessities for police in Massachusetts and everywhere. But the protective mask of qualified immunity must fall. We face consequences as citizens. Those consequences do not police our thoughts, but they force us to think twice, or even just once before acting. For too long has our police force acted without impartial thought when it comes to another's life and rights.

I am asking you to support the Reform-Shift-Build Act for my family, for East Boston, for Boston, for Massachusetts, and for the entire United States of America. I am asking you to share my voice with your fellow legislators, and amplify it yourself in your championing of this Act.

Thank you for your time.

Respectfully,

From: Anna Longo <annajlongo@gmail.com>
Sent: Thursday, July 16, 2020 9:00 PM
To: Testimony HWM Judiciary (HOU)
Subject: IN FAVOR 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.

Sincerely,

Anna Longo, BSN RN
Boston MA

From: Emily <emibaker@hotmail.com>
Sent: Thursday, July 16, 2020 9:00 PM
To: Testimony HWM Judiciary (HOU)
Subject: Amend S.2820

Dear Senator,

My name is Emily Murray and I live at 552 West Gate Rd, Brewster 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,

Emily Murray

From: Kelsey Belgrade <kelsey.belgrade@gmail.com>
Sent: Thursday, July 16, 2020 9:00 PM
To: Testimony HWM Judiciary (HOU)
Subject: Re: Testimony from a MH professional

Apologies, I neglected to include my name:
Kelsey Belgrade
203-339-2259

Sent from my iPhone

On Jul 16, 2020, at 8:58 PM, Kelsey Belgrade
<kelsey.belgrade@gmail.com> wrote:

?

Unfortunately, this begins with centering my white body and experience. However, I felt it was important as a MH professional who trains on deescalation techniques to directly address what I strongly feel is egregious: the police system (including training and actions) which directly results in the ongoing traumatization and death of black people and black communities.

I have worked on inpatient psych units and in residential care for over a decade of my life. For over half that time, I have been responsible for teaching various deescalation and safety training classes. This

includes physical restraint. During this time: I have been spit at. I have been kicked, punched, pushed, bitten, called names. I have had my hair pulled out. I have had my glasses broken. I have gone to work with a cracked rib. I have been on worker's comp twice with back issues. This list is not exhaustive nor is it written to make you feel sorry for me. I fucking love my job, I love these kids and families, I love what I do. It is not a job to me- I couldn't imagine doing anything else.

I'm here to say this: NONE OF THESE THINGS ever necessitates putting your knee on someone else's neck- never. Not for a moment. The staff we teach literally learn that day one. Restraints (which are still used- and I could go on a whole other tangent about that, but that's for another time) are ONLY for use as a last resort, after everything else has been tried- and ONLY when there is imminent risk to that person's safety or the safety of someone else. They learn that prone holds significantly increase the risk of positionally-related asphyxia. This is also why we instruct that they are not allowed to place their hands anywhere across their back, neck, or head. They are told to release and assess immediately if at any point there are signs or statements the person cannot breathe.

NONE of these things was even CLOSE to happening when Derek Chauvin put his knee on George Floyd's neck for OVER EIGHT MINUTES WITH THE INTENT TO KILL while he was CALM AND NOT RESISTING. Two other officers held him down while a third stood guard, all saying nothing. ONLY ONE OF THESE MEN HAS BEEN ARRESTED and it took FOUR DAYS. Four days of protests and George Floyd's murder being graphically circulated around the internet, further traumatizing the black community. Derek Chauvin's initial charge- third degree murder and second degree manslaughter- is an absolute joke. The fact that Chauvin was still an active duty officer despite EIGHTEEN previous complaints is negligent. The fact that the initial autopsy attempted to blame "underlying health conditions" is a cover-up for both.

When the people of Boston came out on Sunday to demand justice in an organized fashion, the police waited until after dark- then blocked exits and began tear gassing people who were attempting to peacefully leave toward the T. They chose to use fear and military style tactics which escalated the situation immensely. Oh pardon- my mistake, tear gas is actually a chemical weapon deemed illegal for use in warfare by several international treaties. Minor detail. Anyway- the police barely interacted with protesters until this decision. No verbal deescalation or statements, just yelling, straight tear gas, and preventing people from leaving via the T. They kept the T shut down for hours, and people were wandering around confused and begging for rides while violence escalated.

Is this protecting and serving? Targeting peaceful protesters rather than holding colleagues in your own chosen profession accountable for their egregious actions? This is the amount of planning, thought, and effort that was put into their response to a protest they knew was coming? Additional incidents of disproportionate use of force and police brutality have happened in other cities, but I can speak directly to these- as I was there for the 3+ hours of a peaceful protest, making it out just before one of my best friends was trapped inside while trying to leave.

I am so sick of hearing white people, cops, and politicians try and justify these actions and inexcusable levels of force... and I am white and not LIVING THIS experience on a day to day basis. Nothing close to this was seen when white men decided to military LARP with AR-15s inside "government property" because they were asked to wear a mask and stay home during a global pandemic. They were allowed to posture with semi-automatic weapons while unarmed protesters are being kicked and tear gassed for standing in the street vs the sidewalk, or at some points when kneeling. I don't want to hear any of these weak excuses or cover-ups, dismissal and distraction tactics, or cute stories about "good cops" until ALL cops are loudly and vocally holding each other accountable. I will not.

This type of policing is literally killing and disproportionately traumatizing black communities. It is one major reason WHY we are seeing children so dysregulated and traumatized that they assault the very adults who are trying to help them. I hold my staff- some of whom are literal 21year old new college grads making shit pay (also a conversation for another time)- to a FAR higher standard.

WE SHOULD ALL DEMAND THE POLICE DO BETTER. This is ESPECIALLY true if you work in human services. We cannot afford to post and move along.

"Trauma-informed therapy is important, but social justice-informed therapy is even more important. One cannot truly do fully trauma-informed therapy without understanding the trauma of social INjustice."

-Dr. Maria Paredes

Sent from my iPhone

From: Jeffrey Lindquist <jefflindquist@verizon.net>
Sent: Thursday, July 16, 2020 8:59 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,

Jeffrey Lindquist

Plymouth, MA

From: tony tran <tran.tony85@gmail.com>
Sent: Thursday, July 16, 2020 8:59 PM

To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Tony Tran and I live at 72 Whitten Street, Dorchester, Ma 02122. I work at MCI-Norfolk 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: 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 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 ask 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,

Tony Tran

From: Alex Bob <alex.g.bob@gmail.com>

Sent: Thursday, July 16, 2020 8:59 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support S.2820 - End qualified Immunity!

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.

Alex Bob, Cambridge, MA

--

Alex Bob

Pronouns: he, him, his
alex.g.bob@gmail.com
From: Paul Daley <paul.daley@gmail.com>
Sent: Thursday, July 16, 2020 8:59 PM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified immunity

Please consider leaving qualified immunity for police, fire, EMS, nurses and whoever else may be hurt due to the new bill, in place.

Thank you,

Paul Daley

Quincy Fire dept

paul.daley@gmail.com

6173598374From: Mary Donovan <mar20run@aol.com>

Sent: Thursday, July 16, 2020 8:58 PM

To: Testimony HWM Judiciary (HOU); Cutler, Josh - Rep. (HOU)

Subject: Opposition to Parts of Bill 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,

Mary Donovan

286 Keene St, Duxbury, MA 02332

781-727-6273

From: Kelsey Belgrade <kelsey.belgrade@googlemail.com>
Sent: Thursday, July 16, 2020 8:58 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony from a MH professional

Unfortunately, this begins with centering my white body and experience. However, I felt it was important as a MH professional who trains on deescalation techniques to directly address what I strongly feel is egregious: the police system (including training and actions) which directly results in the ongoing traumatization and death of black people and black communities.

I have worked on inpatient psych units and in residential care for over a decade of my life. For over half that time, I have been responsible for teaching various deescalation and safety training classes. This includes physical restraint. During this time: I have been spit at. I have been kicked, punched, pushed, bitten, called names. I have had my hair pulled out. I have had my glasses broken. I have gone to work with a cracked rib. I have been on worker's comp twice with back issues. This list is not exhaustive nor is it written to make you feel sorry for me. I fucking love my job, I love these kids and families, I love what I do. It is not a job to me- I couldn't imagine doing anything else.

I'm here to say this: NONE OF THESE THINGS ever necessitates putting your knee on someone else's neck- never. Not for a moment. The staff we teach literally learn that day one. Restraints (which are still used- and I could go on a whole other tangent about that, but that's for another time) are ONLY for use as a last resort, after everything else has been tried- and ONLY when there is imminent risk to that person's safety or the safety of someone else. They learn that prone holds significantly increase the risk of positionally-related asphyxia. This is also why we instruct that they are not allowed to place their hands anywhere across their back, neck, or head. They are told to release and assess immediately if at any point there are signs or statements the person cannot breathe.

NONE of these things was even CLOSE to happening when Derek Chauvin put his knee on George Floyd's neck for OVER EIGHT MINUTES WITH THE INTENT TO KILL while he was CALM AND NOT RESISTING. Two other officers held him down while a third stood guard, all saying nothing. ONLY ONE OF THESE MEN HAS BEEN ARRESTED and it took FOUR DAYS. Four days of protests and George Floyd's murder being graphically circulated around the internet, further traumatizing the black community. Derek Chauvin's initial charge- third degree murder and second degree manslaughter- is an absolute joke. The fact that Chauvin was still an active duty officer despite EIGHTEEN previous complaints is negligent. The fact that the initial autopsy attempted to blame "underlying health conditions" is a cover-up for both.

When the people of Boston came out on Sunday to demand justice in an organized fashion, the police waited until after dark- then blocked exits and began tear gassing people who were attempting to peacefully leave toward the T. They chose to use fear and military style tactics which escalated the situation immensely. Oh pardon- my mistake, tear gas is actually a chemical weapon deemed illegal for use in warfare by several international treaties. Minor detail. Anyway- the police barely interacted with protesters until this decision. No verbal deescalation or statements, just yelling, straight tear gas, and preventing people from leaving via the T. They kept the T shut down for hours, and people were wandering around confused and begging for rides while violence escalated.

Is this protecting and serving? Targeting peaceful protesters rather than holding colleagues in your own chosen profession accountable for their egregious actions? This is the amount of planning, thought, and effort that was put into their response to a protest they knew was coming? Additional incidents of disproportionate use of force and police brutality have happened in other cities, but I can speak directly to these- as I was there for the 3+ hours of a peaceful protest, making it out just before one of my best friends was trapped inside while trying to leave.

I am so sick of hearing white people, cops, and politicians try and justify these actions and inexcusable levels of force... and I am white and not LIVING THIS experience on a day to day basis. Nothing close to this was seen when white men decided to military LARP with AR-15s inside "government property" because they were asked to wear a mask and stay home during a global pandemic. They were allowed to posture with semi-automatic weapons while unarmed protesters are being kicked and tear gassed for standing in the street vs the sidewalk, or at some points when kneeling. I don't want to hear any of these weak excuses or cover-ups, dismissal and distraction tactics, or cute stories about "good cops" until ALL cops are loudly and vocally holding each other accountable. I will not.

This type of policing is literally killing and disproportionately traumatizing black communities. It is one major reason WHY we are seeing children so dysregulated and traumatized that they assault the very adults who are trying to help them. I hold my staff- some of whom are literal 21year old new college grads making shit pay (also a conversation for another time)- to a FAR higher standard.

WE SHOULD ALL DEMAND THE POLICE DO BETTER. This is ESPECIALLY true if you work in human services. We cannot afford to post and move along.

"Trauma-informed therapy is important, but social justice-informed therapy is even more important. One cannot truly do fully trauma-informed therapy without understanding the trauma of social INjustice."

-Dr. Maria Paredes

Sent from my iPhone

From: JAMES A KARVELIS <JKARVELIS@quincyma.gov>
Sent: Thursday, July 16, 2020 8:58 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Sir/Madam,

I am writing as a proud member of the Quincy Police Department to address the ongoing legislative proposals currently circulating at the Massachusetts State House. We are aware that several different bills aimed at police reform are in the works and most likely will be expedited for a vote in the very near future. We are also very cognizant of the current political climate and we recognize the anger that the vast majority of people feel over the terrible and tragic death of Mr. Floyd. Nobody truly hates bad cops more than good cops. That being said, we are incredibly proud of our profession and of the dedicated men and women in Massachusetts Law Enforcement, particularly of the members of the Quincy Police Department.

As a professional organization we are always looking for ways to improve and continue to earn the public's trust and confidence. We just ask that you allow us to be part of the conversation. We have read several versions of bills that are being pushed forward. Some of the ideas we welcome, POST standards state wide, databases of police officers unfit for the profession and increased reporting of statistics. However, some of the other ideas seem overly complex and constrictive.

1. 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.

2. 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.

3. 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. We deserve to maintain the right to appeal given to all of our public servants.

4. Some of the ideas include language for steps that shall be taken before using any type of force. Requiring de-escalation techniques and mental health evaluations on every call is not possible. This would be setting officers up for failure and opening them up to having their licensed revoked and ending their careers.

We would welcome the opportunity to sit down with you and answer any questions you have about the tools, tactics, policies and technology that the Quincy Police currently use and how we employ them to keep the citizens of Quincy, our officers, and the suspects we encounter as safe as possible.

Thank you for your time and for your service to the citizens of the Commonwealth. We hope to hear from you soon.

Respectfully,

Patrolman James Karvelis

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computer. It is strictly forbidden to share any part of this message with any third party, without written consent of the sender.

From: MPD Mail <scott.phillips@mpdmail.com>

Sent: Thursday, July 16, 2020 8:58 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

Dear Judiciary Committee,

My name is Scott Phillips. I am a police officer with the Middleboro Police Department. I am emailing in regards to the police reform bill. Most notably qualified immunity. There's been a lot of speculation as to what the change to qualified immunity will be. My understanding is that people will now be able to civilly sue police officers for violations of civil rights/violation constitutional rights. This essentially gets rid of good faith exception that police officers have. For example, I arrest someone on a warrant and for whatever reason it's an error. I technically violated their civil and constitutional rights. So now that person can sue me? The same goes for motor vehicle stops. If at night I read a license plate wrong and stop a car based on information I receive and it's wrong I can be sued. I arrest someone for domestic assault and at court the victim says it never happened. Now I face a lawsuit? These are all real life scenarios that police officers face. We make split second decisions and now we are going to be hesitant to make those decisions for risk of frivolous lawsuits. Now I understand in most of these cases the lawsuit will most likely not go anywhere, but it still hangs over that officers head until it's settled. Imagine doing everything perfectly right and facing a lawsuit that may last 1, 2, 3 years.

I understand you want to be proactive with legislation, but this bill is completely reactive. MA is not other places in the country. We have high standards for our police officers which is why our academy is accepted almost everywhere in the country.

If this bill passes there will be bolt for the door. I work in a relatively small department and my guess is we lose close to 10% of our officers almost immediately either by retiring early or just walking out the door. I consider myself a pretty darn good cop. I have a spotless record and have never had as much as a complaint filed against me in over 8 years. I am the last person a legislative bill should worry and this bill worries me. My wife is telling me to get a new job. I'd be lying if I said I'm not considering it.

Ofc Scott Phillips

Middleboro Police Department

508-813-0866

From: James Hannon <jhannon2898@gmail.com>

Sent: Thursday, July 16, 2020 8:56 PM

To: Testimony HWM Judiciary (HOU)

Cc: Keenan, John (SEN)

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,

James Hannon

29 Plymouth St. Whitman, Ma 02382

(774)240-4290

From: Kyle Moriarty <kyleemoriarty@icloud.com>
Sent: Thursday, July 16, 2020 8:56 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please read

Dear Chair Michlewitz and Chair Cronin,

My name is Kyle Moriarty and I live at 3 Mark Twain Drive in Lakeville MA. I work at MCI-Norfolk 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 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 ask 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,
Kyle Moriarty

Sent from my iPhone From: Paddy Bryan <quincybaseball@gmail.com>
Sent: Thursday, July 16, 2020 8:56 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please Read

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,

Patrick A. Bryan

Resident

35 Ridgeway Drive
Quincy, MA 02169

617 <tel:617%20699-2914> 719-9515

Sent from my iPhone
From: Alice Charland <charland_alice@yahoo.com>
Sent: Thursday, July 16, 2020 8:55 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,

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From: Patricia Schultz <patriciadschultz@yahoo.com>
Sent: Thursday, July 16, 2020 8:55 PM
To: DeLeo, Robert - Rep. (HOU); Testimony HWM Judiciary (HOU)
Subject: Bill S.2800

* As your constituent, Pat Schultz from Norwood, I write to you today to express my strong opposition to S.2800 which was passed by the Senate. I ask that you oppose this bill as constituted when it is debated in the House of Representatives.

We also ask that it be debated in the light day and not voted on in the dark of night.

The bill is ill conceived and politically driven. We agree that police reform is important and needs to be addressed but passing a poor bill for the sake of passing a bill based is not in the best interest of the Commonwealth.

This bill 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. It will cause many good officers to leave due to the new burdens and make it harder to recruit individuals into law enforcement.

S 2800 establishes a review committee with overly broad powers, including the power of subpoena, in active investigations. The current language sets the groundwork for unconstitutional violations of a police officer's 5th amendment rights against self-incrimination (see Carney vs Springfield) and constitutional protections against "double-jeopardy."

Qualified immunity protections are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability protections essential for the police officers we send out on patrol in our communities and who often deal with some of the most dangerous of circumstances with little or no back-up. Removing qualified immunity protections in this way will open officers up to personal liabilities so they cannot purchase a home, a car, obtain a credit card, or other things for the benefit of them and their families. Good luck with police recruitment.

In addition S 2800 failed to follow the normal and appropriate legislative process of holding public hearings to accept testimony from citizens and experts. I ask that you vote NO when S.2800 comes to the House of Representatives for the reasons stated above, and others.

"We cannot support a measure which takes handcuffs off drug dealers and gang bangers and puts them on police, allows criminal records to disappear while tearing open police personnel files and allows criminals to appeal for monetary damages while denying police due process

to appeal for their job," said James Machado, executive director of the Massachusetts Police Association.

Please vote NO on Bill S 2800.

Thank you,

Sincerely, Pat Schultz 781-769-2819

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16

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From: Kelly Wenz <kellyswenz@gmail.com>

Sent: Thursday, July 16, 2020 8:54 PM
To: Testimony HWM Judiciary (HOU)
Subject: Objections to S.2800

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street

Boston, MA 02133

Dear Chair Michlewitz and Chair Cronin,

My name is Kelly Wenz and I live at 36 Hathaway Circle in Arlington, 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 straightforward. 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,

Kelly WenzFrom: Michael Best <mabest13@yahoo.com>
Sent: Thursday, July 16, 2020 8:54 PM
To: Testimony HWM Judiciary (HOU)
Cc: Moran, Susan (SEN); LaNatra, Kathleen - Rep. (HOU)
Subject: Written Testimony-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 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,

Michael Best

31 Holmes Terrace

Plymouth, MA 02360

From: Alice Charland <charland_alice@yahoo.com>

Sent: Thursday, July 16, 2020 8:53 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 Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-

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JF3wlW6VpoGcv1Pqj-LZCFVg_lgd0ZICAc&e=> for Windows 10

From: Chris Hayes <hayze31@comcast.net>
Sent: Thursday, July 16, 2020 8:53 PM
To: Testimony HWM Judiciary (HOU)
Subject: Plz Help

Dear Chair Michlewitz and Chair Cronin,

My name is Christopher Hayes and I live at 50 Middle Street Weymouth MA. I work at the Suffolk County Sheriffs Department 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.

????????? ?????????? ?????????????? ??????????: 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,
Christopher Hayes

Sent from my iPhone
From: Nicole Sylvia <nsylvia25@aol.com>
Sent: Thursday, July 16, 2020 8:51 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2800 Bill letter

To Whom It May concern:

My name is John Sylvia and I reside at 51 Ada Street Fall River. I know you have been a staunch supporter of law enforcement and the city of Fall River in the past, which is why you have always had my vote, as well as the votes of my family and friends. 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 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, and law enforcement should oversee law enforcement.

I would like to add that the Fall River Police Department is one of the very few police departments out of 351 cities and towns within MA that have both state and federal accreditation. If you remove qualified immunity from police officers, you will have a mass exodus from law enforcement due to fictitious lawsuits as a way to make money, and it would place all police departments within the state at even a more record shortage / dangerous crisis levels. No one wants to be sued personally for every single time a police officer takes action whether on or off duty.

The process to hire a new officer is usually a 1.5 year commitment on average, assuming they even willingly accept the job now days. As you know, it takes approximately six months or longer, to properly screen a perspective candidates for criminal and psychological background checks, baseline physical fitness requirements, additional prerequisites, etc. The police academies are roughly 6 months, and field training is three months.

Furthermore, you could cut down on both police officer liability, as well as potential injury to a police officer and suspect, by simply making the resisting arrest law a more serious crime and a felony. Right now it is only a misdemeanor in MA, just like assault and battery on a police officer. If you spray-paint someone's property it's "tagging" as well as felony vandalism. If you hurt any type of animal in anyway, it's cruelty to animals, which is also a serious felony. Meanwhile attacking a police officer and resisting arrest are minor misdemeanor crimes.

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.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,
John Sylvia

Sent from my iPhone
From: meghan noe <meghannoe@yahoo.com>
Sent: Thursday, July 16, 2020 8:51 PM
To: Testimony HWM Judiciary (HOU)
Subject: S. 2800

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,

Meghan Noe

9 Alyssa Drive

Wakefield, MA

781-858-3708

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=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=-e1AAmJoHF9QRX9fwZvSj9A-ddd7uloB-bIUVOwrMiM&s=_nHaxkizOChTkt8vqZK9hqFEUKhyk5400CngLtA6Y14&e=>>

From: JOHN BRINGARDNER <jrb3rd@comcast.net>

Sent: Thursday, July 16, 2020 8:50 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2800

Dear Members of the House of Representatives,

I have been a police officer in the Town of Randolph for the past 24 years. As I'm sure you all will agree the job has become tougher and tougher each year. The passing of Bill S2800 will make the job of a police officer even more difficult especially the Qualified Immunity portion of the bill.

I ask each of you the following question. A police officer in Minneapolis, Minnesota was charged with murder so the Commonwealth of Massachusetts needs police reform?

A part of this bill will ban choke holds. Do you folks understand that police officers in Massachusetts are not trained to use choke holds so there is no reason to ban a tactic that is not used.

Senator Ryan Fattman of Sutton said it perfectly when he was referring to law enforcement officers in Massachusetts. He so eloquently said "the egregious sins of other law enforcement in other parts of the country should not be their burden to bear.

The legislation in Massachusetts is trying to fix a problem when there is no problem. I respectfully request that all members vote against this bill.

Sincerely,

John Bringardner

Randolph Police Dept

781-389-2713

From: Andrew Fox <afox3781@gmail.com>

Sent: Thursday, July 16, 2020 8:49 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820 Opposition

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 Fox

390 Westfield Road

Russell MA 01071

Afox3781@gmail.com

From: Derek Dalton <derekdalton1017@yahoo.com>
Sent: Thursday, July 16, 2020 8:49 PM
To: Testimony HWM Judiciary (HOU)
Subject: reform bill

Dear Chair Michlewitz and Chair Cronin,

My name is Derek Dalton and I live at 33 Crystal Way Bellingham MA. I work at MCI-Norfolk 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: 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 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 ask 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,
Derek Dalton

From: Jenny Regan <jennyregan8@gmail.com>
Sent: Thursday, July 16, 2020 8:49 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2800

Good evening,

I hope this email finds you well. I am writing to you to express my numerous concerns with Bill S.2800 that focuses on police reform and shifting their available resources toward other means.

First, I have several family members and friends who are in law enforcement. They made a choice to go into this profession to serve, protect and to try and make this world a better place. Police officers all over the country are being treated with the utmost disrespect due to recent events. The officers who were not even involved in the cases such as George Floyd, Breonna Taylor, Ellijah McClain, are having bricks thrown, trash thrown, their cruisers defaced etc. The fact that police officers who dedicate their time, and sometimes even their lives to this country, are going to be put in a position where they may have to hesitate for fear of being sued, or other repercussions is completely ludicrous to me. Yes, there are bad officers out there who abuse their power. However, why should the majority of "the good ones" have to suffer for the actions of the bad?

I am sure you are aware of the story of Weymouth Police Sergeant, Michael Chesna. He was my cousin's brother-in-law. Mr. Chesna was in a situation where he hesitated in fear of the consequences and repercussions of what might happen if he were to act against the individual, who was supposedly "unarmed" and had "just a rock." Due to his hesitation, Michael Chesna proceeded to have the rock thrown at him, then had his gun taken, and was killed with his OWN gun by this other individual.

I am extremely fearful that many other police officers will be faced with this same exact fate if this bill were to pass. Absolutely there is police brutality in our society. However, I truly believe that this bill is not the answer to helping alleviate and eradicate this problem.

My brother, who was a police officer in Manchester, NH for 6 years was involved in many situations that put his life in danger. I recall one instance that he was so shaken by and felt the need to express to his family. He was called to a domestic dispute one night, multiple times. Upon arriving at the residence, he was told by a man that everything was fine at the door, but he knew there was something wrong. He acted on his instincts in the situation, and saved a woman's life from being a victim of domestic violence. However, in this situation, if this Bill was in effect, and my brother had to hesitate, that woman's outcome could have looked very different, and she might not be alive today.

I am extremely concerned about the psychological effect this Bill could have on not only our police officers but also citizens as well. Also, it could have lasting physical effects on innocent people. If a police officer is called to a situation or an altercation, it is for a reason. I know that I would not want a police officer hesitating to act because of a Bill that could put their livelihood at risk.

In closing, I am a fourth grade teacher in the city of Lawrence. If this Bill passes, I am concerned about the effects it could have on teachers. Who's to say that then teachers wouldn't be placed in the same situations of having to hesitate when teaching. Hesitation can have extreme consequences in an elementary age classroom. For instance, if one of my students is choking, am I not supposed to help them for fear of being sued for "putting hands" on a child or other actions that the family might take? If a student receives a grade of a C because that is the grade he or she earned, am I supposed to rescind and change that grade if I get pressure from the family because they feel that grade was not justified?

Were any former police officers, current police officers, or other civil service employees on the board that came up with this bill? Was their feedback and views taken into account?

Thank you so much for your time, and please consider all of these situations and points that I have given.

Very best,

Jennifer Regan
From: Brian Powers <bpowers623@gmail.com>
Sent: Thursday, July 16, 2020 8:48 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2820

Representatives,

I write to you today as a lifelong resident of Massachusetts, a Police Officer, and a concerned citizen. To give you a bit of background I am 34 years old and have been a Police Officer for 3 years. I grew up admiring and respecting the profession and was honored to accept the responsibility it comes with. Until recent I would have argued with anyone this is in fact the best job in the world.

Unfortunate recent events have changed my perception. I grew up on Grafton Hill in Worcester My entire life. I played sports, participated in all extracurricular activities available, and always had a diverse group of friends. I fortunately never directly experienced racism or witnessed it with my friends from other ethnic backgrounds. Myself and my immediate friends always respected Police and the few interactions I had with them as a teen we're positive.

The events that took place in Minneapolis are disgusting and do not represent this profession as a whole. The majority of Police are being attacked and vilified for the minority. In all professions we have good

and bad people I'm sure we can both agree. Unfortunately in this Profession you sign up for abuse and you learn to take it in stride. The recent abuse we have been receiving feels different though. The profession itself is under attack and as I said my opinion of this job has changed. If you were to ask me today if I feel this is the best job in the world I would advise you to stay clear.

My mindset since day one has been that of self sacrifice. When I leave my house everyday I am mentally sound knowing I may never come home and I am ok with that. I know that what I do is dangerous, and I know I am the line of defense for the population that cannot defend themselves and I take pride in that. I also do not expect appreciation even though generally appreciation is shown. I also have come to realize that the world is in a very dangerous place at this point in time. I feel quality good Police is now more important than ever even though we are being portrayed as the villains. I feel the people that want to defund and abolish the Police realize that's not logically possible. I believe they decided if they can't get rid of the Police, they will make an effort to make the job undesirable.

A few key aspects of the Bill you are reviewing that I feel will help corrode the profession and insure you no longer find quality candidates as well as force good cops to seek employment elsewhere would be the following;

1. Qualified immunity-

This safety measure insures I can do my job without hesitation. To give a real life example I responded to a call a year or so ago that involved an assault actively taking place and an attempt to kill an animal in the home. When I arrived the suspect party was extremely agitated and yelling at volume 10 in his home. It came to a point after investigation that this man had to be arrested. When the male realized that was our intent he became violent and assaultive. He climbed on the kitchen table yelling screaming and swinging in a dark room filled with knives and pans. In that split second I made a decision to grab the male and pull him down from the table before he hurt himself or the other parties in the room and he immediately punched me in the face. A fight ensued and the male was placed under arrest with only minor injuries to all involved.

If this situation were to happen in a scenario where qualified immunity didn't exist would I question my actions? Would I fear losing my home and all my belongings? Would the expense of just the lawsuit alone for lawyers fees bankrupt me? I don't want to have to worry about things like that I want to be able to focus on keeping the peace and keeping people safe. I fear living in a world where the law offers me more protection to stand and wait than it does to protect and act.

2. Collective Bargaining-

If we lose our ability to bargain we again will put ourselves in a position to be taken advantage of. This will leave to further lack of desire for this profession as we will lose our ability to fight for fair and equal terms for employment. The public wants better quality Policing and we will not obtain that by not providing competitive options to the men and women interested in this job.

3. Due process and right to appeal-

If a Doctor commits malpractice they have a right to due process and are held accountable by a jury of their peers. If a civilian breaks the law it's incredibly important they have a right to fair trial also with a jury of their peers not a jury of Police Officers. Why would Police not be afforded the same opportunity? Again this change will impact recruiting quality Police. If the profession is no longer fair to their employees who would want to sign up?

This bill is incredibly dangerous to the public's safety and is an anti labor bill. Having only three years on the job I don't foresee me lasting 29 more if this passes. Fortunately I have other skills I can fall back on but I never expected to consider that as I committed my life to this job when I applied.

In closing I would like to thank you for taking the time to read this and hear my concerns. I appreciate the difficult situation you are in but would hope you would make any decision thinking about the long term not just today's forecast. I ask that you please protect me, so I can continue to protect you.

Brian Powers
65 Pilgrim Ave
Worcester MA
508-579-4882

From: michaeldeming1@aol.com
Sent: Thursday, July 16, 2020 8:48 PM
To: Testimony HWM Judiciary (HOU)

From: Samuel Watson <watson.samuel.a@gmail.com>
Sent: Thursday, July 16, 2020 8:47 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S 2800 and Qualified Immunity

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,

Sam Watson

194 Cohasset Street, Apt 7

Worcester, MA, 01604

(860)271-6773 / watson.samuel.a@gmail.com

From: MICHAEL MACDONALD <mmac5o2@yahoo.com>

Sent: Thursday, July 16, 2020 8:47 PM

To: Eldridge, James (SEN); Hogan, Kate - Rep. (HOU); Testimony HWM Judiciary (HOU)

Subject: Good Evening

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.

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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,

Michael MacDonald, Freeman Circle Hudson. MMac5o2@yahoo.com

Sent from my iPhone
From: Bill Bonczar <bbonczar@hotmail.com>
Sent: Thursday, July 16, 2020 8:47 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony

Good evening,

My name is Bill Bonczar. My wife and I are both employed as Police Officer's for the State of Massachusetts. I got into this profession to give something back to my community and make a difference. I am very blessed to have this career.

What happened in Minnesota cannot be put into words, it was absolutely wrong and appalling. That being said, Massachusetts is not Minnesota. We should not be held accountable for something that occurred 1500 miles away. Its not justified.

Now, I am open to change and other opinions on various matters pertaining to Policing. Licensing of all Officers and educating on racism is an excellent idea. Licensing would keep track of an Officers complaints and any uses of force etc. I think that is fair.

I do not agree with the majority of the bill. Majority of it from an Officers stand point is bogus and undermines the profession. Tear gas is a crowd control technique used to control a rowdy and dangerous crowd. It is used in extreme situations. Situations like those 'peaceful' protests in Boston last month that turned into riots. The same 'peaceful' protesters that were throwing bricks at Officers.

I read the bill and saw that schools can't tell Police Officers if a student has gang ties? This is ludacris. My wife is a student resource officer (SRO). She absolutely needs this critical information to do her job and create a safe environment for the hundreds of children she is protecting. Not having it puts everyone at risk.

I attended a full-time police academy in Massachusetts. Personally, I was not trained on choke holds. That being said, due to the extreme and unpredictable nature of this job, things and situations change in an instant. If an officers life is on the line and the only way he/she can survive to go home to his/her family is to perform a 'choke hold', I am ok with it. Basically what im saying is that should not be taken off the table, in extreme dire circumstances. The Officer should not be held accountable.

Now, the biggest topic for me and the reason why I am writing this is the handling of qualified immunity. People do not understand that this isn't a free pass to do whatever they want. Its a layer of protection giving to civil servant's to do their jobs.

Officers are afraid of getting sued for the most basic interaction with the public. How is this fair to us as a profession? It is not. Qualified immunity has not been abused in this state, it merely protects us from frivolous lawsuits. Taking qualifed immunity away will lead to excellent Police Officers finding other careers, its that simple. In doing so less qualified candidates will take the job as a Police Officer. Crime and poor decisions will go up and the moral fabric of this society will drop. It seems extreme, but it is not far fetched.

Police Officers in this state feel very unwanted and in the dark right now. It absolutely is not right. We are the same people that handled the Boston Marathon bombing. We are the same people that the public calls on in dire situations.

In closing, I hope this email gets to the right audience. We are a very proud and humble profession, please do not diminish it.

Thank you,

Officer Bonczar

Get Outlook for Android <[scsd109@gmail.com](https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_ghei36&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=T6LJAKFyipAEA5rbY6JeWJrasVmUfoq2mKxCNrqzd0U&s=b_6Zq7upCa26JzJ-mrUd3tAtQDsQAzaCCKupIdt_250&e=>>
From: Ben P <
Sent: Thursday, July 16, 2020 8:47 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Ben Petropoulos, and I live at 20 Tanglewood Ave, Tewksbury, MA, I work at The South Bay House Of Correction, 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.

????????? ?????????? ?????????????? ??????????: 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,
Ben Petropoulos

Sent from my iPhoneFrom: obrien3442@gmail.com
Sent: Thursday, July 16, 2020 8:46 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Testimony

Dear House of Representatives,

My name is Mark O'Brien and I live at 53 Brookfield Road, Andover, MA 01810 <x-apple-data-detectors://0> . 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,

Mark O'Brien

From: Brad Smith <smithbradley01960@yahoo.com>

Sent: Thursday, July 16, 2020 8:46 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: Pauline Crispell <pollyann02481@yahoo.com>

Sent: Thursday, July 16, 2020 8:46 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,

Pauline S. Crispell

Sent from my iPad
From: Chuck Geier <chcukucg@icloud.com>
Sent: Thursday, July 16, 2020 8:45 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police

Sent Dear House of Representatives,

My name is Charles Geier. I live at 41 Forrester Rd, Wakefield MA 01880, USA. 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,

Charles Geier my iPhone
From: Nancy Moz <nmoz54@gmail.com>
Sent: Thursday, July 16, 2020 8:45 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Nancy Moz and I live at 6 Forest St Wilmington, Ma 01887. I work at Millipore Sigma as an Associate Scientist. 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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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,

Nancy Moz

From: hugh <moonislandbfd@yahoo.com>
Sent: Thursday, July 16, 2020 8:45 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 Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A_go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=pQp8YWxr8WXA21j1Q1oSpKRcgotyw-zxWTU8Dydkauo&s=YW85qZg_OuBITDSTLv-DdEZHpsXKFQ0CRBfrTKGAg9M&e=>> for
Windows 10

From: obrien3442@gmail.com
Sent: Thursday, July 16, 2020 8:45 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

Dear House of Representatives,

My name is Mark O'Brien and I live at 53 Brookfield Road, Andover, MA 01810. 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:

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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. 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,

Mark O'Brien
From: Zachary Surette <zmsurettel924@gmail.com>
Sent: Thursday, July 16, 2020 8:44 PM

To: Testimony HWM Judiciary (HOU)

Dear House of Representatives,

My name is Zachary Surette and I live at 22 Laurel St Wakefield Ma 01880. 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:

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Sincerely,

Zachary Surette

From: bigandy1975 <bigandy1975@charter.net>

Sent: Thursday, July 16, 2020 8:44 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,

Andrew Lukomski

Sent from my T-Mobile 4G LTE Device

From: Carey Manning <carey.manning@gmail.com>
Sent: Thursday, July 16, 2020 8:44 PM
To: Testimony HWM Judiciary (HOU)
Subject: Pass S.2820

Carey Manning
90 Turner St.
Brighton, MA

Dear Chair Michlewitz, Chair Cronin and members of the House Ways & Means and Judiciary Committee,

I am writing in favor of S.2820 to bring about needed reform of our criminal justice system in MA. I urge you to act quickly to pass this bill into law and strengthen it. The follow items should be contained in

the final bill to start the transformation we need to address systemic racism in our state:

1. Qualified Immunity needs to end as it is shielding officers from being held accountable for misconduct and perpetuating systemic racism.
2. We also need to establish a statewide certification authority for police and a process for decertifying problem officers - this is already in place in 46 other states!
3. Ban use of choke holds and no knock raids which have resulted in the murders of far too many people, disproportionately Black and Brown, at the hands of police. These tactics should not be allowed in the state of MA.

Please pass this bill into law to ensure a safe and equitable justice system for all citizens of our state.

Sincerely,
Carey Manning

From: Kerna Pettorelli <kernapop@comcast.net>
Sent: Thursday, July 16, 2020 8:44 PM
To: Testimony HWM Judiciary (HOU)
Subject: Objections to S.2800

Dear Chair Michlewitz and Chair Cronin,

My name is Kerna Pettorelli and I live at 5 Skyview Terrace 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,

Kerna and James Pettorelli

Sent from my iPhone
From: Nick DiCicco <njdicicco368@gmail.com>
Sent: Thursday, July 16, 2020 8:43 PM
To: Testimony HWM Judiciary (HOU)
Subject: Back the blue

The war on police, by BLM and now the politicians, is not going to make this country better. Getting rid of Qualified Immunity, amongst other proposals, is only going to backfire.

Cops will stop being proactive (take a look at what happened after NYPD disbanded their Olin clothes units). Cops will retire/quit in droves. You will get minimal candidates, and the ones you get will be subpar.

I implore you to think of the overall consequences this decision will make if this Bill passes.

Nick DiCicco's iPhone
From: Regina Young <ReginaJYoung@hotmail.com>
Sent: Thursday, July 16, 2020 8:43 PM
To: Testimony HWM Judiciary (HOU)
Cc: Tarr, Bruce E. (SEN)
Subject: Objections to S.2800

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street

Boston, MA 02133

Dear Representatives Michlewitz and Cronin,

My name is Regina Young and I live at 415 Boxford Street 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.

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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.

As a police wife of 15 years, the only thing my husband should have to worry about when on the job is coming home safe to our three children and myself. The atrocities that police officers see and face every single day cannot even be imagined by the general public. The very people who are pushing for this bill, could never last a minute in their shoes, let alone 15 years.

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,

Regina J. Young

From: Danielle Fahey <daniellefahey1002@gmail.com>
Sent: Thursday, July 16, 2020 8:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

To Whom It May Concern,

I am a registered voter in the state of Massachusetts and want you to know how disappointing I found that the senate's bill was rushed quietly through at 4 in the morning without any discussion from their constituents. I hope you don't do the same.

The Senate bill is an anti-labor bill who are supporting to eliminate Collective Bargaining and the right to due process. It is against their platform as being labor/union supporters.

They blanketed all law enforcement with a broad brush. That is unfair to them and the community. They risk their lives everyday for people like me to stay safe, go to work and live in peace. They should have the same opportunities as other professions do. Nurses and teachers have collective bargaining, are protected from being sued and have a board made up of their peers. How is law enforcement any different?

I support Qualified Immunity, Due Process/Collective Bargaining and a POSAC Board made up of their peers and other law enforcement professionals.

Thank you for listening to me and know I and many others will be watching this closely to how this is handled and addressed since it's an election year.

Thank you,

Danielle Fahey

From: Karen Klaczak <kklaczak@yahoo.com>
Sent: Thursday, July 16, 2020 8:41 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: Eileen Marum <u_emarum@umassd.edu>
Sent: Thursday, July 16, 2020 8:33 PM
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,

Eileen Marum
41 Mill St Apt 207
Marion, MA 02738
u_emarum@umassd.edu

From: Vanity Hair Salon <vanityhairsalon1@gmail.com>
Sent: Thursday, July 16, 2020 8:40 PM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified immunity

To Whom it May Concern,

I am strongly opposed to many of the components of this bill. 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.

Should Qualified Immunity disappear officers will no longer be proactive or try to apprehend a suspect or violent person for they 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 had 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 slow down 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. But 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. Batters 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 murder. I believe Sgt. Michael Chesna lost his life and an innocent woman because of the fear of using excessive force as the male was "only" armed with a rock.

Good officers doing good work and being proactive will generate complaints. I have been a police officer for 11 years in the community I grew up in. Everyday I try to serve and protect those in my community to the best of my abilities. I truly care about people and often I am kept up at night wondering if the victims I work with will be okay upon my next shift in. In my career I have generated complaints because people were not happy they were pulled over, placed into protective custody for their own safety when they were highly impaired, and felt discriminated against due to their mental health when I assisted and elderly couple get restraining orders against their abusive adult child struggling with their mental health. 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 and showing and Officer has a certain amount of complaints will give the false perception the officer is a bad one.

In closing, I respectfully request you do not remove Qualified Immunity and do not have a public database regarding officer complaints this jeopardizing Officers and their family's safety. Thank you for taking the time to read my testimony.

Catherine Keene
North Reading

Sent from my iPhone

--

Catie Keene
Owner & Stylist
Vanity Hair Salon
979 Main St, Wakefield, MA 01880
781.245.5040
van <mailto:vanityhairsalon1@gmail.com> ityhairsalon1@gmail.com
<mailto:vanityhairsalon1@gmail.com>

Please be aware that due to the nature of our business being mostly with clients behind the chair, we do not check e-mails as often as we'd like. For this reason we ask that you call the salon for quicker assistance and appointment booking. Thank you!

From: Amy Toothaker <toothy410@icloud.com>
Sent: Thursday, July 16, 2020 8:40 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony Regarding Bill 2820

Dear House of Representatives,

My name is Ray Toothaker and I live at 48 North Emerson Street in 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,

Ray Toothaker

From: Officer Matthew Chambers <mchambers@wakefieldpd.org>
Sent: Thursday, July 16, 2020 8:40 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear House of Representatives,

My name is Matthew Chambers and I live at 54 Plymouth Rd Wakefield MA 01880. 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:

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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. 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,

Matthew Chambers

From: lk02189 <lk02189@gmail.com>
Sent: Thursday, July 16, 2020 8:40 PM
To: Testimony HWM Judiciary (HOU)
Cc: Leah Karvelis
Subject: S.2820

My name is Leah Karvelis and I live at 52 Read Drive, Hanover, MA. I am writing to you today to express my strong opposition to many pieces of S.2820. This bill, as currently written, includes some very concerning pieces. I appreciate the willingness of the House to listen to the people you represent. Thank you.

Here are a few pieces that concern me the most:

- 1) 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.
- 2) Due Process for all police officers: Fair and equitable process under the law. Police Officers deserve the right to appeal given to all public servants.
- 3) POSA Committee: The composition of the POSA Committee must include members of law enforcement. In the same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

Taking away Qualified Immunity and Due Process for Police Officers is unfair and dangerous to not only the police officers it protects, but to the communities they serve. Good police officers will be subject to frivolous civil lawsuits. Police Officers put their lives on the line everyday, should they also be forced to put their homes and life savings on the line? Police Officers need to make split second, life or death decisions, and do so to the best of their ability. I fear that losing Qualified Immunity and Due Process will cause them to pause before taking action, putting their lives in further danger. Don't they give enough by putting their lives on the line each and every day? Should they now be afraid of losing all they've worked for? For their families to lose their homes and life savings? A majority of Police Officers are GOOD police officers. They became Police Officers because they want to help people, not because they want to hurt people. They put their lives on the line everyday to serve and protect their communities. Are we to punish those

good and decent police officers because of the deplorable actions of a few? Are we to judge all police officers based on the actions of a few? Are we to make their jobs even more dangerous? Who would want such a job? I fear our communities will lose qualified police officers, that qualified future candidates would not want to become police officers. I fear for our current and future communities. As a Hanover resident, I want the most qualified officers protecting my family. I don't want them to pause when responding to my or my family's urgent need for assistance. I want to call 911 and know that I am protected by the best. I want to feel safe in my home and community. As a citizen I deserve no less.

My husband is a Quincy Police Officer. Each time he leaves for work, we are well aware of the risks, the fact that he might not come home. We hug him and tell him to be careful and we pray for his safe return. We await his arrival back at home so we know that he is safe. In today's world, the job of the men and women in law enforcement is more dangerous than it has ever been. My children ask why everyone hates their dad. What kind of world do we live in where our police officers are the enemy? They fear he will be killed simply for being a police officer. What kind of world do we live in when police officers are targets because of the work that they do? Law Enforcement Officers know the risks when taking the oath to protect and serve their communities, but to be targeted and hated, is wrong. And now to have their rights taken away, is simply unacceptable. This bill, as currently written, will make it nearly impossible for these officers to do their jobs safely and effectively.

The men and women who protect and serve in our Massachusetts communities are some of the most professional and educated in the nation. As a citizen, a community member, a voter, the wife of a police officer and, most importantly, as the mother of children whose father is a police officer, I implore you to spend more time evaluating this bill and making the necessary amendments to afford the men and women in law enforcement the rights and protections needed to do their jobs safely and effectively. Their lives literally depend on it.

Respectfully,
Leah Karvelis
52 Read Drive
Hanover, MA 02339
lk02189@gmail.com
From: Elizabeth Curtis <ermcurtis@gmail.com>
Sent: Thursday, July 16, 2020 8:40 PM
To: Testimony HWM Judiciary (HOU)
Subject: Personal Testimony on Policing Omnibus Bill S.2820

Dear members of House leadership,
My name is Elizabeth Curtis, I have been a resident of the Fenway/Longwood area of Boston for 6 years. I am writing to you today to express my testimony regarding Policing Omnibus Bill S.2820. This bill does almost nothing to prevent state violence against Black people or stop the flow of Black people into jails and prisons. I have also been horrified at the strong-arm bullying I have seen the MA police unions (specifically the Boston Police Patrolmen's Association) use

in attempts to sway our elected officials. The police must be held accountable for violating our rights: we cannot let them intimidate elected officials and stand in the way of justice.

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. Representatives- you can do better.

Thank you. I look forward to watching your discussion and holding you personally responsible.

Best,

Elizabeth Curtis

Research Assistant, Harvard Medical School

978-394-85274

ermcurtis@gmail.com

From: steve douce <sdouce28@yahoo.com>

Sent: Thursday, July 16, 2020 8:40 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

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,

Steven J Doucette

184 Nahant St. Wakefield, MA 01880

SDouce28@yahoo.com

From: Rodrigo Araujo <rodtjf@live.com>
Sent: Thursday, July 16, 2020 8:40 PM
To: Testimony HWM Judiciary (HOU)
Subject: Hello

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Rodrigo Araujo and I live at 6 Ernest ave, Worcester MA, I work at Mci Shirley 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

Rodrigo Araujo

Meaghan Leary <meagleary@aol.com>

Sent: Thursday, July 16, 2020 8:39 PM

To: Testimony HWM Judiciary (HOU)
Subject: S2820

Dear House of Representatives,

My name is Meaghan Roberto and I live in Topsfield. 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,

Meaghan Roberto

Sent from my iPhone
From: paulshibley <paulshibley@comcast.net>
Sent: Thursday, July 16, 2020 8:38 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,

Paul Shibley
Clinton, Ma

Sent from my Verizon, Samsung Galaxy smartphone

From: Karen Klaczak <kklaczak@yahoo.com>
Sent: Thursday, July 16, 2020 8:38 PM
To: Testimony HWM Judiciary (HOU)
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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: ASHLEY ENNIS <aennis91@aol.com>
Sent: Thursday, July 16, 2020 8:38 PM
To: Testimony HWM Judiciary (HOU)

Dear House of Representatives,

My name is Ashley and I live at 63 Secor Way, Tewksbury, MA. 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:

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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. 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 Ennis

From: Julie Bernstein <julie.bernstein.borhani@gmail.com>

Sent: Thursday, July 16, 2020 8:37 PM

To: Testimony HWM Judiciary (HOU)

Subject: Comments on Police Reform

Dear Representatives Cronin and Michlewitz,

I have learned from Rep. Garlick about your willingness to hear testimony on police reform legislation. I am not a professional nor a directly impacted person, but I volunteered with The Justice Collaborative for most of the year and have been educating myself on criminal justice reform. I would like to share some of what I have learned with you.

I have learned that community involvement is key in any efforts at reform, transparency is critical, data collection must be accurate, and the Attorney General should be empowered to investigate police and sheriff departments that violate someone's constitutional rights. One place where many of these reforms have been adopted is the Sacramento Police Department. After the murder of Stephon Clark in 2018, the department was investigated by California Attorney General Xavier Becerra; this investigation led to a number of reforms, later enacted in law, to clearly define excessive use of force, compel officers to intercede in and promptly report on excessive use of force they observe to their superiors, who must in turn report it to the DOJ, and to obligate officers to immediately procure medical care for someone injured by use of force (AB 392 and SB 230). Much of the content of these laws drew upon recommendations from the Police Executive Research Forum:

<https://www.policeforum.org/assets/30%20guiding%20principles.pdf>

<[https://urldefense.proofpoint.com/v2/url?u=https-](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.policeforum.org_assets_30-2520guiding-2520principles.pdf&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=3_EewcdgffF5ilZ44ezdYfHm7mnagzrcw8v80Dh0iEfM&e=>)

[3A__www.policeforum.org_assets_30-2520guiding-](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.policeforum.org_assets_30-2520guiding-2520principles.pdf&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=3_EewcdgffF5ilZ44ezdYfHm7mnagzrcw8v80Dh0iEfM&e=>)

[2520principles.pdf&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.policeforum.org_assets_30-2520guiding-2520principles.pdf&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=3_EewcdgffF5ilZ44ezdYfHm7mnagzrcw8v80Dh0iEfM&e=>)

[fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.policeforum.org_assets_30-2520guiding-2520principles.pdf&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=3_EewcdgffF5ilZ44ezdYfHm7mnagzrcw8v80Dh0iEfM&e=>)

[13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.policeforum.org_assets_30-2520guiding-2520principles.pdf&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=3_EewcdgffF5ilZ44ezdYfHm7mnagzrcw8v80Dh0iEfM&e=>)

[AY9tyq50&s=3_EewcdgffF5ilZ44ezdYfHm7mnagzrcw8v80Dh0iEfM&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.policeforum.org_assets_30-2520guiding-2520principles.pdf&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=3_EewcdgffF5ilZ44ezdYfHm7mnagzrcw8v80Dh0iEfM&e=>)

[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=20192](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.policeforum.org_assets_30-2520guiding-2520principles.pdf&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=3_EewcdgffF5ilZ44ezdYfHm7mnagzrcw8v80Dh0iEfM&e=>)

[0200AB392](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=20192020AB392) <[https://urldefense.proofpoint.com/v2/url?u=https-](https://urldefense.proofpoint.com/v2/url?u=https-3A__leginfo.legislature.ca.gov_faces_billNavClient.xhtml-3Fbill-5Fid-3D201920200AB392&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=RKlieQcd8daQ5VypnS0uCpK6IcssSQXCnaPFQ1mPDKOk&e=>)

[3A__leginfo.legislature.ca.gov_faces_billNavClient.xhtml-3Fbill-5Fid-](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=20192020AB392)

[3D201920200AB392&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=20192020AB392)

[fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=20192020AB392)

[13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=20192020AB392)

[AY9tyq50&s=RKlieQcd8daQ5VypnS0uCpK6IcssSQXCnaPFQ1mPDKOk&e=>](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=20192020AB392)

[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=20192](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=20192020SB230)

[0200SB230](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=20192020SB230) <[https://urldefense.proofpoint.com/v2/url?u=https-](https://urldefense.proofpoint.com/v2/url?u=https-3A__leginfo.legislature.ca.gov_faces_billNavClient.xhtml-3Fbill-5Fid-3D201920200SB230&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=RKlieQcd8daQ5VypnS0uCpK6IcssSQXCnaPFQ1mPDKOk&e=>)

[3A__leginfo.legislature.ca.gov_faces_billNavClient.xhtml-3Fbill-5Fid-](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=20192020SB230)

[3D201920200SB230&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=20192020SB230)

fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk
13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-
AY9tyq50&s=Ucjggi3uXI-alsNRkKkQ1SyWwyq-BBdLbWluFnKQ8h0&e=>

Sacramento Police Chief David Hahn, the first African American to lead this department, has incorporated community exposure into police training because, as an African American in policing for 30 years, he recognizes that no amount of training is a substitute for the experiential learning that comes from imbedding oneself in a community. His department has instituted a requirement that police in basic training volunteer in the community. He also includes presentations by people directly affected by the justice system in the continuing education program. See:
<https://www.wbur.org/onpoint/2020/07/16/sociologist-michael-sierra-arevalo-on-how-police-expectation-of-danger-drives-brutality>
<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.wbur.org_onpoint_2020_07_16_sociologist-2Dmichael-2Dsierra-2Darevalo-2Don-2Dhow-2Dpolice-2Dexpectation-2Dof-2Ddanger-2Ddrives-2Dbrutality&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=ebyW9MNV44sNr-Ohxr4VRzbU0Cnix2NWh58C2AD9G-E&e=> . Attorney General Becerra goes even further, stating that he believes police officers should be required to live in the neighborhood that they police. He promotes the adoption of "Eight Can't Wait," immediate reforms to all police departments recommended by Campaign Zero. These reforms include: ban chokeholds and strangleholds, require deescalation, require warning before shooting, require exhausting all alternatives before shooting, duty to intervene, ban shooting at moving vehicles, require use of force continuum, and require comprehensive reporting. <https://8cantwait.org>
<https://urldefense.proofpoint.com/v2/url?u=https-3A__8cantwait.org&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=4P8uNcnyDTi2imMbijsTAT3jIM13Lxbi9D3xucvWC4g&e=>

It has been demonstrated through data collected by Microsoft's Campaign Zero that police union policy is the biggest impediment to compliance with regulations imposed at the state level, so police union contracts must be renegotiated to reflect desired outcomes. Here is a list they compiled of the barriers to effective misconduct investigations and civilian oversight present in police union contracts:
<https://www.joincampaignzero.org/contracts>
<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.joincampaignzero.org_contracts&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=tALLXMAWNAEQtdDJsFqHuXNxs_SnYBQ0EJRjXCzTYM&e=>

Phillip Atiba Goff, CEO of the Center for Policing Equity, believes that everyone has bias based on race, gender, religion etc., but that under stress decisions will most reflect these biases, so it is imperative to mitigate the stress. He did research in Las Vegas, where police

established a foot pursuit policy wherein the officer who was giving chase would not be the first person to put their hands on the suspect; coordinated backup arriving on the scene would instead take on that role. The idea is that foot pursuits frequently led to excessive use of force simply because in high-adrenaline chases the officer and the suspect can get really angry, really fast. The policy change seemed successful, having resulted in a 23% reduction in total use of force, and an 11% reduction in officer injury over several years and a decrease in racial disparities. See: <https://www.vox.com/2020/6/1/21277013/police-reform-policies-systemic-racism-george-floyd>

<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.vox.com_2020_6_1_21277013_police-2Dreform-2Dpolicies-2Dsystemic-2Dracism-2Dgeorge-2Dfloyd&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=PW_BAWrYbAXNjaxaxwwGQ08tIx6fcnsUp05SIhTODRc&e=> . Oakland, CA has just approved a new foot pursuit policy requiring that if an officer loses sight of a suspect, they cannot continue to follow them, they have to step back and set up a perimeter. Again the idea is to remove the immediacy to decrease the impact of bias. See: <https://www.wbur.org/hereandnow/2020/07/14/understanding-implicit-racial-bias> <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.wbur.org_hereandnow_2020_07_14_understanding-2Dimplicit-2Dracial-2Dbias&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=PrIplsY0x05QfIlIkLZrJDyyvTcCt_7bq5k-LpLqfo8&e=> .

As you have heard, there are many who advocate decreasing the portfolio of police to eliminate things like interactions with the homeless, the mentally ill, and drug users. The basis for this proposal is data such as a NY Times analysis demonstrating that only 1% of calls to 911 are for violent crimes, only 4% of police time is spent on crime, and 20% of calls are mental health calls. See:

<https://www.nytimes.com/2020/06/19/upshot/unrest-police-time-violent-crime.html> <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.nytimes.com_2020_06_19_upshot_unrest-2Dpolice-2Dtime-2Dviolent-2Dcrime.html&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=SlHBCivuS-LYn2McHnXltNGLz79nTCb8vH5uDSZLtwY&e=> . Data from Los Angeles show that one third of use of force cases involve homeless people. See: https://laist.com/2019/03/12/lapd_homeless_report_force_citation.php <https://urldefense.proofpoint.com/v2/url?u=https-3A__laist.com_2019_03_12_lapd-5Fhomeless-5Freport-5Fforce-5Fcitation.php&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=vwvXG5kcfVTsUwxcqppVg2C990QcavZnagxXOKpXu5U&e=> .

It is crucial that community organizations that address homelessness, mental health, and drug addiction be installed before we engage in major changes in the police portfolio. Changes must be adopted incrementally so

that data can be collected on the success of each intervention. Interventions must be built from the bottom up, as in the example of the community safety interventions implemented by the Colorado Justice Reform Coalition, where attention to detail was paramount and was accomplished at the local level. <https://www.ccjrc.org>
<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.ccjrc.org_&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=owwBEjBYEHJdYqg4n96hRGWv2k8AIRD7wtgfrnLRZLM&e=>

I have just touched the surface here, but I hope that I am conveying how complicated it is to correct injustices that result from current policing methods, and the importance of data-driven approaches, focused research on each aspect, and input from local communities, and a realization that we may not find one size fits all solutions.

Thanks for your consideration of this important issue,

Julie Bernstein

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Julie Bernstein
Please reply to: julie.bernstein@alum.mit.edu
From: Lori Masi <hopelma@comcast.net>
Sent: Thursday, July 16, 2020 8:37 PM
To: Testimony HWM Judiciary (HOU)
Cc: Tarr, Bruce E. (SEN)
Subject: Public In put on S2800

Senate Bill S2800 was reviewed in the dead of night and passed in the early morning hours by the Massachusetts' State Senate without a required Public Hearing. I was informed at 2:00 pm today by Sen. Bruce Tarr that I would have until 11:00 am tomorrow, July 17, 2020, to respond to it in writing.

These are my Concerns:

1. Since S2800 circumvented the normal requirement of a Public Hearing for such a far-reaching bill, I believe it may have been an "emotional reaction" to the horrific events that have been happening in cities throughout the United States. It grieves me that there has been organized efforts to fan the flames of conflict between races and both financially and verbally support of racial division. Some of those who are "fanning the flames" may have the political objective of overthrowing our Constitutional Republic and replacing it with a Socialist government. I think that only a well thought out, unhurried and rational approach to review the need for Police Oversight should be taken.

2. Such terms as "systemic racism" and "racial justice" seem to apply to one race rather than to all races. We have had "Affirmative Action" for many years. I am concerned about "reverse racism". One cannot cure racism by instituting another form of racism.

3. The bill did not enlist input from any Black or Latino Police Officers who may have given another or additional perspectives.
4. A Citizen's Committee that may not have diverse opinions and do not have representatives from the Police department should not have so much power over our Police and other municipal servants. There could be an Advisory Committee to the Governor which should be composed of individuals who have opposing insights and opinions.
5. The bill limits "qualified immunity" for good police officers and limits their ability to control violence on our streets by:- Banning use of facial recognition and limited chokeholds, -Limiting use of tear gas and - Making school resource officers optional.

As a senior citizen, I am concerned that our Police Officers feel that they have strong support from leaders in our Commonwealth in doing their many times very dangerous job. We do not want Mob Rule nor Vigilantism that may fill the vacuum left when there is no power to enforce law and order. I only ask for open minds to my opinions during such tumultuous times.

Best regards, Lorraine D. Masi, Beverly

From: Sandra Harrington <sandyrn73@yahoo.com>
Sent: Thursday, July 16, 2020 8:37 PM
To: Testimony HWM Judiciary (HOU)
Subject: To Defund the Police would bring down America

Sent from my iPhone
Concern

To Whom It May

Our Country is out of control!!!
Defunding the Police would cause lawlessness! We need PEACE!
The well trained police deal with many types of situations and help so many people, risking their lives every time they go to work. God help all Americans if this issue continues! Please do the right thing and reconsider this sad bill!

Sincerely,

Sandra Harrington
Paxton, MA 01612

From: Michael Lis <michael.lis@gmail.com>
Sent: Thursday, July 16, 2020 8:36 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please support the reasonableness standard in the police reform bill

Honorable Members of the House Judiciary and Ways and Means Committees,

I write in support of the Police Reform Bill S2820 in front of you, in particular the section pertaining to Qualified Immunity and the creation of a Reasonableness Standard.

Right now, citizens have nearly no recourse in the event that their personal or property rights are violated by the police. Even the most egregious violations, confirmed by video or admission, do not meet the standard for civil or criminal action.

This law would create a standard whereby if an officer can be shown to have known they were violating someone's rights, they (or their employer if so indemnified) can be held liable.

This is still a very high standard, as it requires knowledge of the officer's state of mind, and would require a blatant violation of civil rights.

We ask a lot of officers we hire to protect us, but we also give them a monopoly on the use of force. We must treat that monopoly as a responsibility, and expect officers to use it well.

Thank you for your time,

Michael Lis
(781) 534-2719
michael.lis@gmail.com
30 Leanne Dr
North Andover, MA 01845

From: Lyle Cooper <lcooper370@comcast.net>
Sent: Thursday, July 16, 2020 8:36 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,

Lyle F. Cooper

From: Athena Jacobowitz Teatum <athena.j.teatum@gmail.com>
Sent: Thursday, July 16, 2020 8:36 PM
To: Testimony HWM Judiciary (HOU)
Subject: Public Testimony on S.2800 to the House Ways and Means and Judiciary Committees

Public Testimony on S.2800 to the House Ways and Means and Judiciary Committees

July 16, 2020

Dear Chair Cronin, Chair Michlewitz, Vice Chair Day, Vice Chair Garlick, and Members of the House Ways and Means and Judiciary Committees:

I am writing to express my support of strong police reform and accountability legislation as the House considers S.2800, the Reform, Shift, and Build Act, which recently passed the Senate. I also urge the Committees to consider the disparities facing LGBTQ youth with respect to policing, the school-to-prison pipeline, and involvement in the juvenile justice system, which have led to LGBTQ youth—particularly LGBTQ youth of color—to be starkly overrepresented in the juvenile and adult justice systems.

As the recent murder of black transgender man Tony McDade at the hands of police sadly exemplifies, LGBTQ americans are all too often subjected to violent persecution at the hands of the police. Massachusetts, vaunted blue state though it may be, still struggles with this fact. Last August, at Boston's infamous "Straight Pride Parade", an overwhelming and over-militarized police presence was turned against the LGBTQ community, beating and pepper-spraying dozens of peaceful counter-protesters without provocation, escalating a peaceful situation into a violent one. All too often, in this and similar situations, the police are the aggressors, taking advantage of their overwhelming superior force and functional freedom from consequence to take out their frustrations on our LGBTQ bodies violently, knowing that they can act with impunity. As a transgender woman and as a member of the Massachusetts State Commission on LGBTQ Youth, I am urging you to protect our community from the ever-present threat of police violence.

LGBTQ youth are twice as likely to enter the juvenile justice system as their non-LGBTQ peers, while LGBTQ youth of color are 4 times more likely to be incarcerated as white youth. An estimated 85% of LGBTQ youth in the justice system are youth of color. Various forces contribute to the overrepresentation of LGBTQ youth in the juvenile justice system, including discrimination and stigma that increase the number of incidents of harassment and violence against LGBTQ youth. Discrimination and stigma may also result in policies and policing strategies that disproportionately target LGBTQ youth, especially youth of color.

I urge you to pass significant limits on the use of force by police officers, as laid out in Rep. Miranda's bill (HD.5128), and to include additional protections for children during interactions with law enforcement officials. This legislation should include a prohibition on restraining minor children in a prone or hog-tie position, mandate that de-escalation techniques that are developmentally appropriate be utilized, and that law enforcement be trained in these techniques. Finally, I urge you to include school resources officers, constables, and special service officers in the definition of law enforcement officers subject to use of force provisions.

It is absolutely imperative that Massachusetts abolish the dangerous doctrine of qualified immunity. because it shields police from being held accountable to their victims. Limiting the ability of the police to use force is meaningless if those limits cannot be enforced, and police who abuse their power must be held accountable to their victims. The alternative is, frankly, terrifying, for what does it matter who watches the watchmen if nothing can be done about it? That is the situation we have today, where even the most blatant and violent civil rights violations cannot be punished due to qualified immunity. It denies victims of police violence their day in court. If police are able to act with impunity, we arrive at a situation where police officers are able to appoint themselves judge, jury, and executioner, and that is not what the american justice system is meant to be. Ending or reforming qualified immunity is the most important police accountability measure in S2820. We urge you to end immunity in order to end impunity.

I also urge you to pass significant limits on the use of force by police officers, as laid out in Rep. Miranda's bill (HD.5128). Chemical weapons such as tear gas are banned by the Geneva convention- why do we allow the police to subject our own citizens to weapons so harsh that their use would lead to a trial in the Hague in any other circumstance? Even so-called "less lethal" armaments like rubber bullets can still permanently destroy eyes and fracture skulls, making them completely unacceptable to be used on civilian populations. I also urge you to include additional protections for children during interactions with law enforcement officials. This legislation should include a prohibition on restraining minor children in a prone or hog-tie position, mandate that de-escalation techniques that are developmentally appropriate be utilized, and that law

enforcement be trained in these techniques. Finally, I urge you to include school resources officers, constables, and special service officers in the definition of law enforcement officers subject to use of force provisions.

Thank you for your consideration,

Athena Jacobowitz Teatum

Member of the Massachusetts State Commission on LGBTQ Youth

1-978-223-0283

Athena.j.teatum@gmail.com

From: Nicole Walker <ncomora@yahoo.com>
Sent: Thursday, July 16, 2020 8:36 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Nicole Walker and I live at 47 Mildred St Dracut MA 01826. I work for the Massachusetts Army National Guard and I am a Decon Operations Non-Commissioned 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,

Nicole E Walker

From: James Webster <websta1224@gmail.com>

Sent: Thursday, July 16, 2020 8:35 PM

To: Testimony HWM Judiciary (HOU)

Subject: Patricia Haddad

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.

You stood with me at my graduation. Please stand again with myself and all of my brothers and sisters of all backgrounds, races, colors and creeds against this bill. We want to move forward and upward. This bill is not the answer.

Thank you,

TROOPER JAMES WEBSTER

413 Steven's Road

Swansea, MA 02777

From: Jamie Labonosky <jamielabonosky@gmail.com>
Sent: Thursday, July 16, 2020 8:35 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony in support of House Bill S.2820

Testimony in support of: House 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

Submitted by: Jamie Labonosky of Milton, MA.

My name is Jamie Labonosky, I am a white-privileged, female resident of Milton MA.

I, and my family, have the deeply painful lived experience of having lost a loved one to police-involved violence while they were in the midst of a mental-health crisis. Hence, I strongly support any and all efforts to decrease the use of force by police and in turn any efforts to increase the use of nonviolent de-escalation tactics.

I am also a clinical social worker and within my experiences serving local communities as a mental-health provider I have become well aware that people of color are often deeply fearful of using any sort of emergency-response, especially police, to seek support or security for mental health concerns or crises for valid concern of the disproportionate likelihood that the emergency-response would endanger, rather than secure or support, the person in crisis. All of our commonwealth's residents should feel safe seeking support in times of crisis and not live in fear of inappropriate use of force or violence by police.

Hence, I urge you to support House Bill S.2820 for a more equitable, fair and just commonwealth that truly values and ensures the safety of Black lives and communities of color.

Thank you.

From: Kristin Cronin <kcronin20@gmail.com>
Sent: Thursday, July 16, 2020 8:34 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Opposition

Hello,

As your constituent, I write to you today as a wife of a law enforcement officer, 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,

Kristin Cronin

Billerica, MA 01821 <x-apple-data-detectors://1/1>

kcronin20@gmail.com

From: Judith Reilly <judith.reilly.77@gmail.com>

Sent: Thursday, July 16, 2020 8:33 PM

To: Testimony HWM Judiciary (HOU)

Cc: Lovely, Joan B. (SEN)
Subject: SUPPORT for S.2800 & and an end to qualified immunity for police

Honored Members of the House Ways & Means Committee:

As an American, and a resident of Massachusetts, advancing racial justice is one of my top priorities. Racial justice is a justice issue. It is a public health issue. It is a national security issue, because our failings can be used by our adversaries to further divide us and to undermine the U.S.A. as a beacon of democracy.

I urge the Massachusetts legislature to include in the final Reform, Shift and Build Act the strongest provisions of:

1. HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, which 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.

2. HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, 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.

Ending qualified immunity will simply put police officers on the same footing as doctors. Local governments will be able to get insurance for their police if the departments don't have bad records and bad practices.

In the United States of America, there needs to be equal justice before the law. Armed agents of the state who are granted vast powers over the public should not have "qualified immunity," which is an invention of the courts, not a bedrock American principal, like equal justice.

Thank you for your consideration of my testimony.

Judith Reilly (Ms.)
20 West Ave, Unit 3
Salem, MA 01970
From: Clow Clan <clowclan@comcast.net>
Sent: Thursday, July 16, 2020 8:34 PM
To: Testimony HWM Judiciary (HOU)
Subject: I oppose S.2800

As your constituent, Harry Clow from Walpole, I am writing to you today to express my strong opposition to S.2800 which was passed by the Senate. I ask that you oppose this bill as constituted when it is debated in the House of Representatives. This bill 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. It will cause many good officers to leave due to the new burdens it imposes and will likely only encourage poor candidates for the job.

S2800 establishes a review committee board with overly broad powers, including the power of subpoena, in active investigations. Review boards typically review a process or an event after it has occurred for the purpose of implementing a change. Reviews should not be conducted during the course of an investigation as that would in all likelihood jeopardize the investigation. Why is this language part of the bill?

The current language sets the groundwork for unconstitutional violations of a police officer's 5th amendment right (see *Carney v. Springfield*) and constitutional protections against double jeopardy. Qualified immunity protections (which are really the hallmark of sound and reasonable protections against frivolous lawsuits) are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability protections for the police officers we send out to protect our communities and who often deal with the most dangerous of circumstances with little or no backup. Removing qualified immunity protections in this way will open up officers to personal liabilities the likes of which they cannot withstand. That is a standard that makes no sense and are unnecessary as current laws today adequately address any overreach by law enforcement officers.

I am also demanding that this bill be debated in the light of day and not in the cover of darkness. If you have to resort to sneaking a debate and vote in the middle of the night, then I assert it is "prima facie" a bad bill and "prima facie" bad faith on your part as my Representative.

In summary, this bill is ill conceived, and quite frankly, it is a cornucopia of drivel. If you could set aside for one moment your partisan loyalties, perhaps you will admit to yourself that it is a bad bill and bad policy. Further, how can you or any other Representative reform something of which you know little. Until and unless you have taken substantive police training, I would again ask that you oppose this bill. While I agree that some policing reform should be addressed (good policing should always be evolving as new things are learned) but passing a poor bill for the sake of passing a bill is not in the best interest of the good people of Massachusetts.

I would also encourage you and all your colleagues in the House to perhaps live in a poor urban community with a high crime rate for one month before you decide to change something about which I am going to assume you have little to no knowledge or experience.

For all the reasons stated above, I ask that you oppose this bill.

Sincerely,

Harry Clow

From: Elizabeth Buckley <elizabeth.l.buckley@gmail.com>

Sent: Thursday, July 16, 2020 8:34 PM

To: Testimony HWM Judiciary (HOU)

Subject: S2820

I am writing in support of bill S2820. I am a clinical social worker who has worked with people in eastern Massachusetts for the past 26 years. I have seen the impacts of unjust policing and police brutality over this time. I urge Massachusetts to pass this legislation as a step towards equity and justice.

Thank you,

Elizabeth Buckley, LICSW
9 Sutherland Street
Andover, MA

Sent from my iPhoneFrom: Shane Pelletier <shane.pelletier@ymail.com>
Sent: Thursday, July 16, 2020 8:33 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800/S.2820

Dear House of Representatives,

My name is Shane Pelletier and I live at 81 Aldrich road 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.

Thank you,
Shane Pelletier

From: Christina Yau <chiu431g@yahoo.com>
Sent: Thursday, July 16, 2020 8:33 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: Dawn <windwych@yahoo.com>
Sent: Thursday, July 16, 2020 8:33 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: Mackenzie Ryan <mackenzietryan@verizon.net>
Sent: Thursday, July 16, 2020 8:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified Immunity

Dear Chair Michlewitz and Chair Cronin,

My name is Joanne Mackenzie Ryan and I live at 25 Nevada Rd, Tyngsboro MA. I am a student at Bentley University. 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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????????????????? ??????????????????: 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,
Mackenzie Ryan

Sent from my iPhone
From: Maura Clow <clowclan@me.com>
Sent: Thursday, July 16, 2020 8:32 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to House Bill s2800

As your constituent, Maura Clow from Walpole, I am writing to you today to express my strong opposition to S.2800 which was passed by the Senate. I ask that you oppose this bill as constituted when it is debated in the House of Representatives. This bill 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. It will cause many good officers to leave due to the new burdens it imposes and will likely only encourage poor candidates for the job.

S2800 establishes a review committee board with overly broad powers, including the power of subpoena, in active investigations. Review boards typically review a process or an event after it has occurred for the purpose of implementing a change. Reviews should not be conducted during the course of an investigation as that would in all likelihood jeopardize the investigation. Why is this language part of the bill?

The current language sets the groundwork for unconstitutional violations of a police officer's 5th amendment right (see Carney v. Springfield) and constitutional protections against double jeopardy. Qualified immunity protections (which are really the hallmark of sound and reasonable

protections against frivolous lawsuits) are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability protections for the police officers we send out to protect our communities and who often deal with the most dangerous of circumstances with little or no backup. Removing qualified immunity protections in this way will open up officers to personal liabilities the likes of which they cannot withstand. That is a standard that makes no sense and are unnecessary as current laws today adequately address any overreach by law enforcement officers.

I am also demanding that this bill be debated in the light of day and not in the cover of darkness. If you have to resort to sneaking a debate and vote in the middle of the night, then I assert it is "prima facie" a bad bill and "prima facie" bad faith on your part as my Representative.

In summary, this bill is ill conceived, and quite frankly, it is a cornucopia of drivel. If you could set aside for one moment your partisan loyalties, perhaps you will admit to yourself that it is a bad bill and bad policy. Further, how can you or any other Representative reform something of which you know little. Until and unless you have taken substantive police training, I would again ask that you oppose this bill. While I agree that some policing reform should be addressed (good policing should always be evolving as new things are learned) but passing a poor bill for the sake of passing a bill is not in the best interest of the good people of Massachusetts.

I would also encourage you and all your colleagues in the House to perhaps live in a poor urban community with a high crime rate for one month before you decide to change something about which I am going to assume you have little to no knowledge or experience.

For all the reasons stated above, I ask that you oppose this bill.

Sincerely,

Maura Clow

From: Jean Madden <jeanmadden@aol.com>

Sent: Thursday, July 16, 2020 8:32 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.⁹

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 iPad
From: mark dubree <markdubree73@gmail.com>
Sent: Thursday, July 16, 2020 8:32 PM
To: Testimony HWM Judiciary (HOU)

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Mark DuBree and I live at 325A Washington St. Wellesley, MA. I work at Suffolk County Sheriff's Department 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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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.

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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,
Mark DuBree
From: Alix Sirois <alixsiroisffpt@gmail.com>
Sent: Thursday, July 16, 2020 8:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: I REJECT S2820

To whom it may concern,

I am a Alexandria Sirois, a student attending a university in Boston.

I am contacting anybody that may be able to share my strong feeling to REJECT S2820.

This bill does not allow safety to the hard working men, women, persons of color, or anybody who are in a police uniform. As a matter of fact, this bill not only put police officers in danger, but any criminal of the many who still live outside of prison walls will now find this as an opportunity to act on their bad intentions.

Just the other day, the daughter of a police officer, and strong advocate for BLM stated, "the killing of police officers is the price of ending racism."

I strongly advocate for eliminating racism in this world, BUT I do not stand for the inhuman acts that have resulted from people who oppose police officers, and I do not stand for reducing any security the police force may have. This is not the answer!

This bill will cause much more murder, especially of the police officers who already risk their lives daily. It will invite those who have been hiding in the shadows to come out and wreak havoc because they would be given much more opportunity to do so.

I am free to discuss this matter further with anybody who is willing to listen. I STRONGLY ADVOCATE FOR REJECTING THIS BILL!

Thank you for reading this,
Alexandria Sirois
From: Julie Fariel <juliefariel@comcast.net>
Sent: Thursday, July 16, 2020 8:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: Due Process and Qualified Immunity

To Whom It May Concern,

My name is Julie Fariel and I live in Rockport MA. I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the House and Senate consider legislation revolving around public safety, and in particular police reform, 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 - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous.

Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31 st.

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you for your consideration

Julie Fariel
8 Norwood Ave. Rockport 01866
juliefariel@comcast.net

From: Emily Belastock <emily.belastock@gmail.com>
Sent: Thursday, July 16, 2020 8:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony Pro-Police

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 Emily Belastock and I live at 43 Southpark lane, Mansfield Ma, 02048. I work at Baystate Physical Therapy and am a physical therapy aide. 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,

Emily Belastock

From: Alexander M Samarov <samarov@mit.edu>

Sent: Thursday, July 16, 2020 8:28 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill No. S2820

Dear Representative Aaron Michlewitz, Chair of the House Committee on Ways and Means, and Representative Claire Cronin, Chair of the Joint Committee on the Judiciary,

My name is Alexander Samarov, I am a resident of Brookline, MA for the last 42 years.

To my utter surprise and outrage, I just learned about the passage of the bill in the Massachusetts senate to end qualified immunity for police officers.

The very idea that such a thing as removing qualified immunity from police can be seriously proposed, let alone voted for 30 to 7, seemed totally absurd just a few months ago. 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.

This shameful legislation is unfair, immoral, and harmful to the extreme, especially to the people of color, whom it's supposedly designed to help - this group needs strong law enforcement and police protection more than anybody. 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. And nobody will be interested in joining the police force - the group that not only is unjustly vilified, but now even deprived of any legislative protection.

In the strongest possible terms, I urge you to keep qualified immunity for MA police officers intact.

And I vote.

Alexander Samarov

Brookline, MA

From: Greg H <hayes.gregj@gmail.com>

Sent: Thursday, July 16, 2020 8:28 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,

Gregory Hayes

93 Newcomb St Norton, MA

Sent from my iPhone
From: Phyllis Troia <pjtroia@verizon.net>
Sent: Thursday, July 16, 2020 8:28 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I DEMAND that you 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.

You are all a disgrace. Craven, self interested, self righteous, breathtakingly stupid morons!! You endanger and deprive every citizen of our Commonwealth! Who the hell do you think you are!! YOU SERVE WE THE PEOPLE!! NOT FOREIGN INTERESTS. NOT ILLEGAL ALIENS. This is my home, my money, my life. I owe nothing to you or any felon or any foreign national regardless of legal status.

Phyllis J Troia, MD

627 Long Pond RD
Plymouth MA 02360

From: Clyde Waite <waitensea@comcast.net>
Sent: Thursday, July 16, 2020 8:28 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: Kevin Thomson <kpthomson@verizon.net>
Sent: Thursday, July 16, 2020 8:27 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,

Patricia Thomson

Sent from my iPhone
From: Matthew Robidoux <logan7916@gmail.com>
Sent: Thursday, July 16, 2020 8:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Matthew Robidoux and I live at 126 Silvin Rd, Chicopee, MA, 01013. I am disability retired from Suffolk County Sheriff's Department and I was a Deputy and 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,

Matthew Robidoux

From: Mark Hannon <kylesam53@gmail.com>

Sent: Thursday, July 16, 2020 8:27 PM

To: Testimony HWM Judiciary (HOU)

Cc: Feeney, Paul (SEN); Barrows, F. Jay - Rep. (HOU)

Subject: Police Reform Bill S.2800

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,

Mark Hannon

92 East Belcher rd, Foxboro, Ma

(508) 212-6971

Sent from my iPhone

From: Vaughn Gibson <laylowrecords@hotmail.com>

Sent: Thursday, July 16, 2020 8:27 PM

To: Testimony HWM Judiciary (HOU)

Subject: S2820 Bill

Dear Chair Michlewitz and Chair Cronin,

My name is Vaughn Gibson and I live at 83 Deforest St, Hyde park MA 02136. I work at Suffolk County Sheriff's Department and am a Deputy Sheriff. 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,

Vaughn Gibson

Sent from my iPhone
From: Michael DeCaro <mda184@icloud.com>
Sent: Thursday, July 16, 2020 8:26 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,
Michael DeCaro
23 Karen Dr. Agawam, Ma. 01001
Mda184@icloud.com

From: aaron rego <arod2414@yahoo.com>
Sent: Thursday, July 16, 2020 8:25 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Aaron Rego and I live at 16 Bluejay lane, East Taunton MA. I work at MCI-Norfolk and am a Corrections Officer I. 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 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 ask 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,
Aaron Rego

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_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=X9jSdA82zLWbxjejpYef_ZxrOVvWHDPzM8vOmkSE14E&s=2u00jPQo umh04-kNXudlTN3kL2O8faPQY6JcAVzEX8c&e=>>

From: Betsy McKenna <betsymckenna@gmail.com>

Sent: Thursday, July 16, 2020 8:25 PM

To: Pacheco, Marc (SEN); 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:

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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.

Thank you,

Betsy McKenna

25 Upland Drive

Bridgewater, MA 02324

508-455-7205From:Benji Grubel <bgrubel9@aol.com>

Sent: Thursday, July 16, 2020 8:25 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,

Benji Grubel
27 Cotton St.
Leominster, MA 01453
From: John Kennedy <john.kennedy7@comcast.net>
Sent: Thursday, July 16, 2020 8:25 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,
John Kennedy
125 Legge St.
Bridgewater
(508) 279-1699

Sent from my iPhone
From: Brenda Egan <brn7377@yahoo.com>
Sent: Thursday, July 16, 2020 8:25 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: John Moran <msp2235@yahoo.com>
Sent: Thursday, July 16, 2020 8:24 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,

Jack Moran

3 Lewis Ct

Nantucket, MA 02554

tpr2235@gmail.com

Sent from my iPhone
From: Kevin Taylor <ktaylor782@gmail.com>
Sent: Thursday, July 16, 2020 8:24 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Kevin Taylor and I live at 240 South ST. West Bridgewater MA.. I work at South Bay House of Corrections 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.

????????? ?????????? ?????????????????? ??????????: 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,

Kevin Taylor

From: Patrick Lavey <patlavey11@aol.com>

Sent: Thursday, July 16, 2020 8:24 PM

To: Testimony HWM Judiciary (HOU)

Dear Chair Michlewitz and Chair Cronin,

My name is Patrick Lavey and I live at 620 East Seventh Street, Boston Ma. I work at The Suffolk County Sheriffs 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.

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Sincerely,
Patrick Lavey

Sent from my iPhone
From: Robert Svizzero <robsvizzero@msn.com>
Sent: Thursday, July 16, 2020 8:23 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony S.2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Robert Svizzero and I live at 11 Village Way Natick, MA 01760. I work at Suffolk County Sheriff's Department and 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.

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Sincerely,
Robert Svizzero

Sent from my iPhone From: Brenda Egan <brn7377@yahoo.com>
Sent: Thursday, July 16, 2020 8:23 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: Tracy Ascolillo <tascolillo@gmail.com>
Sent: Thursday, July 16, 2020 8:22 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 Opposed to ending Qualified immunity

Dear Senator,

My name is Tracy Ascolillo and I live in Beverly MA. 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,

Tracy Ascolillo

From: Lisa <lisa.lynn@charter.net>
Sent: Thursday, July 16, 2020 8:22 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.

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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,
Lisa Searles

Sent from my iPad
From: Rob Gonsalves <rgonsalves05@yahoo.com>
Sent: Thursday, July 16, 2020 8:22 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, 52, and amend Section 63 to have more police representation.

You're making it very difficult to continue supporting the Democrat Party, or to live in this State for that matter.

Sincerely,
Robert Gonsalves
2 Hyde Ave
Woburn, MA.

From: John Quinn <quinnbol15@yahoo.com>
Sent: Thursday, July 16, 2020 8:22 PM
To: Testimony HWM Judiciary (HOU)
Subject: I support the police/testimony

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is John Quinn and I live at 17 D Street, Dracut, MA. I work for the Town of Dracut and I 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.

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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 Quinn

From: Paul Wright <pewright89@gmail.com>

Sent: Thursday, July 16, 2020 8:21 PM

To: Testimony HWM Judiciary (HOU)

Subject: Support for SD.2968 and HD.5128

I'm writing to support these two pieces of legislation. Massachusetts police are not exempt from the abuses of police power towards African Americans and other minorities. It's said that all police should not be judged by the actions of a few bad apples, but the saying should be completed that a few bad apples spoils the bunch. Please pass this legislation so that it is easier to hold the bad apples accountable and to prevent further harm.

Paul Wright

Salem, MA

From: Jen Puntonio <mjcbwpuntonio@comcast.net>

Sent: Thursday, July 16, 2020 8:21 PM

To: Testimony HWM Judiciary (HOU)

Subject: Qualified immunity

To whom it may concern

I am writing to you regarding the potential impact of qualified immunity. My husband has been a police officer for 26 years. He chose the profession because he truly wants to help people. That is just his nature. On and off the job.

The fact that this bill may pass is a scary thought for all police families. Officers are out there doing a job that no one else wants to do, risking their lives everyday and will potentially be offered NO protection against frivolous lawsuits.... all because they are acting in good faith by doing their job.

It could have devastating consequences for a lot of people. We have 3 children and have worked hard for everything we have and it doesn't seem right that it could all be taken away from us by someone who called police for help and then decide to turn the tables and sue the officer personally simply for being there to help and doing their job. Most likely the lawsuit will be because they weren't happy with the outcome.

Officers put themselves out there everyday and there is no protection for them. Citizens can do and say what they want, file false reports against

an officer and there is no consequences even when the report is found to be false.

Citizens say they want justice.... where is the justice for the officers out there helping ?

What's going to happen is that no one is going to want to become an officer and the officers close to retirement will simply retire early.

As a police wife, I already worry everyday whether or not my husband will come home from work each day. I kiss him goodbye hoping it's not the last time.

We don't need more to worry about.

Something to think about. Put yourself in an officers shoes or even think about your own job. How would it affect you and your family if you could be sued personally simply for doing your job?

Better yet, contact your local police department and ask to do a ride along with an officer for a day or night. See what they really deal with day to day or if you think you can do a better job than them, the police academy is always taking applicants. YOU go try to do the job they do and have to make split second decisions and just hope you don't get put in a position where a criminal could take everything you and your family have worked so hard for.

Please for the safety and protection of all officers out there, do not allow this bill to pass.

Thank you for your time.

Sincerely

Jennifer Puntonio

Sent from my iPhone

From: ANTHONY DICARLO <adicarlo0812@comcast.net>

Sent: Thursday, July 16, 2020 8:20 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill 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 R. DiCarlo

125 Nathan Lane

Plymouth, MA 02360

adicarlo0812@comcast.net

From: Springer <chrspr@gmail.com>

Sent: Thursday, July 16, 2020 8:21 PM

To: Testimony HWM Judiciary (HOU)

Subject: 2820

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Thank you,

Chris Springer

7 Glenellen Rd

West Roxbury, MA

ChrSpr@gmail.com

From: Ross Pelletier <rpelletier21@gmail.com>
Sent: Thursday, July 16, 2020 8:20 PM
To: Testimony HWM Judiciary (HOU)
Subject: 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,

Ross Pelletier

127 Town Farm Rd

Monson, MA 01057

Sent from my iPhone

From: sboyce1121 <sboyce1121@gmail.com>

Sent: Thursday, July 16, 2020 8:20 PM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony S.2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Steven Boyce and I live at 20 South Dr. Bridgewater. I work at Suffolk County Sheriff's Dept. and am a Correction Officer/ Deputy Sheriff. 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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??: 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 Boyce

Sent from my Sprint Samsung Galaxy S9.

From: jsdig@comcast.net
Sent: Thursday, July 16, 2020 8:20 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony S.2820

Dear Chair Michlewitz and Chair Cronin,

My name is Jeff DiGaetano and I live at 24 Sylvan Circle, Lynnfield, MA. I work at Suffolk County House of Corrections and am a 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.

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Sincerely,
Jeff DiGaetano

From: brian pacheco <brion24@hotmail.com>
Sent: Thursday, July 16, 2020 8:20 PM
To: Testimony HWM Judiciary (HOU)
Subject: 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.

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,

Brian Pacheco

521 Estherbrook Ave

Dighton, Ma 02715

Sent from my T-Mobile 4G LTE Device

From: Rudy Tryon <rtryon14@yahoo.com>
Sent: Thursday, July 16, 2020 8:20 PM
To: Testimony HWM Judiciary (HOU)
Subject: New stupid ignorant 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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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,

Rudy Tryon

196 pond st, Weymouth, ma

6176949457

From: queenb864@comcast.net
Sent: Thursday, July 16, 2020 8:19 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,

Patricia A Kelley

67 Elm Street, Byfield

queenb864@comcast.net

Sent from my iPhone

Sent from my iPhone

From: dcsbelle@gmail.com

Sent: Thursday, July 16, 2020 8:19 PM

To: Testimony HWM Judiciary (HOU)

Subject: Senate police reform bill, S.2800

To Massachusetts Lawmakers,

I endorse wholeheartedly the remarks below as issued by the LWVMA.

"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."

Sincerely,

Deborah Schneider

Salem MA From: Jason Bernardo <jasonmichaelbernardo@gmail.com>

Sent: Thursday, July 16, 2020 8:18 PM

To: Testimony HWM Judiciary (HOU)

Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Jason Bernardo and I live at 93 Captain Bacon, Road, South Yarmouth, MA. I work at Barnstable County Sheriff's Office am a K9 Handler. 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 the proposed legislation petitions 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,

Jason Bernardo

From: Tim OConnor <77okie@gmail.com>

Sent: Thursday, July 16, 2020 8:18 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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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,

Tim O'Connor

10 Strathmore Rd

East Bridgewater, MA

Sent from my iPhone
From: Jeff Young <jeff1734@hotmail.com>
Sent: Thursday, July 16, 2020 8:17 PM
To: Testimony HWM Judiciary (HOU)

Subject: Objections 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 Jeffrey P. Young and I live at 415 Boxford Street 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 in the Massachusetts House of Representatives tomorrow for consideration.

My oppositions to this bill are very simple and straightforward. 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.

Very truly yours,

Jeffrey P. Young

415 Boxford Street

North Andover, MA 01845

From: Jim Crawford <crawfordrj@comcast.net>
Sent: Thursday, July 16, 2020 8:16 PM
To: Testimony HWM Judiciary (HOU)
Cc: Soter, Michael - Rep. (HOU); Fattman, Ryan (SEN)
Subject: Police Reform bill (S.2800)

Sirs;

With all due respect, S2800 is a terrible bill from the get go. Perhaps well intentioned, but will do nothing but handcuff our first responders.

The best thing that could happen is for it to die in committee.

How could anyone in their right mind consider a bill that includes provisions that

- prohibit schools from cooperating with law enforcement agencies
- allow individuals to expunge more than 1 charge before their 21st birthday
- prohibit the use of biometric surveillance
- remove the requirement for a school resource officer
- authorize the AG to bring civil lawsuits against officers
- allow a person to bring civil lawsuits against officers
- remove monetary claims from qualified immunity

I would expect much better from our elected representatives.

Robert J Crawford
87 Jeannine Rd
Bellingham MA 02019

From: Ricky Kielczweski <ricky_kielczweski@msn.com>
Sent: Thursday, July 16, 2020 8:17 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Ricky Kielczweski Jr and I live at 243 Maquan St Hanson, MA 02341. I work at Suffolk County Sheriff Department 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.

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Sincerely,
Ricky Kielczweski Jr

Sent from my Verizon, Samsung Galaxy smartphone

From: Chyrel Pacheco <cupid1960@gmail.com>
Sent: Thursday, July 16, 2020 8:16 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill

To whom it may concern

I am asking as a mom of a soon to be police officers do not let this bill pass. My son is scheduled to graduate on July 31 from the police academy. This is not what our new cadets should be brought into. Please take into consideration all the other issues in this crazy world we are living in. We need to protect the officers that put their life on the line every day protecting us. Again please do not pass this bil

Chyrel Pacheco

Police Mom

From: Cheryl Laurenza <calaurenza@comcast.net>

Sent: Thursday, July 16, 2020 8:15 PM

To: Testimony HWM Judiciary (HOU)

Subject: Senate Bill S200

To Whom it may concern

I'm very concerned that along with some needed reforms , other things tacked on without notice are very dangerous, ie no use of tear gas even for dangerous crowd control or other serious issues that affect safety, as well as Police Officers and other First Responders not being able to do their job without fear of being sued?!

Please do not bow to pressure and rush this dangerous bill through in its current form.

Regards,

Cheryl Laurenza MA, LCMHC

From: Erin Sullivan <emo_sullivan@hotmail.com>

Sent: Thursday, July 16, 2020 8:15 PM

To: Testimony HWM Judiciary (HOU)

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,

Erin Sullivan

319 Washington Street

Canton, MA 02021

Sent from Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=yoK4joQ4IWx12f9JDv8dVJOrAg7YRx8i-ganOqvgyfk&s=oyE9_DT9LilIiTAg6m4MO_LhVZ_ksCm1A3kBTH7b6MU&e=>> for Windows 10

From: Patricia Menton <pamenton16@gmail.com>
Sent: Thursday, July 16, 2020 8:10 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

Dear Chairman,

I want to thank you for reading my plea. My name is Patricia Ann Menton, residence at 43 Sparkill Street, Watertown, MA (617)816-8815.

I am writing to you as a mother of a police officer, a fire fighter and a nurse in our community. I am opposed to any change in Qualified Immunity for Police, Firefighters, and Nurses. These essential employees have the toughest jobs. When others could remain safely at home during the harshest part of the Covid-19 pandemic, these three professions, had to continue working with the public, putting themselves and their family members at great risk.

To undercut or cause them to second guess their immediate actions due to ill- considered litigation while working is dangerous for all involved. Police Officers, Firefighters and Nurses shouldn't have to second guess their participation in their actions.

I implore you to consider exactly what this bill will do in the long and short term. This is not good for our people in Massachusetts. Think outside the box. Do you really want to live in a community where Police, Firefighters and Nurses are afraid to act?

Respectfully,

Patricia Ann Menton
From: mannyopr3 <mannyopr3@aol.com>
Sent: Thursday, July 16, 2020 8:15 PM
To: Testimony HWM Judiciary (HOU)

Subject: Public testimony for S.2820

Elected Officials,

Massachusetts police officers are among the most highly trained in the country. On average officers in the commonwealth are trained for over 800 hrs during the full time police academy. The MPTC ensures that the standards are consistent and cover subjects that include constitutional law, criminal law, use of force, defensive tactics, juvenile law, ethics, sex crimes, community policing, firearms, emergency vehicle operations, and many other important course. In addition to academy training the majority of officers also have college degrees in criminal justice. Many of which are advanced degrees.

Officers in the majority of the communities in the commonwealth already attend 40 hrs of mandatory in service refresher training annually. It is important to recognize that this annual training is supplied by the MPTC and generally includes legal updates to law, changes in policy, and any additional guidance that may be deemed necessary to keep officers safe and educated in how to perform their duties appropriately.

Under our current system qualified immunity is used to protect those officers who while performing their duties in good faith become defendants to frivolous law suits. It is important to understand that an officer who violates policy, procedure, laws, or a citizens rights is not protected under qualified immunity.

With regards to training I would offer that you will find that officers in the commonwealth welcome more training. They look for opportunities to engage their minds and learn ways to improve the quality of life in our communities while keeping the criminal elements at bay. The issue is frequently a budget problem. Many cities and towns are unwilling to approve overtime or change an officers schedule to allow for optional training that would enhance public safety. In the current climate we have even seen many supporters walk away from law enforcement agencies out of fear. Police leaders and officerz do not have the ability to allocate funds not already in the budget for additional training. They look for grant opportunities and partnerships with public and private entities to enhance learning. I would suggest that a fund be set up to allow officers who wish to seek additional training an opportunity to apply for it.

The topic of licensing is also not an issue for many of the larger departments. Where I there may be some challenge would be smaller departments that may need additional officers and training staff to comply with 120 hours of training in a 3 year period. I am aware however that officers from Massachusetts are often considered desired candidates in many other POST states but we lack the certification and are therefore subject to lengthy reviews when applying for emplyment in other states. By adopting POST system I would warn that there may be a mass exodus of officers who seek more favorable working conditions.

The process for reviews of officers licensing is important and should also not be decided hastily. There should be great consideration to the make up of such a board. The officers and the citizens deserve to know that they

are getting the very best results and that the process is fair and accurate. Any board should include both police officers and supervisors, legal experts, retired justices, and members of the community to ensure that a fair and equitable process is established before deciding an officers future. We cannot allow the possibility that any officer is not allowed the same due process we would expect anywhere else such as a civil or criminal hearing. It is also important to include any accused officer in the hearing process and to allow the presentation of evidence as well as the ability to face an accuser.

I hope that this helps in the development of a fair and reasonable solution for all and that both the profession of law enforcement and the community can move forward together.

Respectfully,

A good cop

From: Dennis Diver <dmdiver81@gmail.com>

Sent: Thursday, July 16, 2020 8:14 PM

To: Testimony HWM Judiciary (HOU)

Dear Chair Michlewitz and Chair Cronin,

My name is Dennis M. Diver, and I live at 42 Oscar Ave. Brockton, MA. I work at MCI-Norfolk and am a Correction Officer I. 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 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 ask 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,

Dennis M. Diver

From: mike slade <msslade19@gmail.com>

Sent: Thursday, July 16, 2020 8:14 PM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony

Mike Slade

6179131563

Quincy Fire

I would like to give testimony about one call we were on. It was for a person with a head injury. When we got there, the gentleman got up and became very combative with the three firefighters and the police officer. We quickly did our best to assist the officer to gain control of him which needed him to be brought to the ground. I am concerned that this bill could effect us being liable for injuries to him if he was to file suit and this is of great concern to me as well as my co workers.

Thank you

From: Rose McKew <rose.m.ayres@gmail.com>

Sent: Thursday, July 16, 2020 8:14 PM

To: Testimony HWM Judiciary (HOU)

Subject: Leave Qualified Immunity Alone

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 to 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.

I am the wife of a police officer and I don't want to have to worry about our house, life savings or children's college savings plans.

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.

Rose McKew
25 Cottage St
Hudson, MA 01749
From: Joshua Spaulding <jls1134@gmail.com>
Sent: Thursday, July 16, 2020 8:13 PM
To: Testimony HWM Judiciary (HOU)
Subject: I Do Not Support S2820

I DO NOT SUPPORT HOUSE BILL S2820. Hopefully Baker vetos it if it passes.

Thank you.

Joshua Spaulding
737 Lagrange St, West Roxbury, MA 02132

From: patrick <phaynes23@hotmail.com>
Sent: Thursday, July 16, 2020 8:13 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,

Patrick Haynes

Newbury, MA

Sent from my iPhone
From: JT Hinchin <jhinchen@gmail.com>
Sent: Thursday, July 16, 2020 8:13 PM
To: Testimony HWM Judiciary (HOU)
Cc: Provost, Denise - Rep. (HOU); Jehlen, Patricia (SEN)
Subject: S.2800 Testimony

Hello,

I am a constituent of Rep. Provost in Somerville, and I am writing in support of S.2800. Police in Massachusetts must be held accountable for their actions. The many of the abuses performed daily by uniformed officers all over this country, including in Massachusetts, are protected by the law. If we wish for there to be trust in the law and its enforcers then there must be ways to hold those who abuse their power accountable. This starts with restricting the use of force, including the option to use chokeholds or chemical weapons like tear gas, ending qualified immunity, and removing officers with a history of unwarranted violence. All of these steps will make the state safer and more humane, for people of color, working people, and everyone else.

Sincerely,
JT Hinchey
81 Pearson Ave

From: David G Neill <davidgneill@comcast.net>
Sent: Thursday, July 16, 2020 8:13 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: Gordon Snow <gordon_snw@yahoo.com>
Sent: Thursday, July 16, 2020 8:12 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,
Gordon Snow

Sent from Yahoo Mail on Android

<[antunes.sean@gmail.com](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=_DyjqbBAuBvm4ndLTZc6BzECXEmh03rZAIA57JlG7l0&s=EgCRHBrdOdIIkRASj5lB4TY0_VHdgjTPav6EwqLHQ90&e=>>
From: s tunes <
Sent: Thursday, July 16, 2020 8:12 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Sean Antunes and I live at 99 Pierce St., New Bedford MA 02740. I work at Old Colony Correction Center and am a Correction Officer I. 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,

Sean Antunes

From: Nicholas LoPriore <nlopriore1@comcast.net>
Sent: Thursday, July 16, 2020 8:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Chair Michlewitz and Chair Cronin,

My name is Nicholas LoPriore and I live at 6 Gallant Road Peabody Mass. I work at South Bay for the Suffolk County Sheriff 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.

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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 LoPriore

Sent from my iPhone
From: Megan Strong <megstrong622@gmail.com>
Sent: Thursday, July 16, 2020 8:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform S.2820 Testimony

?Good Evening,

My name is Megan Strong and I live at 275 Carver Road in Plymouth. 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. Growing up with Police Officers in my family, I don't really remember being worried about them 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". In our world this is "normal" but not everyone lives in the same world we do, not all wives need to say "be safe" 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 I got the initial call from my husband, that he had "been involved in a situation, but couldn't tell me much more right now". Immediately after his call, my phone began ringing off the hook with friends and family members, asking me if my husband was okay, and that the news and social media reported that an Officer was shot in Weymouth. After trying to call my husband back to find out if it was him and receiving no answer, I threw myself in the car and drove to Weymouth to a family members house to be closer in the event I was needed. Shortly after arriving, I was notified that the Officer was killed and that my husband was okay, but that he was one of the two responding Officers first on scene. Once I was finally able to see my husband, I learned that the suspect responsible for killing Mike Chesna, also shot 4 rounds at my husband and another Officer's cruiser during this confrontation. By the Grace of God, they were both physically unharmed.

In the coming days after July 15, 2018, my Blue Family in Weymouth came together, and truly never left each other. I will never forget attending Mike's wake and funeral with my husband, my Blue Family and the Chesna Family. Sitting on busses in what felt like hours of a procession, as community members lined the streets of Weymouth, Hanover, and Braintree out of support for Mike Chesna, his family, and the Weymouth Police Department. I remember sitting in St. Mary of the Sacred Heart Church in Hanover with my fellow police wives... 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 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,

Megan Strong

275 Carver Road Plymouth

781-534-0476

From: Anita Hanna <anita6705@comcast.net>
Sent: Thursday, July 16, 2020 8:11 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 iPad

From: Thomas Gaughan <thomas.gaughan3rd@gmail.com>

Sent: Thursday, July 16, 2020 8:10 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2800 Testimony

My name is Thomas Gaughan III, I am a campus police officer for Boston Medical Center Dept. Of Public Safety, member of the International Brotherhood of Police Officers Local 905 and the Massachusetts Police Association. I am not officially representing my organizations for this testimony. I am representing myself. I live at 1073 Tucker Road in Dartmouth. My telephone number is 617-828-5066.

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.

As a constituent and as a police officer, I am writing you to express my concern and disgust that the House and Senate would even consider an unconstitutional bill that would affect any public servant and deny us our constitutional rights to due process. More discussion on what qualified immunity is and how it applies to all public servants is needed.

Voting Yes on a bill that puts a person in a position of authority based solely on race is offensive, racist, unconstitutional, unconscionable, and immoral. As police officers, we are sworn to uphold and defend the constitution of the United States and Commonwealth of Massachusetts, as well as enforce the laws of the Commonwealth.

Like most of my neighbors and fellow police officers, 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. This is especially true for officers who are falsely accused of wrongdoing.

(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. We also have world class training curriculums for both full time and reserve intermittent academies through the Municipal Police Training Committee (MPTC). I urge you to look at our current training curriculums, they develop and mold excellent police officers.

It is my firm belief that police officers, our unions, and fraternal organizations must have a seat at the table to discuss these issues along with the general public.

In Massachusetts, we have always been the example of police training with the MPTC and police accountability. I ask you to look at the recent Mass State Police scandal and how that was handled. Those troopers who violated the law were held accountable.

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, and we do not have the same issues as other states. 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.

Sincerely,

Thomas Gaughan III

Very Respectfully,
Thomas M. Gaughan III
Sent from my iPhone