

From: Mike Foster <mrvmrtn1@gmail.com>
Sent: Thursday, July 16, 2020 9:53 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

Hopefully someone will actually read this.

I would like to comment on the Police reform bill. I am a retired Massachusetts Law Enforcement Officer with over 30 years of service. I have no problem with reforms but you need to consider the following. Frivolous complaints against Officers or those that are not substantiated should not be part of the public record or count against them for purposes of certification. I didn't work with one Police Officer that did not get a complaint. Many of those were frivolous, you gave me a ticket and I want you in trouble. I can't count the number of times I had defense attorneys tell me that their client wanted to sue thinking it would help them get off on their charges.

I worked in traffic for a few years. Some of my complaints went like this. This officer wrote me a ticket. The Lt. in charge would ask was the officer courteous and professional. Yes. Did he explain the reason for the citation. Yes. Did he explain how to appeal it. Yes. What is your complaint. I wanted to talk about the ticket and he said I could give my side at a hearing if I chose to do so. He then said the stop was over and I was free to leave. What is your complaint. He wouldn't talk to me.

Remember, by case law, I cannot extend the stop past the reasonable amount of time it would take to write the citation after making computer checks. Nothing good can come of a conversation at the side of the road with an upset person where the conversation won't change anything at that time. So, they go into headquarters and file a complaint.

You are thinking, hopefully, as rational people that are not about to have their liberty taken away or are upset because they were issued a traffic citation. Think about how people react when they get a parking ticket. Most people are upset when Police interactions don't go their way and you don't want to give them an avenue to harass an Officer that did their job properly.

Some qualified immunity, as long as the Officer is acting lawfully, and within the training that is mandated by the training council, is needed to prevent frivolous complaints and unnecessary lawsuits. If the Officer acts outside his training or commits an unreasonable act, he does not have qualified immunity. Simple. Or, end qualified immunity for all government employees including yourselves.

You should also think about making A&B on Police Officer a Felony since it is now permissible to attack Police Officers with impunity. I had judges comment that they routinely dismissed A&B on PO complaints because Police should expect people to lash out and hit them. They never commented on my operations to repair torn cartilage, my bruises, scratches, bite marks or pulled muscles caused by the defendant. Make the judges enforce the laws instead of interjecting their private feelings.

Lastly. If you mandate civilian review boards, and you probably will, there should be people on them with Law Enforcement experience. It should be required. Just as I could not critique what an emergency room doctor did to a patient, it is impossible for a person to critique a Police Officer's actions without having ever done the job.

Please do the right thing, not the at the moment politically right thing.

Mike Foster

From: Mallory Aronstein <mallory.cole@gmail.com>

Sent: Thursday, July 16, 2020 9:52 AM

To: Testimony HWM Judiciary (HOU)

Subject: Comments on S2800

Good morning,

Thank you for the opportunity to submit comments on the Police Reform Bill that recently passed the Senate.

I agree with the main elements of the bill and support further training and police reform.

That being said, the scaling back of qualified immunity will have a myriad of unintended consequences. These are similar in nature to what we found with Officer Michael Chesna who lost his life as he hesitated in shooting an offender. This aspect of the bill harms the police unfairly. The entire industry should be overhauled, yes, but qualified immunity protections ensure that our officers are not second guessing their actions in the field. Second guessing leads to delays, panic, and further bad decisions. Those are good for no one.

Thank you for your consideration of this input and your aim to make our Commonwealth better!

Mallory Aronstein

70 Sheridan Street

North Easton, MA 02356

From: Dan Houston <danhouston1964@gmail.com>

Sent: Thursday, July 16, 2020 9:48 AM

To: Testimony HWM Judiciary (HOU)

To whom it may concern.

As a Veteran for 10 years serving my Country in US Army , and now currently serving my Community in Lowell Ma for the last 24 years as a Police Officer I have dedicated 34 years of my 56 years to protect and serve. I am appalled at the knee jerk reaction from our Elected officials. You are tone deaf and pandering to a small group of anti Police agitators. Votes maybe?

You have no idea how this state is about to become a crime infested cesspool. Cops are going to be leaving in masses and the ones that are staying are going to be so Reactive the criminal element are going to be controlling the streets.

You have painted every Police Officer in this Country with a broad brush based on the actions of one Bad Minnesota cop. Ive been trained constantly in this State regarding the recent issues we face, discrimination, racial

profiling, ect, ect an ect. The response from our Elected officials concerning something that did not happen here is Pathetic.

If you think recruitment of new officers trained under Police Reform is goin to be the fix all think again you non police experts. Recently Lowell had 14 recruits in a Academy. 8 graduated. Go ahead lower the hiring Standards. More bad cops you idiots.

As a Independant voter I can honestly say I will never vote Democrat again. I am also looking to leave this state. Cant get out soon enough. You Clowns who won popularity contests (Elected by nitwits), are going to have real problems at the polls come Election time. Yes us Cops talk with each other, family and friends. Nationwide Democrats are going to have election problems also. Trump 2020. You make it easy.

I wake up everyday with glee knowing I can walk over to the Retirement board and put in my papers. I will do my job as I always have, help the oppressed but will do so with a bare minimum attitude. Im going to treat every call with civil lawsuits in mind. This is the Attitude you have created.

After being away for a couple weeks I cant wait to read my department Emails. Im not a gambling man but I will wager that not a single Lowell politician or even our not so glorified CM has even issued a public show of support for Police.

So to all of you popularity contest winners who are going to support bill s2800 without facts, research or public input go Fuck yourselves assholes. I just dont care anymore about you.

Dan Houston Lowell MA. 9789304044

From: Gene <glaisne@gmail.com>
Sent: Thursday, July 16, 2020 9:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.28000

Hello,

As a resident of Walpole MA. I am opposed to this bill.

putting first responders in a position where they could be sued personally would only flood the courts with frivolous cases. Furthermore, it would scare away most future candidates.

I don't believe this bill is the way to go about reform. If reform is the goal.

Gene Laisne
Walpole Ma.
From: Poirier, Elizabeth - Rep. (HOU)
Sent: Thursday, July 16, 2020 9:43 AM

To: Testimony HWM Judiciary (HOU)
Subject: Testimony

Thank you for accepting testimony on this bill. I will not vote to remove qualified immunity from our Police force. This action will destroy our entire public safety force across our Commonwealth. This is a knee jerk response to recent issues and not an appropriate solution. We should perhaps put more emphasis on training to deal with these increasingly difficult encounters. We need a police force that is well trained, supported and respected by the citizens of our Commonwealth.

Sent from my iPhoneFrom: Ashley LaBella Trowt
<ashleylabella@gmail.com>
Sent: Thursday, July 16, 2020 9:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

I'm writing to express my concern about the passing of the police reform bill. We need the police officers to be able to do their jobs, to protect the public and enforce laws! The way this was passed in the middle of the night without public hearing is unjust.
Thank you for listening!

Ashley Trowt
Elementary School Teacher
Beverly Public Schools
781-443-2165
From: Tamara Soralez <tsoraluz@utecinc.org>
Sent: Thursday, July 16, 2020 9:34 AM
To: Testimony HWM Judiciary (HOU)
Subject: Public Testimony on S.2800 to the House Ways and Means and Judiciary Committees

Dear Chair Cronin, Chair Michlewitz, Vice Chair Day, and Vice Chair Garlick,

I am writing to request your consideration to expand the existing expungement law (MGL Ch 276, Section 100E) as the House takes up S.2800 to address Racial Justice and Police Accountability. S.2800 includes this expansion and we hope you will consider it as it directly relates to the harm done by over-policing in communities of color and the over-representation of young people of color in the criminal legal system.

Our criminal justice system is not immune to structural racism and we join you and all members in the great work needed to set things right. The unfortunate reality is that people of color are far more likely to be subjected to stop and frisk and more likely to get arrested for the same crimes committed by whites. Black youth are three times more likely to get arrested than their white peers and Black residents are six times more likely to go to jail in Massachusetts. Other systems where people of color

experience racism are exacerbated, and in many ways legitimized, by the presence of a criminal record. Criminal records are meant to be a tool for public safety but they're more often used as a tool to hold communities of color back from their full economic potential. Expungement can be an important tool to rectify the documented systemic racism at every point of a young person's journey through and past our justice system.

We also know that young adults have the highest recidivism rate of any age group, but that drops as they grow older and mature. The law, however, does not allow for anyone who recidivates but eventually desists from reoffending to benefit. Young people's circumstances and cases are unique and the law aptly gives the court the discretion to approve expungement petitions on a case by case basis, yet the law also categorically disqualifies over 150 charges. We also know that anyone who is innocent of a crime should not have a record, but the current law doesn't distinguish between a dismissal and a conviction. It's for these three main reasons we write to you to champion these clarifications and now is the time to do it.

Since the overwhelming number of young people who become involved with the criminal justice system as an adolescent or young adult do so due to a variety of circumstances and since the overwhelming number of those young people grow up and move on with their lives, we are hoping to make clarifying changes to the law. We respectfully ask the law be clarified to:

- Allow for recidivism by removing the limit to a single charge or incident. Some young people may need multiple chances to exit the criminal justice system and the overwhelming majority do and pose no risk to public safety.

- Distinguish between dismissals and convictions because many young people get arrested and face charges that get dismissed. Those young people are innocent of crimes and they should not have a record to follow them forever.

- Remove certain restrictions from the 150+ list of charges and allow for the court to do the work the law charges them to do on a case by case basis especially if the case is dismissed of the young person is otherwise found "not guilty."

Refining the law will adequately achieve the desired outcome from 2018: to reduce recidivism, to remove barriers to employment, education, and housing; and to allow people of color who are disproportionately represented in the criminal justice system and who disproportionately experience the collateral consequences of a criminal record the

opportunity to move on with their lives and contribute in powerfully positive ways to the Commonwealth and the communities they live, work and raise families in. Within a system riddled with racial disparities, the final step in the process is to allow for as many people as possible who pose no risk to public safety and who are passionate to pursue a positive future, to achieve that full potential here in Massachusetts or anywhere.

Thank you for your consideration,

Tamara Soralez

UTEC

203-952-1133

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Tamara Soralez | Director of Learning
Pronouns: She/her/hers

UTEC | 978-856-3902 Ext: | tsoraluz@utecinc.org
Programs: 35 Warren St. | Café UTEC: 41 Warren St.
Mailing: 15 Warren St., No. 3, Lowell, MA 01852

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<[From: Joe Furtado <jfurtado3100@yahoo.com>
Sent: Thursday, July 16, 2020 9:23 AM
To: Testimony HWM Judiciary \(HOU\)
Subject: House Bill S2820](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.linkedin.com_company_uteinc&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=u0evGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=vgZh9VJ3Tq_UV8vl82ej9kz11n0JH9ICsXx60aur2iY&s=PpnX9ndTUn_IkbYA7YpZpAgOu88sp4hrUlnCjWwYxMQ&e=></p></div><div data-bbox=)

Dear Representatives Aaron Michlewitz and Claire D. Cronin it is with great urgency that I write you this email. I am shocked and greatly disappointed at what the Massachusetts State Senate did with the passage of Senate Bill S2800. Not only did the Senate basically label all the honest men and women of law enforcement to include officers of color as racist but they also attacked every public sector employee and union with this poorly crafted bill.

The loss of Qualified Immunity is a principle that is fully supported by the United States Supreme Court in case law and protects public sector employees from good faith errors while in the performance of their duties. Qualified Immunity does not protect unlawful conduct by public sector employees, it never has and does not shield officers from unlawful conduct. The senate bill not only effects law enforcement but fire, medical and educational employees as well as municipal and elected officials. The potential financial cost to the commonwealth and individual public sector employees will be massive. In addition to this the effect on law enforcement will be profound with every officer in the commonwealth second guessing everything they do and choosing inaction over action out of fear of civil litigation for just performing their duties. This will transcend into every public sector job and field, how is this good for the state and its citizens. The Senate bill will create an potential atmosphere that emboldens criminals and clogs up the court system with frivolous law suits.

Another very important issue is the loss of collective bargaining rights and due process in the senate bill. The Massachusetts House has a long and proud history of supporting labor and unions in this state. Why has the senate decided to strip bargain rights away from workers in this state and on top of that take away a persons due process rights to appeal or and protection from over reach or retribution by employers for any reason that they deem fit. This is wrong on so many levels and violates basic human rights. I would hope that the House of Representatives is just that it represents a fair and impartial legislative body not like the senate that seemed to pander to a very dangerous progressive agenda that puts public safety and the financial well being of the commonwealth at risk.

The two above mentioned topics are of extreme importance not only to myself but all my friend and many of my neighbors. I have personally

spoken to countless people in my community and they are afraid of some of the portions of the senate bill but are afraid to speak out about the senate bill out of fear of being labeled a racist. This process needs to slow down meaningful reform can take place but the input of all parties and sides needs to be heard. The senate failed to do this they rushed through their version of the bill without one single public hearing and the lack of input from all sides. Instead they listened only to one side the side that wishes to crush employee rights strip away hard fought legal employment protections and open up every public sector employee to crushing civil law suits, how is this good for anyone.

With all this said I do support the establishment of standards and accreditation for law enforcement but only if they are administered in a fair and impartial manner. I do oppose the current senate version of the proposed committee that will oversee accreditation. I agree that the make up of the committee needs to be diverse but why are there ACLU representatives on the committee. The ACLU has spent decades trying to destroy law enforcement they can not be impartial. I would suggest that the committee be made up of law enforcement, civilian use of force professionals as well as members of the Black and Latino caucuses. There is no need for the ACLU to have a person on the committee they will never be able to be fair or impartial in any way.

I do realize that there is need for reform but commonsense reform not radical losses of rights to public sector employees and the loss of previously agreed upon employment rights. I would be more than happy to discuss this matter or answer any questions that you may have. I truly do appreciate your time and consideration regarding this very important matter.

Sincerely,

Joseph Furtado
71 Emerald Dr.
Lynn, MA
617-308-8945

From: Paul Damon <PaulD@HawkeyeFence.com>
Sent: Thursday, July 16, 2020 9:19 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Making it so that fire fighters, emts, and police can be sued individually in this bill is outrageous. I have a

Friend who is an EMT and he makes 18.00 per hour and is covered under the law against being sued for

Breaking grandmas ribs during cpr. Now he says he wont perform cpr because he can get sued.

If a police officer puts cuffs on "too tight" he can get sued so guess what fewer arrests this bill that is

Proposed will give criminals the power and we will all live in fear.

Thank You,

Paul Damon

Operations Manager

Hawkeye Fence, LLC

194 Bedford Street, LLC

Marketplace Square, LLC

Construction & Development Dept.

925 Centre St., Brockton, MA 02302

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E-mail: pauld@hawkeyefence.com <mailto:pauld@hawkeyefence.com>

P Before printing this e-mail, please consider the environment

A veteran, whether active duty, retired, national guard, or reserve is someone who, at one point in his or her life, wrote a

blank check made payable to The "United States of America", for an amount of up to and including their life.

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record, and therefore subject to the Massachusetts Public Records Law, M.G.L. c. 66 § 10.

From: Eric Montefusco Montefusco <ericmontefusco66@gmail.com>
Sent: Thursday, July 16, 2020 9:17 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police

This LAW is a DISGRACE TOO ALL LAW ENFORCEMENT. THIS SHOULD NEVER PASS, AND IF IT DOES SEE HOW MANY MORE PEOPLE DIE IN CAR CRASHES, BREAK INS, TAKEN HEART ATTACKS, POLICE WON'T HELP, THEY MY BE SUED.. GOOD LUCK MASS,

From: Paul Keyes <keyespa150@yahoo.com>
Sent: Thursday, July 16, 2020 9:17 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 (policing reform package).

Paul A Keyes
Proud second generation Worcester Police Officer
508 713-3846

An Act to disregard the safety and well-being of police officers.and shift resources to build a more equitable, fair and just commonwealth For all others but not for the those that protect and serve the community "

This bill you have enacted is anti police and anti labor. This bill puts the voice of the mob 1st the same mob that disregard the safety of Public by failing to follow all safety guidelines that were established to

protect the public's from a virus that has taken so many lives around the world.

Now you want to take away our protection which is qualified immunity. So you want us to risk our lives but don't want to protect us.

Qualified immunity allows to act without be worried that we could lose are jobs, lively hood and no longer providing for our family. We work hard for what we have and what we provided for Our families.

Now not only is this bill taking away Our legal protection but also our right to collective bargaining. This bill is anti labor this country was built by Unions. Law enforcement Officer put their life's on the line on doing what we do. We have shown that when we came to work every day while millions of Americans were in their home quarantined. You can say your gratefull by passing this bill has shown that you are not. This bill shows you chose to listen to the voices of those that chose to put all others at risk with their protest.

From: Jennifer Jardin <jennifer_jardin@yahoo.com>

Sent: Thursday, July 16, 2020 9:13 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

I am witting in regards to the police reform bill. Although there are areas=

I agree with with such aS the chokehold and having to keep up with certific=

ations, there are areas that I do not.

Recently, there were riots in Brockton. Police had water bottles, fireworks=

and rocks thrown at them. They responded with tear gas . How should they r=

espond when being attacked. There was very little damage done to the city t=

hat night. It could have been much worse. If the police had backed off aft=

er being attacked, who knows what could have happened.

I work in the Brockton Public School System. I see the importance that scho=

ol police and resource officers serve in the schools. More specifically, I w=

ork at the alternative high school. I see the officers come in and have pos=

itivity interactions with the students. I have witnessed conversations betw=

een the officers and the students talking about how they feel about racial p=

rofilng. To see them sit down and talk about things like that and really l=

isten to each other. These conversations would never happen out on the stre=

et.

Having a school resource officer has very often deescalated situations. The= y have gotten the student to take a walk with them, discuss what was going o= n and be able to pull themselves together. Before having the school resour= ce officer, many times a fight would break out and we would have to call 911= for assistance. Which situation do think is a better way to handle the sit= uation and had the better outcome?=20

Having school resource officers in the younger grades also is very important= to help develop positive relationships at an early age. The kids learn tha= t the police are approachable and want to help. Many are fearful of them be= cause of what their older siblings and parents tell them. =20

By having the resource officers, it also helps make them aware of things tha= t could be happening in the community as the overhear things or students wil= l let them know that something is going to happen after school. Again, they= can be prepared and be there before things escalate .

Thank you for taking the time to read my concerns. If you need to speak wit= h me about my concerns, I can be reached at 505-561-0393

Sincerely,

Jennifer Buckley
2 Murray Rd <x-apple-data-detectors://17/1>
East Bridgewater, MA 02333 <x-apple-data-detectors://17/1>

Sent from my iPad
From: Shaun Reagan <sreags@icloud.com>
Sent: Thursday, July 16, 2020 9:05 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

This bill will only cause issues. Police will not make arrests and will second guess themselves in every situation. We will see a mass exodus of police officers. There will be an increase in crime and officer injuries. Please seek more guidance before enacting this into law.

- concerned citizen From: Matthew Brennan <mbrennan4th82@gmail.com>
Sent: Thursday, July 16, 2020 9:03 AM
To: Testimony HWM Judiciary (HOU)

Cc: Madaro, Adrian - Rep. (HOU); Gingras, Steven (HOU); Rivas, Gloribel (HOU)
Subject: Reform Shift and Build Act S.2800

Dear Committee and Community Members,

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 bill. Perhaps the most impressive piece to this is a focused reform to the doctrine known as "qualified immunity."

Passing this bill 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 and attention.

Respectfully,

Matthew Joseph Brennan IV

East Boston

From: Chris Davis <cpdonemorecast@aol.com>
Sent: Thursday, July 16, 2020 9:02 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820, An Act to reform police standards and shift resources to build a more equitable, fair, and just commonwealth that Black lives and communities of color

S2820 [An Act to reform police standards and shift resources to build a more equitable, fair, and just commonwealth that Black lives and communities of color] is not a fair and effective means of addressing the injustices that have been seen recently in national arenas. While education and training is absolutely necessary for so many in public eyes - and acknowledged by law enforcement - the limitations proposed in this bill hand-tie the majority of good public servants who have dedicated their life and careers to keeping each of us safe from harm and to uphold the very laws that you have created.

This Bill does nothing to impact the changes needed and only serves to make an already difficult and stressful job 10 times more difficult and dangerous for all police officers.

I respect and stand with my black and African American friends for justice and will stand for the changes that are desperately needed, but I also stand with those of my friends and family who have invested their lives to serve as genuine and honest law enforcement officers. We need to find

other ways to root out the "bad individuals" throughout our society, but there are far more outside of law enforcement than within, and the limitations enlisted in this Bill are nothing short of signing death notices for good cops.

I ask that you PLEASE either strike this down or do not allow this to come for vote in the House - send this proposal back for deeper discussion in the Senate immediately and open the doors to hearing more taxpayer, professional and stakeholder input.

Christopher Davis
Bellingham, MA
508-883-1545

Sent from my iPhone
From: Sandra Nigro <snigro1428@gmail.com>
Sent: Thursday, July 16, 2020 9:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support the Police

We are in support of the police department and we do not agree with Senate police reform act. The police need to be safe when they are protecting the public they serve.

We do support more frequent Psychological testing and assistance for police officers. We also support punishment for bad officers.

All officers should not be put in danger for the act of a few bad officers.

Thanks,
Sandra Nigro
Independent voter
339 927 5692
From: deb <debazh@aol.com>
Sent: Thursday, July 16, 2020 8:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Bill

Please don't pass this horrible Bill. If and when I need help from and Officer, Nurse, EMT, ect. I want them to not be second guessing their response. If they break a rib saving me from a heart attack I want them to know I would not or could not take their home from them. This Bill is a quick and crazy reaction to something that happened far from MA. I would hope that with the great training our men in blue, who by the way put their life on the line each time they go to work, receive. Yesterday our Town again mourned the loss of Sergeant Chesna on the second anniversary of the senseless Murder of this Father of two small children leaving them fatherless, In the line of duty. Shot in the head multiple times with his own gun while doing his job to protect and serve. During this assault a poor elderly woman was shot and murdered as she looked out her window to see what all the commotion was. Finally our men in blue answered the call and the Carnage was ended. They went in without hesitation to save lives without thought of there own. Be Proud of our

Public Servants don't lump them in with a few bad ones from places far away.
From: mancinimark@hotmail.com
Sent: Thursday, July 16, 2020 8:57 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

To members of the committee,
I am writing this testimony using both my experience and education. Here is my background:

I first worked in the navy, I operated a nuclear reactor on a submarine. Though this may be irrelevant to the topic at hand, I wanted to establish my commitment to service and also the level as which I may able to comprehend data, statistics, and information. The schooling I went through is probably the most academically difficult and demanding 18 months, that probably exists in this world. I then worked about a year at the State House, so I understand the inner workings as to what goes on up there.

Now to the more relevant material. I worked for six years as a patrol officer for the Town of Falmouth, and have spent the past two years working the crime scene unit at the Barnstable County Sheriff's Office. During that time I also went to school full time and received an Associate of Science in Criminal Justice at Cape Cod Community College, which was more forensic based, and a Bachelor of Arts in Criminal Justice with a minor in psychology at Curry College, which was more criminology based.

So all and all I have the first-hand experience and have studied and continue to study and understand the theory behind criminal behavior and policing.

What happened in Minneapolis was a travesty, the police officer is a pathetic excuse of a human being and moreover a disgrace to the badge. It made me reevaluate my time working as a patrolman. And I recently sat down with one of my former co-workers from the Falmouth Police, an officer shot in the line of duty two years ago, an officer who also happens to be black. After not witnessing any racism on the job, I wanted to get his opinion, he agreed he also never witnessed or experienced racism from within the police department. However, we both also agreed there were officers who were quick to escalate and quick to use force.

I understand that I work in a small town (though in a normal summer our population went to around ~100k) and so I looked at the data. In 2017-2018, police in Massachusetts were responsible for the deaths of nine people. One black, one Hispanic, and seven white, all males. Of those nine, all were justified killings. In those same two years 308 people were murdered in Massachusetts, two of them being police officers, and another two officers in my town were both shot, unprovoked.

So I fail to see the necessity of much of this legislation, we are not Minneapolis, we don't have a scourge of police brutality and killings. In fact most of this legislation actually puts us more on par with Minneapolis, not further from it.

If this legislation passes, as written by the senate, you will see an exodus of police from Massachusetts. You will no longer have the best candidates for policing. You will see crime increase, and even if you just saw a very modest 10% increase in crime, that would equate to 15 extra murders a year. 15 every year, and since you don't have any unjustified killings by police, you won't even stop any of those. You'll actually probably see an increase in deaths at the hands of police, as you will have less qualified, less trained, and more overworked officers working.

In the end this bill as passed by the senate will make Massachusetts a far more dangerous place, for everyone. You may score political points, but at the cost of how many lives? The same lives you profess to be trying to help.

Thank you,
Mark Mancini
Falmouth, MA
508-566-1396

From: Rosemary Heath <rosemarykheath@gmail.com>
Sent: Thursday, July 16, 2020 8:56 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

I'm writing to state my opinion on the S2820 bill. It cannot and should not pass!

The state has enough BS in the judicial system now, they dont need frivolous law suits against public employees!

Our beloved Officers, Firefighters, EMS and Teachers need to focus on their jobs, not the consequences of what may come about after the fact.

Mental health reform needs to happen! All of these professions need proper mental health support.

I went through a tragedy where my husband, who was a beloved teacher was murdered when we both stood up to save someone else- a deranged man, who was released from the hospital just ours before- not receiving the mental health support he needed from the state. He went out and crested mayhem in Taunton.

My life was saved by an off-duty Plymouth County Sherrifs Deputy during this event.

Thankfully, he was connected to a great support system. That helped him and his wife get thru the emotional trauma and continue his life in a fully productive manner.

This is not always the case. They need support, not defunding and frivolous law suits!

Do not allow this to pass!

Rosemary K. Heath
50 Terrianne Dr
Taunton, MA 02780

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android <https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_ghei36&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=GcmXCSXLMH0lCQfBZGx_r-DniQsbdWtrPOvJhsnrkfw&s=2CI9HDgJiRJ4HQgAW4Mnnp7WgYCysEwidtc8VpxGof4&e=>
From: kelly mcgrath <kelly9175@gmail.com>
Sent: Thursday, July 16, 2020 8:53 AM
To: Testimony HWM Judiciary (HOU)
Subject: Test

Test
From: Sandra Nigro <snigro1428@gmail.com>
Sent: Thursday, July 16, 2020 8:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support the Police

We support the police and we want to ensure their safety while they protect and serve.

Thanks,
Sandra
From: Stephanie Ringland <sringland@gmail.com>
Sent: Thursday, July 16, 2020 8:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Do not pass S.2800

To whom it may concern,

This bill that Senate just passed was a mistake. Maybe they were too many tired senators as they debated for 17+ hours.

If this bill passed, why has the entire world taken measures to stay home and do their part? To save lives... Our lives our neighbors lives.

If this bill passed, how are people's lives saved by BRAVE firefighters who run into burning buildings while everyone else is running out? When BRAVE police officers are in a position to tackle an armed robber who just shot a store clerk? A frontline essential ICU nurse who performs CPR on patient who flat lined and in process of saving their life, brakes a rib or 2?

If this law passes, how are firefighters, police officers, essential workers, etc. protected to do their job IN Protecting our community? Why would anyone want to have any of these professions that PROTECT and HELP people if law does not protect THEM?

Reform maybe needed BUT This is not the way.

Stabbing our essential workers, law enforcement, etc in the back... Is not the right way.

Frontline workers are trained to save and protect... Not question themselves on what they are doing. Not throwing their hands up out of fear of having a law suit.

Please, this is not the right bill. This bill passes, WE as a community will have bigger issues as we loose frontline/essential workers.

Thank you

From: Katie McCabe <kmml54@gmail.com>

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

To: Testimony HWM Judiciary (HOU)

Subject: Do not pass this bill

To whom it may concern,

I am concerned. This Bill, if it passes, will put a horrible strain on the communities you think you are protecting. This is not the answer.

If my loved one were to need CPR- I don't want a hesitation on the police officers part

Heck I lock my keys in the car I want the police officer to help (they are so much faster than AAA)

Removing qualified immunity is a HORRIBLE idea.

Please vote this down and do not put my family in danger.

Thank you

Katie McCabe

Dedham

--

Sent from Gmail Mobile

From: Dan Mastro <Parts_Guy@comcast.net>

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

To: Testimony HWM Judiciary (HOU)

Subject: Police, Fire, etc immunity

Who would ever want to become or remain in those jobs with the threat of being sued by less than stellar persons without the conditional immunity?? I would rather have our elected officials from the town/city levels, state levels, and pols in DC have their immunity revoked so they can be sued civilly for deformation or false slandering remarks.

That won't happen since we have the foxes guarding the chicken coops.

Signed by a Massachusetts Conservative, MAGA.

Dan Mastro

From: Jon Craven <joncraven@comcast.net>

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

To: Testimony HWM Judiciary (HOU)

Subject: House police reform

Good morning,

My name is Jon Craven and I am a Police Sergeant with the West Bridgewater Police Department. I am writing to you in regards to the recent police reform currently going through the legislature.

I started my career working for the Department of Youth Services with our most at risk juvenile population and then moved to the Department of Children and Families working with our most at risk families. I was lucky enough to get hired as a Police Officer 10 years ago and work with my community. I am an active member in my community. I am an executive officer with our local youth athletic association and I have prided myself on building only the most positive relationships in the community. I make a sincere effort to engage the public in a positive manner as much as I possibly can. I am not a villain. I am the police officer that you pray comes to your home when you call 911 because I will be there for you and your family to the best of my ability. I understand that all cops are not like me but I know that 99.99% are. The men and women I work with in my community are some of the most hard working and community focused people I have ever met.

However the quick passage of these bills has shaken us to the core. The fact that the legislature can strip us of so many core rights with the swipe of a pen with zero input from us is astounding. So I just ask that you listen to us and understand where we are coming from before you hastily pass a bill that will cripple law enforcement as you know it in order to appease a small group of people who believe we are the enemy.

Regarding trainings. There is not a cop in this world that doesn't want more training. However we can't increase trainings for law enforcement without the funds to do so. Add any training you want to the MPTC curriculum! We are happy to go and learn about black history as well but what about all other state agencies. All municipal and state employees have to do a conflict of interest and ethics course every year. They should all be required to learn about this as well.

Banning of chokeholds. Not an issue for us unless in a life or death situation. If someone is trying to kill me I should be able to use whatever force necessary to live. What happened to George Floyd was disgusting and there's not one cop in the USA that feels otherwise.

POSAC. I support a certification commission for police officers and having a board to hear more about the bad actors that ruin the badge for the good ones. However this is the USA and we need due process. Police officers are often accused of wrong doing by the general public. They often will file false complaints against an officer that arrests them solely in an attempt to discredit them and have their criminal case dismissed. As a supervisor I hold our officers to the highest standard. They are not perfect but minor issues shouldn't decertify an officer.

Qualified immunity. No reason to beat a dead horse here but you already know that QI doesn't protect an officer that breaks the law. It protects the officers that do their jobs without obviously violating someone's rights. We have thousands of arrests a year. The court systems laissez-faire attitude towards the criminals puts us at severe risk without QI.

For example if I arrest someone for drunk driving (seized under the 4th amendment) and then once at court the case is dismissed because of a mistake I made somewhere in the process then technically they can sue because I unjustly detained them. If you allow restrictions on QI you will not only have a mass exodus of police officers here in the Commonwealth but you will also have officers out there that will hesitate to do even the simplest of tasks. Officers won't perform life saving measures at scenes out of fear of being sued. Please if you do nothing else leave this alone.

I know this isn't really an option but I would like to talk about Body cameras. Add body cams into your bill, or introduce a new one next session and fund them. Change the 2 party consent laws so we can effectively use them. You will see that most of the time the police are courteous and respectful and aren't the instigators. You will also be able to see the behavior of those officers that show concerning behavior. Without body cameras it's our version vs the complainants.

Thank you for the taking the time to hear us out.

Sgt Jon Craven
West Bridgewater Police Department
508-586-2525
From: Elizabeth March <elizabethlmarch@gmail.com>
Sent: Thursday, July 16, 2020 8:41 AM
To: Testimony HWM Judiciary (HOU)
Subject: Raise the Age

Chair Aaron Michlewitz and Chair Claire Cronin

I am writing to ask you to support including language in S 2820 that would raise the age at which youth are automatically adjudicated as adults.

Not only will this improve community safety but it will advance educational and employment outcomes for some of the Commonwealth's most vulnerable young people. This legislation would allow the Commonwealth to hold them accountable while vastly reducing the chances of recidivism. One need only know that the recidivism rate of teens placed in the juvenile system is less than half that of young people automatically prosecuted as adults to know the proposal makes sense.

If you have any doubt about the real life impact of the legislation, hear the voice of young people in support of the bill
<https://mtwyouth.org/raise-the-age/>
<https://urldefense.proofpoint.com/v2/url?u=https-3A__mtwyouth.org_raise-2Dthe-2Dage_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk>

13zIs16rchf_GkGDD&m=7o-
yinMalc_HS2VE1HLmw9YQ4eb2qCw43OyIt76GqDo&s=OumyLLX3mGn7qUyVQU8AbbWt_sJ4f86
b8ibEIGc0xGM&e=> .

Elizabeth L. March

728 Tremont St

Boston, MA 02118

From: sgttrunk@aol.com
Sent: Thursday, July 16, 2020 8:41 AM
To: Testimony HWM Judiciary (HOU)
Subject: Removal of qualified immunity

Dear Sir/Madam,

Getting rid of qualified immunity just makes cops afraid to do their job. Cops will become reactionary, handling calls only.

In my 38 years of law enforcement I have learned that proactive policing is what makes communities safe.

If you remove qualified immunity, cops will become like firemen, waiting for the next call. In reality you will end up paying boatloads of money in police salaries, and getting very little in return on your investment.

I have easily made over 600 arrests and have filed close to 2000 criminal complaints in my career. If you remove qualified immunity bad guys will figure it out real quick. When bad guys realize there is no more push back, they will ramp up their game pushing more drugs for profit, resulting in increased usage, more addicts, more crime to feed the habit, more shoplifting, B&Es to houses and vehicles, larcenies, strong armed robberies etc.

The people affected the most will be people of color, the very people you are trying to help, because they lack the resources to get into the best treatment programs, make their homes safe with modern technology, and are more susceptible to violent street crime based on current crime statistics and trends.

Removing qualified immunity does not protect bad cops. It hurts good cops who are trying to do their job.

Respectfully,

Reading PD
Sgt Mark J OBrien
C-978.771.5448
Sgttrunk@aol.com

Sent from my Verizon Motorola Smartphone
From: Len Carlson <len.carlson@yahoo.com>
Sent: Thursday, July 16, 2020 8:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: POLICING LEGISLATION

Dear House

I do not agree with provisions of this bill.

- 1) Immunity needs to be maintained for all first responders.
- 2) Schools and other state and town organizations need to continue to report to police all incidents that occur in their facilities, like drugs, violence, gang activity and illegal immigrants.

The State needs to continue to protect it's citizens and first responders.

I do agree with certifications and other provisions.

Len Carlson

From: Brandy <brc417@aol.com>
Sent: Thursday, July 16, 2020 8:39 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Hello,

I am writing to you regarding the police reform bill.
I am deeply saddened by the events that have led up to even discussing this bill. I have studied extensively the data and stats regarding police brutality, and firmly believe that the villianization of all police in this country for a statistically rare event that happened way across the country has caused this much hatred and violence towards our officers all across the country. It is the most hypocritical disgusting thing I have ever witnessed in my 48 years. Everyday these officers protect and serve our communities and clearly that has become a thankless job! The polls show 85% of Americans do NOT support defunding of police. I realize it will never be perfect but in my opinion they do not need reform, the general public does. Politicians have demoralised police and emboldened the criminals, what a recipe for disaster. Look at these cities already they are exploding in violence while these so call leaders watch it happen and even encourage it. Yet as the murder rate has gone up 246% in NYC their incompetent mayor is still slashing billions from police. They are being attacked in the streets, spit on, screamed at, and ambushed simply for attempting to do their job. I beg you not to follow this trend of acting on emotion rather than logic. My fear is no one will ever take this job and the quality of officers will plummet. Living in a world without quality police protection is absolutely terrifying to me as a woman and a mother of two children. The media in this country has manipulated the people to believe this is racism because they never show white people being killed by officers, that is by design to create racial division and it's so irresponsible and dangerous yet they do not care at all. This has already led to brutal killings of innocent police officers being assassinated and will continue! It's even more disappointing to see our

government in Massachusetts jump on this bandwagon. The loss of immunity is the biggest assault and I'm shocked to see my state even think about it. The frivolous lawsuits that this will inspire will be devastating to our police and their families. I see countless cases of officers being attacked and blamed even when they have to kill someone in a very obvious case of self defense. The Michael Brown case is the perfect example of an officer having no other choice but to protect his life when after committing a strong arm robbery he is hanging through the cruiser window repeatedly punching the officer in the face while trying to remove the officers gun from his holster, yet that officer has been branded a racist cop with his face splashed all over the media, while they paint Michael Brown as a victim! I read the actual court documents so I know the facts not just the media spin like everyone else. Sitting in judgement of police from your living room is real easy, God forbid you ever had to make a split second decision to save your own! My biggest complaint is with taking away immunity! That should not even be on the table. Interestingly enough I saw a criminal with an officer in a choke hold yesterday, banning it all together could cost them their life. If 99% of us can show respect for the laws in place why do we make excuses for those that don't? I think there is a large silent majority that agrees with me! This is not the time to pander for votes or play politics with such a serious issue that could effect public safety!! As far as sending them to racism school I also think that is a slap in the face. We can see how well that has worked out for the generation who have been convinced they are oppressed in this country or they are automatically born racist because of the color of their skin! This BLM movement told us who they are Marxist/Communist Movement attempting to drag us into Communism under the guise of racism. They have a very different agenda then what they portray on their website. I am begging you to stop this war on police! Enough is enough! Please don't turn our beautiful state into a dangerous mess like NYC and Minneapolis! I hope all our representatives will do the right thing in a bipartisan fashion!

Thank you for the opportunity to be heard!
From: Ann Hill <annfla@gmail.com>
Sent: Thursday, July 16, 2020 8:39 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

To Whom it May Concern,

I strongly oppose the proposed bill for police reform. In my opinion, this bill will encourage more police officers to leave the job and further jeopardize the safety and well being of our communities.

Sincerely,
Ann M Hill
Weat Roxbury, MA

Sent from my iPhoneFrom: Uarda Barry <uardabarry@yahoo.com>
Sent: Thursday, July 16, 2020 8:36 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill s2800

Hello,

I am writing you today to tell you how disappointed I am in the proposed bill s2800.

This bill, if passed will be the beginning of the end. First responders effectively will have the worry of civil suits as a result of them trying to do their job, which In my opinion, will result in a dilemma in every situation our first responders are faced with. This will carry with it serious repercussions, whether a slight hesitation in action or less aggressive life saving measures. One could say that delaying or withholding crucial treatment is unethical but let's be honest, do you want to literally put everything on the line everyday you report for work? Do you want to worry about financial ruin? Run the risk of losing everything in legal and court costs even if you are found not at fault? The damage will already be done by that point.

I am a proud mother of 2 police officers. They put their lives on the line to protect us every day, often working double shifts, sacrificing family time, missing holidays all to protect and serve. I hope you will not support a bill that will make their job harder, that will tie their hands and ultimately put us all at risk.

Also at risk by the passing of this bill are the very people that are the backbone of our society, teachers, firefighters, EMT's, paramedics and several other public servants with the exclusion of our law makers, career politician and judges(!), the very people that should looking out for the safety of the citizens they serve!

The fact that this was pushed through committee at 4 am is reprehensible, and to start out as 13 pages and end up as 70+?? Its time for our elected officials to listen their constituents , WE are the people that will will be affected, WE are the people that will have to deal with the consequences of YOUR actions.

I thank you for reading this and I pray when the time comes you will do what you know in your heart is right.

Sincerely. Uarda Barry

691 Union St
Rockland MA 02370

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=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=uH9aV0Cf5DydwZrqR1gL3dytWSzNBHeGFB0_URTRuKY&s=OBuUC1ta-ht3Q0o00K0QkmV1YOxVTgakdvvcyxsRQLsw&e=>

From: jimncinroy@yahoo.com

Sent: Thursday, July 16, 2020 8:36 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform and redistribution

Please do not hobble our police, firefighters, and nurses with this bill. Criminals smell this weakening of law enforcement coming and crimes like the robbery/murder of that 21 yr old Bangladesh immigrant store clerk will

increase in frequency and audacity. Legislators are throwing out the baby with the bath water. Wake up. Look at your actions and the effects they will have on us little people.

And do not make mask wearing a requirement. Baker has slowed our reopening so that we do not need such draconian measures.

And do not extend the waiver of rent payments and evictions. You will turn this state into one large Detroit.

You are losing your way.

Wake up.

Cynthia Roy

Sent from my iPhone
From: jboncek@aol.com
Sent: Thursday, July 16, 2020 8:25 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill No. S2820

Ladies and Gentleman,

I am BEGGING you to CHANGE some of this BILL.
YOU MUST keep the "Qualified Immunity" part of the bill, IN THE BILL!
This is just wrong...If a Policeman, Fireman, Nurse or a Doctor stops at an accident
and tries to help out and the person dies at NO FAULT of the person helping, they
can get SUED!!! IS just wrong. IF this bill passes, I BELIEVE there will be a MASS
EXODUS of these first responders. I agree in MORE training for the Police Officers
in relations, and banning the CHOKE hold. I want to know, what happens when there are
NO MORE Police..People will go and buy guns and DEFEND themselves..
I again beg/ ask REMOVE THE END OF QUALIFIED IMMUNITY wording, in this bill..

Copied form an article..
Massachusetts State Senate has passed a bill regarding ending "Qualified Immunity" for Firefighters, Nurses and of course Police Officers. These are the very professions that routinely act in "good faith" by making a split-second decision when it comes to helping others in emergency situations.

Thank you Joseph P. Boncek Jr.
p.s I VOTE too!
From: Yolanda Moreno <yolandamoreno418@gmail.com>
Sent: Thursday, July 16, 2020 8:13 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reform bill

I think mace is a non lethal weapon and the banning of it is a mistake.
Your going to let the public use mace but not a police officer??

The fastest bill ever passed, lets not become NY the new third world
country.

Your making some mistakes.

From: jillforste@yahoo.com

Sent: Thursday, July 16, 2020 8:11 AM

To: Testimony HWM Judiciary (HOU)

Cc: Mark

Subject: Opposition to S2800

?. Good morning,

My name is Jill Cimildoro and I live at 36 Pleasant Garden Rd, Canton MA.
<x-apple-data-detectors://0> As your constituent, and a wife of a MA LEO,
I ask that you support amendments 114,116,126,134,129, and137 to Senate
Bill S.2800. 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. I ask
you to not bow down do these BLM radicals. You took an oath and it
includes morality and justice. Enough is enough.

Thank you for your time and consideration.

Respectfully,

Jill Cimildoro

From: Brian Blais <BBLAZE32@hotmail.com>

Sent: Thursday, July 16, 2020 8:05 AM

To: Testimony HWM Judiciary (HOU)

Subject: s2800

Hi my name is Brian Blais, I am a first responder and I am worried about
the passing of this bill. Just the other night while transporting a
patient in an emergency situation my partner tripped and almost fell. If
this person was additionally injured while we were helping them because of
an unfortunate occurrence I would now be able to be sued civically. That
could potentially destroy my family and hurt them more then the person who
actually got hurt while trying to be helped.

Thank You

Brian Blais

From: Sabine Kuzio <sabine.bright02@gmail.com>

Sent: Thursday, July 16, 2020 8:04 AM

To: Testimony HWM Judiciary (HOU)

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

Subject: Reform, Shift + Build Act (S.2800)

Dear Committee,

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,

Sabine Bright

From: Michael Chernoff <michaelchernoff97@gmail.com>
Sent: Thursday, July 16, 2020 8:01 AM
To: Testimony HWM Judiciary (HOU)
Cc: Domb, Mindy - Rep. (HOU)
Subject: Police reform bill

Dear Representatives Michlewitz and Cronin--

I am writing about the police reform bill currently under consideration, particularly the qualified immunity portion. I strongly believe that police cannot be protected by this clause. Unlike other public servants, police are armed (both with guns and batons) and in a position to inflict immediate harm on individuals without any due process. Moreover, some officers have been shown to abuse their roles in the community. If a teacher hit a child in school, there would be repercussions. Police training can certainly include an understanding of the limits on their use of force and the ramifications to them if they exceed those limits.

Second, I believe that civil or criminal penalties against officers that involve financial payment to the plaintiffs should be paid from police pension funds. It irritates me no end that taxpayer money ends up being used to pay for abuses, as determined in a legal process, to compensate victims while the police themselves bear no burden. I think that if pension money were on the line, officers would be more inclined to report abuses by their fellow-officers since it would be their own funds that are on the line. I am not sure how this would be operationalized, but I believe it bears looking into.

Thank you for reading this. I copied my district rep on this.

Michael Chernoff
Amherst
From: Dave Prockett <clayarmy4@aol.com>
Sent: Thursday, July 16, 2020 7:54 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2800

I am opposed to this bill it limits rights to the employees

David C Prockett local 1713

Sent from my iPhone
From: Christine Cavagnaro <christinecavagnaro@icloud.com>
Sent: Thursday, July 16, 2020 7:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified immunity

As a parent of a newly female state trooper I feel
What's happening is a disgrace. If they take away qualified immunity I'm
not sure how we proceed in law enforcement. It's really a shame.

I'm against this bill

Thank you,
Christine Cavagnaro
296 Lincoln street
Revere ma 02151

781-289-8230

Christinecavagnaro@icloud.com
Sent from my iPhoneFrom: kcampbell421 <kcampbell421@comcast.net>
Sent: Thursday, July 16, 2020 7:48 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Hello. My name is Kristin Campbell and I live in West Yarmouth with my
husband and two adult children. We are all registered voters and are
against s2820. This will only make our dedicated and professional police
officers vulnerable to frivolous lawsuits. It will not help control the
officers that are not following procedures. Please do NOT pass this. I am
aware of the majority of my friends and family feel the same as us. We
will make sure to remember who voted for or against when re election time
comes around.

Thank you
Kristin Campbell
5083986631

Sent from my Sprint Samsung Galaxy S8.

From: jtf6363@aol.com
Sent: Thursday, July 16, 2020 7:44 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2800

This Police reform Bill S2800 is a disaster. The bill was hastily put together and strips our heroic officers of their ability to do their jobs (qualified immunity). What happens if an officer breaks a window in a car to help a dog in distress? Now that officer can be sued for damages by the car owner. What happens if they perform CPR on someone and break a rib which almost always happens, now they could be sued? This bill does more harm than good. It is being rushed through without input from those that know, those who it affects the most. This is disturbing to say the least. Changes should be made But not like this. It will make it impossible for Police to do their jobs and what is right without having to go through frivolous lawsuits. Vote down bill S2800.

Jason Flaherty
51 taft rd <x-apple-data-detectors://0/1>
Weymouth,ma <x-apple-data-detectors://0/1>

Sent from my iPhone

From: Stampfl, Dennis <stampfld@barnstablepolice.com>
Sent: Thursday, July 16, 2020 7:44 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

Dear Rep. Aaron Michlewitz & Rep. Claire D. Cronin,

My name is Dennis Stampfl and I live at 91 Pioneer Path, West Barnstable. I am police officer for the town of Barnstable. I have 22 plus years in law enforcement.

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.

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,

Dennis Stampfl

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From: Stacy Meulenaere <stacy.meulen@gmail.com>

Sent: Thursday, July 16, 2020 7:43 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police bill

To whom it may concern

My name is Stacy Meulenaere and I live in Auburn, 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. I also write to you as a state troopers wife, and mother to his kids who would like him to come home after every shift. Currently he is serving our country in Afghanistan which I feel he is safer over there than he is here working in law enforcement. Please read that again, I feel he is safer in Afghanistan than he is here in uniform as a state trooper!

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.

NAME Stacy Meulenaere

ADDRESS 152 Pakachoag St Auburn Ma 01501

OPTIONAL: EMAIL OR PHONE NUMBER stacy.meulen@gmail.com

From: Judi Hanson <judikenhans@verizon.net>
Sent: Thursday, July 16, 2020 7:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform

Please modify or deny this bill.

Sent from my iPad
From: Dennis Stampfl <redsx52@me.com>
Sent: Thursday, July 16, 2020 7:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

?Dear Rep. Aaron Michlewitz & Rep. Claire D. Cronin,

My name is Dennis Stampfl and I live at 91 Pioneer Path, West Barnstable. 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:

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

Sincerely,

Dennis Stampfl

From: Chris Locke <lockec@manchester.ma.us>
Sent: Thursday, July 16, 2020 7:28 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

I am writing for my concern, fear, and uncertainty for what the future holds. If this bill passes in it'd current form, policing in Massachusetts will dramatically change for the worse.

Officers, like Michael Chesna (Weymouth PD Killednin the line of duty) will find themselves hesitating and afraid to act with their training and experience in moments of life or death. This bill is going to make every Officer I know FEAR going to work more than we already do. Opening ourselves up to civil litigation for doing our jobs to the best of our ability is no the answer to the tragedy in WI.

We should be sitting down, having a conversation and coming up with a solution together. It is already so difficult to find qualified, educated police officers in MA with the pay and being what they are. Creating this reform and changing so many aspects of the job; with literally no input for those on the front lines seems very reactionary and not proactive. Some thing that will become of the police. They will become reactionary and not pro active because of fear.

Thank you for your time, and we as police officers look forward to being involved in the change that those think we need.

Best,

Sergeant Chris Locke
Manchester by the Sea Police
978-526-1212
LockeC@manchester.ma.us
From: Jessica Stimpson <jstimpson1129@gmail.com>
Sent: Thursday, July 16, 2020 7:22 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

Hello,

My name is Jessica Stimpson and my phone number is (774) 215-0608. I do not represent any organization nor am I affiliated with any however, I am an educator and have spent time working with underrepresented children in foster care.

I think that this police reform bill is a step in the right direction. I know that many people and organizations will be emailing to tell you how it's a bad idea but they're wrong. In my field, if I were to use any kind of restraint without proper training and licensure I would lose my job. If that restraint resulted in any bodily harm, I would go to jail. And that's the way it should be.

No one has the right to take a life or cause bodily harm to another human without consequences. It is the lack of consequences for years that I believe have led to the number of wrongful deaths at the hands officers.

Thank you for all the work that you do and for moving our state forward to rise to the occasion for social justice and equal protection under the law.

Jessica Stimpson
From: LAURA HAYDEN <lhayden@comcast.net>
Sent: Thursday, July 16, 2020 7:22 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

To Whom it may concern,

I am writing you today about Bill S.2820. I was extremely disappointed that this bill pass the senate at 4:30am with no chance for the public to have their voices heard. As a Massachusetts taxpayer I do NOT support this bill at all. I urge the Senate to veto this bill on Friday. I have made a list of a few a problems I see this with this bill.

Under Section 1

* (d)- This commision should be representing anyone at all that is being discriminated against. Race, Color, Religion, sex, height, weight, disability, etc. We should all be represented not just one race.

* (h)- The conflict of Interest Law states that an individual Shall Not receive more than \$50 per year in any gift or donation who works for or with any public entity. The amount listed is illegal. Why just towards African Americans. What about the Irish, Italian, Latinos, Mexican, French, English, Canadian, Brazilian, Jamaican, people from Georgia, people from Colorado, people from Florida? My point is this should include all of us.

Under Section 2

* (c) I am not a lawyer so I don't know what this means. What are you saying here?

Under Section 3

* This committee should have NOTHING to do with our Police Officers, their training or how they do their job. I disagree with this whole section.

Under Section 4

* I disagree with all of Section 4. This new commission shall have nothing to do with our Police Officers.

This is a very long bill so I won't make me email equally as long but I don't agree with this bill at all. Our Police Officers need our support and whatever training and tools they need to keep us safe. Police Officers shall be able to perform their duties keeping the public safe with no negative consequences at all. If a Police Officer breaks a law they shall be held responsible as any other citizens but that is all.

Respectfully,
Laura and David Hayden
45 Hayes Lane
Brewster, MA 02631
508-896-1989

From: Joel Wool <joelwool@gmail.com>
Sent: Thursday, July 16, 2020 7:19 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support S.2800; Thank you for Reporting H3277

Dear Chairs:

I write to affirm the great importance of advancing legislation on police reform this session. I am fully in support of S.2800/S.2820 and urge you to take up this legislation. Should the house move to take up several pieces of legislation as opposed to an omnibus, I urge that H3277, previously reported by Judiciary and regarding reforms to Qualified Immunity, as well as HD5128, introduced by Rep. Miranda and regarding use of force and police militarization, be taken up.

While it is commendable for the House to hold an additional hearing, I am disappointed by the rhetoric around public process, particularly with regard to an issue that was heard last year and acted upon by the Judiciary Committee in February. It speaks volumes that the Judiciary Committee previously acted to reform qualified immunity by advancing H3277, and I commend the committee for acting on this legislation.

The doctrine of and legislative protections for qualified immunity create constitutional and civil rights crises, and if anything, the changes should be strengthened so that no person is above the law. As a public employee myself, I take very seriously the obligation to serve Massachusetts residents and do not believe any public employee should be effectively "immune" to appropriate recourse if they violate another person's rights. What use is the law if anyone is above it?

Regards,

Joel Wool
545 Adams St, Boston, MA 02122

C: (978)697-0361
E: joelwool@gmail.com

From: Patricia Harris <PBHarris@Wellpath.us>
Sent: Thursday, July 16, 2020 6:58 AM
To: Testimony HWM Judiciary (HOU)
Cc: HWMJudiciary@mahouse.gov
Subject: Police Reform Should Include

Good Morning Decision Makers,

As a woman of color I feel All Police/Law Enforcement should lose their pensions completely if they are fired or charged with using excessive force. Because if that becomes the law

Policemen/Law Enforcement would think twice about how they treat people and people of color in particular. They have to be held accountable regardless of the color of one's skin.

God Created All Of Us Equally some of us did not get the memo...This is why and how the Black Lives Matter Movement began and is so necessary today. No one is better than the next

person just because their skin is lighter. This is what the Black Lives Matter Movement is really all about in simple form make sure Equality for All that's it! God Bless and Help Us All!!

Thank You,

Patricia Harris

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forward this E-mail message. If you have received this E-mail in error, please notify the sender and destroy the message. Thank you.

From: David Nielsen <davidhnielsen@gmail.com>
Sent: Thursday, July 16, 2020 6:52 AM
To: MindyforMA@gmail.com; Testimony HWM Judiciary (HOU); David Nielsen
Subject: Re: Virtual Town Hall, Police Reform Hearing and Legislative Update

Dear Representatives Michlewitz and Cronin,

Please increase, not decrease, police funding. I'd advise an amount equal to the CPI to account for inflation. The movement to decrease police funding is well-intentioned but ill-advised. Of course black lives matter but so do Asian, white or any other color. Is it any more racist to say that "White lives matter" or "All Lives matter" than "Black lives matter"?

I lived through the early 1950s and McCarthyism. I never thought I'd see an era of profound intolerance again in America. But, here we are again.

Please provide some guidance in these troubled times. Keep black people and all people safe. Do not defund the police.

Thank you ,
David Nielsen of Amherst, MA
I support no political party or organization.
Phone: 413-253-3842

On Thu, Jul 16, 2020 at 6:34 AM Mindy Domb <MindyforMA@gmail.com> wrote:

The Latest News from State Rep Mindy Domb

<<https://gallery.mailchimp.com/7e976b7021c41e9bce64c8871/images/22a330bd-8549-4e0c-aafe-1a505ce021bd.png>>

July 16, 2020

Dear David,

I hope you and your family are healthy and safe. As the pandemic continues, we are seeing the COVID-19 spikes in various states across the country. Here in Massachusetts we're told that our public health indicators continue to show a flattening of the curve, the re-opening of the economy continues with Phase 3
<https://urldefense.proofpoint.com/v2/url?u=https-3A__facebook.us12.list-2Dmanage.com_track_click-3Fu-3D7e976b7021c41e9bce64c8871-26id-3Dfd87daa44f-26e-3Dd892e00594&d=DwMFAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Noly1Y_pvDDKAwzL-vbJD9ajj3EmE6SGLPmJEJzLmug&s=yyR9g7txCYmurPSwJWekTVxMp4TJp1K-6XzDrBMxuYU&e=>> , colleges and universities are developing vastly different plans for their individual campuses, and Governor Baker's Department of Elementary and Secondary Education has required K-12 schools

to use the summer to develop feasibility plans for three different instruction scenarios in the fall (all remote, all in person and a combination). Many of us continue to work remotely – including me, voting on legislation from Amherst via cell phone and laptop.

Town Hall on Responding to Hunger

TODAY! Thursday, July 16 from 4 to 5 p.m., please join Rep. Natalie Blais and I at a virtual town hall on responding to hunger in our community. Please join us and share with friends and neighbors. Advance registration is required HERE
<https://urldefense.proofpoint.com/v2/url?u=https-3A__facebook.us12.list-2Dmanage.com_track_click-3Fu-3D7e976b7021c41e9bce64c8871-26id-3D126ela64e1-26e-3Dd892e00594&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Noly1Y_pvDDKAwzL-vbJD9ajj3EmE6SGLPmJEJzLmug&s=nTSOCaNwiod2hgRpWfVhcWFJ9wyfHYe2edLkszeEEiBk&e=> .

<https://urldefense.proofpoint.com/v2/url?u=https-3A__facebook.us12.list-2Dmanage.com_track_click-3Fu-3D7e976b7021c41e9bce64c8871-26id-3D06f827274a-26e-3Dd892e00594&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Noly1Y_pvDDKAwzL-vbJD9ajj3EmE6SGLPmJEJzLmug&s=xtHYpNcwZB15CaSJbxFae4RsSNU1YL0t0B0ZZoWLOCg&e=>

Legislation

COVID-19

This week I filed, with Rep. Jon Santiago and Sen. Harriet Chandler, HD 5181 to prioritize five public health policy interventions to reduce the likelihood and/or intensity of a second coronavirus surge. The policies include: (1) mandatory face covering to reduce COVID-19 transmission; (2) requiring a two-week quarantine for travelers entering Massachusetts to prevent community spread; (3) prioritizing COVID-19 testing for vulnerable populations (whether or not they have symptoms) to increase knowledge of infection and reduce transmission; (4) instituting enforceable workplace safety standards during reopening to protect workers, customers and communities; and (5) providing more resources and funding to local boards of health to build their capacity to be effective partners.

It's becoming clear that the pandemic will be with us for a while. This bill helps to amplify these issues and push the discussion around addressing the continued spread of COVID-19. I'll keep you posted on it's progress.

<<https://mcusercontent.com/7e976b7021c41e9bce64c8871/images/147411e8-1dbc-4264-8882-89c0738af590.png>>

In the past month, we've voted on several bills that may be of interest to you.

Supplemental Budget FY20 - COVID19

The House has passed a supplemental budget, and the Senate passed its. The two need to be reconciled and then sent to the Governor. I am pleased to tell you that both versions would make Juneteenth a state holiday. I am very proud that I joined a group of legislators and filed legislation to do just this, which was the inspiration for Rep. Bud Williams (D-Springfield) to introduce an amendment that was passed.

Vulnerable Children

Last week, the House of Representatives passed H. 4841 to address the imminent needs of children and families amplified by the COVID-19 crisis and illuminated through the lens of racial equity.

The bill requires:

- * The Department of Children and Families (DCF) to report monthly to the Legislature on changes in the numbers of child abuse and neglect cases.
- * DCF to implement a public information campaign to improve awareness of child abuse and neglect.
- * DCF to report on efforts to support the foster care system.
- * DCF to analyze the effect of virtual and video technology on services during COVID-19.
- * School districts to report the number of students who did not participate in a form of remote learning, including students with open DCF cases.
- * Department of Elementary and Secondary Education to develop a statewide plan to ensure that the most vulnerable and at-risk students and their families receive assistance to ensure remote learning works for them.
- * Establishes a Foster Parents' Bill of Rights outlining the relationship between the department and foster parents. By clearly articulating the rights of foster parents and the responsibilities of DCF, designed to retain and recruit foster families.

Arbovirus in MA

The House passed H.4842 to expand the state's efforts to address mosquito-borne illnesses such as EEE and West Nile Virus. The Joint Committee on Public Health, through its Chairs, Rep. John Mahoney and Sen. Jo Comerford, took 11 lines from the governor (that was the entirety of his EEE bill which essentially gave the state permission to spray, with little to no accountability to local communities) as an invitation to craft legislation, in the middle of a pandemic, that provided more community control, more environmental protection and more deliberation than the governor ever expected or demonstrated an interest in securing. The legislation creates a task force to develop a plan to control mosquitoes. I'm gratified that two amendments I proposed were accepted into the final legislation (requiring that the commission membership

include a microbiologist with expertise in diseases transmitted by mosquitoes and ticks, and increasing the commission's role to identify known ingredients in pesticides that are used and determine a process that can be used to identify "unknown" ingredients).

The Department of Public Health is tracking EEE and West Nile Virus; you can find out more information here
<https://urldefense.proofpoint.com/v2/url?u=https-3A__facebook.us12.list-2Dmanage.com_track_click-3Fu-3D7e976b7021c41e9bce64c8871-26id-3D6154096a6d-26e-3Dd892e00594&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=NolylY_pvDDKAwzL-vbJD9ajj3EmE6SGLPmJEJzLmug&s=-WuU44NlffMJ9L0r-VwnORfupP54n6-gchV2D4yhCRk&e=>> . Please note there have been two identified cases of EEE in Franklin County so far this season.

Police Reforms

The State Senate passed a bill earlier this week addressing many areas of reform in policing in the Commonwealth. The House is holding a virtual public hearing prior to our voting on this important issue, and accepting written testimony on bill. Comments will be accepted until Friday, July 17, at 11a.m. Written comments can be sent to Chair Aaron Michlewitz (House Ways and Means Committee) and Chair Claire Cronin (Judiciary Committee) at: Testimony.HWMJudiciary@mahouse.gov. Please provide your name, organization and phone number. Feel free to send me a copy of your statement/e-mail <<mailto:mindy.domb@mahouse.gov>> so I can be aware of your views.

<<https://mcusercontent.com/7e976b7021c41e9bce64c8871/images/8614d889-1708-40c2-808f-34c6d4eb2595.png>>

Thank you for staying in contact during these challenging times. Please feel free to let me know your thoughts on topics in this e-news or other matters of importance to you, and please let me know if these electronic newsletters are helpful to you, and if there are particular topics you'd like to see addressed.

With warm wishes for your health and safety, and please remember, the only way to prevent COVID-19 transmission at this time is: wear a face covering (or mask) in public, stay at least six feet apart from other people when you can, and wash your hands with soap.

With appreciation for the honor of representing you in the Massachusetts House of Representatives,

<<https://gallery.mailchimp.com/7e976b7021c41e9bce64c8871/images/1b998468-3f72-452a-bf3c-facf2489420b.png>>

Mindy Domb, State Representative
Representing the 3rd Hampshire District (Amherst, Pelham, precinct 1 in Granby) in the MA House of Representatives

PS - PS Hope to see you at tomorrow night's "town hall" on food security. Please register
<https://urldefense.proofpoint.com/v2/url?u=https-3A__facebook.us12.list-2Dmanage.com_track_click-3Fu-3D7e976b7021c41e9bce64c8871-26id-3De0ea38e707-26e-3Dd892e00594&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=NolylY_pvDDKAwzL-vbJD9ajj3EmE6SGLPmJEJzLmug&s=zApmO-2UCS8w7lihMrMN1MUj6zTv-7VYP3aGCE3Tlts&e=> in advance so you can get the link to join us on Zoom.

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From: Elizabeth Baggett <elizabethkavery@gmail.com>
Sent: Thursday, July 16, 2020 6:45 AM
To: Testimony HWM Judiciary (HOU)
Subject: Re: Against reform bill

Also, my phone number is 857-891-7268.

Thank you.

On Thu, Jul 16, 2020 at 6:42 AM Elizabeth Baggett <elizabethkavery@gmail.com> wrote:

To whom it may concern:

I am writing to strongly encourage this vote NOT to pass. As a sister of a law enforcement officer and cousin of two Boston Police officers, this law would not only be a detriment to law officers but prohibits them from doing their job - to keep us SAFE. The idea of qualified immunity for police and whether the Legislature should make it easier to sue public officials in civil court is abhorrent and will surely lead to many officers leaving the force and discourage MANY from wanting to become a police officer.

The millions of our brave officers deserve to be protected in their job and the few "bad" officers that are out there shouldn't overshadow the good.

In a time of uncertainty, we need to support the blue - not turn our backs to appease the masses.

Sincerely,

Elizabeth K. Baggett

From: Sara Goldsmith <saragoldsmith82@gmail.com>
Sent: Thursday, July 16, 2020 6:44 AM
To: Testimony HWM Judiciary (HOU)
Cc: Madaro, Adrian - Rep. (HOU); Gingras, Steven (HOU); Rivas, Gloribel (HOU)
Subject: In Support of the Reform, Shift + Build Act

Hello Mr. Michlewitz & Ms. Cronin,

I am writing to voice my full support of the Reform, Shift + Build Act. Specifically the restriction of qualified immunity.

As a white woman my experience with police has never felt like life or death. If I've been pulled over, my greatest fear is an expensive parking ticket and a higher insurance bill. This is not by chance.

And as a white resident of East Boston, my experience with the police has been positive. This is also not by chance.

I choose to live here because it is the most vibrant, diverse and welcoming neighborhood. But I know that my Black and Brown neighbors are not treated the same by police.

It is only fair that this Commonwealth is just as safe for our neighbors and friends of color.

Respectfully,

Sara Goldsmith

From: Elizabeth Baggett <elizabethkavery@gmail.com>

Sent: Thursday, July 16, 2020 6:43 AM

To: Testimony HWM Judiciary (HOU)

Subject: Against reform bill

To whom it may concern:

I am writing to strongly encourage this vote NOT to pass. As a sister of a law enforcement officer and cousin of two Boston Police officers, this law would not only be a detriment to law officers but prohibits them from doing their job - to keep us SAFE. The idea of qualified immunity for police and whether the Legislature should make it easier to sue public officials in civil court is abhorrent and will surely lead to many officers leaving the force and discourage MANY from wanting to become a police officer.

The millions of our brave officers deserve to be protected in their job and the few "bad" officers that are out there shouldn't overshadow the good.

In a time of uncertainty, we need to support the blue - not turn our backs to appease the masses.

Sincerely,

Elizabeth K. Baggett

From: Gail Miller <gailmiller48@icloud.com>
Sent: Thursday, July 16, 2020 5:38 AM
To: Testimony HWM Judiciary (HOU)
Cc: Madaro, Adrian - Rep. (HOU)
Subject: Senate 2800

Dear Chairs Michlewitz and Cronin,

I urge your support of Senate bill #2800 if we are to make systemic changes in procedures to prevent the assaults and murders by police of our Black and Brown brothers and sisters. The time has come and it is now. We cannot let the status quo remain in our policing here and across the nation. What kind of country are we if we remain stuck in archaic regulations?

Your voice and support are needed at this juncture!

Regards,

Gail Miller
232 Orient Avenue
East Boston

Sent from my iPhoneFrom: john zocchi <j_zocchi@verizon.net>
Sent: Thursday, July 16, 2020 5:33 AM
To: Testimony HWM Judiciary (HOU)
Subject: Input S2800 Police Reform Bill Please Do NOT Pass this bill as written

My wife and I do not support removing qualified immunity

The Reform Bill 2800 was surprisingly passed by the Senate without a proper review. We support Police reform but a quick, not properly vetted reform bill should not be approved.. Eliminating qualified immunity is a very dangerous action which will put all citizens in danger. Many frivolous law suits will jam the courts and burden police. Some of the cases may have merit but many others will not. Regardless, police officers will bear the cost of defending themselves and could effect police response. It's great for lawyers but bad for law enforcement and the general public. Responding to a call is stressful enough. .

Finally, does eliminating qualified immunity apply to other groups such as: first responders, city hospital nurses, teachers....others?

Regards

John and Mary Zocchi
4 Partridge Road
Hopkinton
508-435-5775

From: Nate Arnold <wmassfirebuff@gmail.com>
Sent: Thursday, July 16, 2020 12:50 AM
To: Testimony HWM Judiciary (HOU)
Subject: Re: Testimony on S.2800

To whom it may concern:

I, Nathan Arnold, hereby submit my personal comment concerning S.2800's removal of qualified immunity for law enforcement officers in the Commonwealth of Massachusetts. Let the record show that I am firmly AGAINST the removal of qualified immunity because this will undermine the hard, dangerous work our police officers do on a day to day basis. It will open agencies, municipalities and individual officers up to lawsuits that will cause a tectonic shift in the way agencies allow officers to do their jobs. This will create more problems than it solves. I strongly urge all parties involved in this legislation to amend it and keep qualified immunity fully intact.

Respectfully,
Nathan Arnold
Private resident of Massachusetts

Sent from my iPhoneFrom: Alex <alexjohn1992@gmail.com>
Sent: Thursday, July 16, 2020 12:32 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

To:
The Chair of the House Committee on Ways and Means
Rep. Aaron Michlewitz
Rep. Claire Cronin
Chair of the Joint Committee on Judiciary

My name is Alex Johnson and I reside in Worcester. I am a police officer in a town north of Worcester. I am writing you about Bill S.2820 that was just passed in the Senate and has moved on to the House of Representatives.

I am writing you with concerns of this bill specifically in regards to protecting our rights as police officers. This police reform Bill was rushed through the Senate without a public hearing. It was not well thought out nor drafted. It was pushed through to appease a group of people rather than actually studied by experts in the field. This is a very dangerous precedent that should not be set.

As a police officer, and speaking for the thousands of other officers in the state of Massachusetts, we all agree that we can do better. We are not completely against this bill as a whole. Rather, we are against some

aspects of this bill that take away our rights. Massachusetts has some of the most educated and well trained police officers in the country. In fact, there are a lot of states outside of MA that actually try and recruit officers from this state due to our training and education.

Some key proponents of this bill that I and others officers are asking to be amended are the part about qualified immunity, the part about due process, and the part of allowing law enforcement representation on the proposed POSAC licensing system.

Qualified immunity is a very important protection that allows an officer to be protected if he/she is sued civilly. With the proposed bill, we will all lose that protection. Which means even if we acted in good faith, we could still be held civilly liable and the money will come from our pockets. This is not fair to us as public servants who put our life on the line every single day for the public.

As far as due process - it is not fair that we would not have the right to appeal a decision made by a board of members in terms of our license in the proposed system. Especially if that board does not have any law enforcement representation on it.

I hope that all of the Representatives in the House actually take the time to look at this bill and think about the outcomes that would come from it if passed. Our state will lose good cops who have put their heart and soul into this profession. It would cause officers to second guess themselves due to not wanting to be held liable for any damages resulting from a civil law suit. And most importantly, the crime rate would sky rocket in this state. The safety of all citizens in the Commonwealth would be jeopardized.

Very Respectfully,

Alex Johnson

508-688-0194 From: Us <theresaandpete@comcast.net>

Sent: Wednesday, July 15, 2020 11:47 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill S 2800

To Whom it May Concern,

The bill being pushed through the Senate without debate or any real consideration of consequences for not only major stakeholders, but our society, is not only wrong; it's foolish. First of all, we live in an incredibly litigious society; removing or scaling back the qualified immunity of police or any other civil servants is completely irresponsible. Why would anyone want to enter civil service with that kind of liability looming over their every move?? We need our civil servants, our first responders. Their job is already stressful and risky enough, they do not need to be worried anytime they have a contentious interaction with someone. I urge you to reconsider or amend this bill especially around the qualified immunity aspect. We can support the Black Lives Matter movement through proper legislation that doesn't punish all the

amazing police, fire or whomever else this bill will or could impact with this knee-jerk reaction.

My daughter and I personally have had our lives saved, literally saved, by the Methuen Fire Dept in 2018 when at 6.5 mos pregnant I was unconscious seizing on the floor of my home due to pregnancy complications. The first responders who answered the call, in what was an incredibly delicate yet urgent situation, did so with full focus and attention without fear of retribution or a life-altering lawsuit. Would they have hesitated to try something heroic on me in case it didn't go quite right for fear of being sued personally? I shudder to think how their mindset could be impacted in a similar situation moving forward with those fears. Please consider this testimony moving forward on this matter or to contact me for more information if necessary.

Sincerely,

Theresa Fisher

Methuen, MA

From: Elizabeth Crosby <singer.elizabeth@gmail.com>

Sent: Wednesday, July 15, 2020 11:33 PM

To: Testimony HWM Judiciary (HOU)

Subject: MA Resident in Opposition of Bill S2800 / S2820

Chair Aaron Michlewitz and Chair Claire Cronin:

I am writing in regards to proposed Bill S2800. As a constituent of Massachusetts, I am a registered Independent with very liberal views. I have registered as Independent because I cannot align myself with the Republican Party, but I have also lost faith in Democrats; even more so, now, in the manner in which the Mass Senate just passed S2800. Our Country has become so polarized that "the middle" seems like no-man's land. It's where I stand grounded - frustrated that common sense has become so lacking in the United States.

Today I am writing to you, not only as a registered voter in Massachusetts, but, as the wife of a Boston police officer. Law Enforcement, and their families, have become the scapegoats of the pervasive and systemic racism that has plagued our country for centuries, with reaches far broader than policing.

Where is the outrage that "In the United States, black women are 2 to 6 times more likely to die from complications of pregnancy than white women" as a result of the "quality of prenatal delivery and postpartum care" they receive (source <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.ncbi.nlm.nih.gov_pmc_articles_PMC1595019_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=FXvNnhYCpUDYwMcsHUheL166RL0W9_cvJkE2a-_On08&s=hQDWaOgWoL6avg3ozh7gkfvTV-gcQJGHWTuQz61XIT0&e=> / source <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.ncbi.nlm.nih.gov_pmc_articles_PMC1595019_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=FXvNnhYCpUDYwMcsHUheL166RL0W9_cvJkE2a-_On08&s=hQDWaOgWoL6avg3ozh7gkfvTV-gcQJGHWTuQz61XIT0&e=>>

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God-willing, when this child reaches school, they will, most likely, be met with racial disparity in their school system, whether it be the lack of qualified educators or resources enjoyed by their higher tax-paying counterparts. If they should overcome these disparities, the reality is still that "black students (are) 54 percent less likely than white students to be recommended for gifted-education programs" and "3.8 times as likely as their white peers to receive one or more out-of-school suspensions" (source <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.apa.org_monitor_2016_11_cover-2Dinequality-2DSchool&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=FXvNnhYCpUDYwMcsHUheL166RL0W9_cvJkE2a-_On08&s=i8wP4b6Ta_ammJwIzR4m0h1TwtV3c9A540tEKNRpLGA&e=>). "Students who are suspended are more likely to drop out of school and have run-ins with the juvenile justice system, a pattern so well documented in the literature that it has earned its own dubious moniker-the "school-to-prison pipeline." ."(source <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.apa.org_monitor_2016_11_cover-2Dinequality-2DSchool&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=FXvNnhYCpUDYwMcsHUheL166RL0W9_cvJkE2a-_On08&s=i8wP4b6Ta_ammJwIzR4m0h1TwtV3c9A540tEKNRpLGA&e=>)

I understand that Bill S2800 calls for "the immediate creation of an independent Office of Police Standards and Professional Conduct to ensure minimum statewide policies and procedures for all law enforcement in the Commonwealth (including procedures on the use of force) as well as statewide oversight and accountability-including police officer certification and enhanced training" - a civilian majority board, nonetheless.

Will these civilians also review the standards and professional conduct of the Doctors involved in maternal or fetal deaths, and have the power to strip medical professionals of their license? Will these civilians be in charge of overseeing education and housing reforms, to ensure that minority children do not fall trap to the "school-to-prison pipeline"?

Better yet, will these civilians go through the Police Academy and patrol the streets to better understand policing?

If you are going to have civilians on a board with the authority to certify and decertify Law Enforcement, it seems to be common sense that these individuals be experts in the field of Law Enforcement. This simply doesn't suffice: individuals with "criminal law, civil rights law, the criminal justice system or social science fields related to race or bias". If you allow non experts on the board, then how can Law Enforcement be assured of impartiality and unbiased opinion? How do they know that the civilian authorized to strip them of their credentials doesn't operate with extreme bias based on personal experience?

In addition, this bill is so deeply flawed by the public's belief in the "Monday Morning <x-apple-data-detectors://1> Review". As a civilian, it is easy to say what could have, or should have, been done, once presented with all the facts and in an environment where the sympathetic nervous system is not in overdrive. It is very different when life-or-death decisions need to be made in a split second.

When pushing this Bill, Senators' brought to name the deaths of George Floyd and Breonna Taylor, Sandra Bland in Hempstead, Texas, and 12-year-old Tamir Rice in Cleveland, Ohio and the death of Michael Brown in Ferguson, Missouri. Yet, not one of these individuals was killed by Massachusetts Law Enforcement, who are among the best in the Country.

I can promise you one thing; this Bill, as it stands, will get people killed, but, the Country has made it abundantly clear that bloodshed is okay if it is that of a police officer. If you need a reminder, here are a few names:

Officer Tarentino
Sgt. Michael Chesna
Sgt. Sean Gannon

Or, Boston Police Officer John Moynihan who, by the grace of God, survived being shot in the face within 30 seconds of approaching the suspect's car.

My husband and I always say, when presented with those situations, you are already damned because you either end up in a box, or demonized. Sometimes I think it's better to end up in the box.

With that said, how about a civilian review board to review the decisions of judges in our State, that have indirectly lead to the deaths of police officers? Should Judicial Immunity be revoked?

We need police officers. We also need reform. Bill S2800 is NOT the reform needed.

The proposed "public database of complaints" against officers would only be accurate if the "tabbing" system of police officers is completely overhauled. It is an inherently flawed system where anyone can tab a police officer, for any reason, and that complaint remains on the police officer's record regardless of its veracity.

As a law enforcement family, I am deeply concerned with ending Qualified Immunity, which would not only punish police officers for trying to do their job, but would punish their families, spouses and children; your constituents. At what point do our rights matter? Furthermore, most people are completely ignorant to what Qualified Immunity does and does not protect.

We urge you to consider the following as the House continues to debate the elimination of Qualified Immunity, with a few reasons why Qualified Immunity should remain in-tact:

- * Officers and public officials need qualified immunity to carry out their jobs. Public officials, and particularly police officers, perform vital tasks that may require split-second decisions in stressful circumstances. Taking away qualified immunity could lead to officers being hesitant to act when it is most needed.

- * Removing qualified immunity could open up public officials and police to unwarranted lawsuits, in which judges and juries could second-guess split-second decisions and lead to significant costs for cities, police officers, and other public officials.

- * Officers do not have absolute immunity, and they can be held liable when they violate a clearly established constitutional right.

- * The narrow interpretation of clearly established precedent is appropriate. Officers should not be forced to apply an abstract right under the Constitution to specific circumstances in split-second decisions. Officers cannot be expected to be legal scholars or think through legal arguments when attempting to make an arrest.

- * Officers must have room to make mistakes or have moments of bad judgment without worrying about being sued.

Ending Qualified Immunity is simply picking the low-hanging fruit. The pervasive racism in this country begins from the top-down. Politicians, BLM and news organizations need to stop vilifying Law Enforcement simply because they are the most "visible".

This Bill is simply giving the public more ways to sue Police Officers for attempting to do their jobs. Anyone can now say they were racially profiled, ignoring the fact that "there are differences across racial and ethnic groups in the frequency that they commit crime, which puts some groups in contact with the police at a rate that is disproportionate to their presence in the population". In addition, "the problem is made even further difficult because we also live in a racially segregated society. So, if you are going to send the police where there is the most crime, you're also going to wind up sending the police to what are typically racially segregated communities" (Professor Daniel Nagin). So, under the new Bill, an officer in the districts of Roxbury or Mattapan, for instance, are to do what to effectively do their job without being accused of racial profiling? If you are honest with yourself, you can say, without prejudice, that a resident of Roxbury or Mattapan is more likely to be a person of color.

As for the District Attorney, Judges and Legislators of Massachusetts - put some skin in the game. If you are going to revoke Qualified Immunity, then revoke Prosecutorial, Judicial and Legislative (Absolute) Immunity, as well. Make everyone accountable. Especially when the men and women of Massachusetts Law Enforcement start losing their lives because they begin to hesitate, questioning the outcome of their actions beyond their own mortality. Let the families of Law Enforcement have the same avenues for Civil suit against Legislators, that pushed through a rushed bill that did not include the input of key stakeholders, and puts our lives and well-being at risk. Truly, does that sounds like fair, unbiased and representative legislation?

Honestly, in this day, what person would sign up to do this job? As a family, we have made so many sacrifices because my husband took an oath to Protect and Serve. Most days I am left parenting alone. We do not get to spend holidays or birthdays together. We do not get to plan vacations or have plans for days off, because, most likely, they will be cancelled. And all so the public can continue to enjoy their sports games, social events and, even, right to protest.

Every year, because my husband is a public servant, his salary is posted in the newspaper for all to see and scoff at, with no context. It doesn't tell the story of the many hours worked, one shift to the next, not by choice. It doesn't tell of the many days-off cancelled. It doesn't capture the sadness my children feel because their father belongs to the City, and not to our family.

My children both cry every time their Dad walks out that door because they know they might not see him for a few days. At 5 years old, my oldest son already understands that, one day, it might be permanent. Someone might take his Dad away from him. And I understand, this is the same fear Black families feel when their Dads, Brothers, Sons walk out the door. The fear is a dark cloud that hovers whenever they are not present. None of us get to own it as our own. My fear does not cancel their fear, and theirs, mine.

Over the years, I have become acquainted with many police officers. I know, from the depths of my soul, that not one sets out to inflict harm. They fear should that day ever come. And if that horrible day comes, it forever alters their life.

We have asked so much of our police. The public treats police officers as subhuman, but, at the same time, they are supposed to be superhuman. They are neither. We, the people, need to decide what we want, because we cannot have it both ways.

Police already feel abandoned by our nation. Is it any wonder why police officers have higher divorce, alcoholism and suicide rates? If you actually want to understand, read "Emotional Survival for Law Enforcement" by Kevin M. Gilmartin, Ph.D.

Please remember these are the same police officers who protected our City after the Marathon Bombings. How quickly we forget. They were loved for a week, maybe a month at best. We Americans love to forget... are we not seeing this everyday with Covid?

If you want true reform, include Law Enforcement in the conversation. What good does anyone think will happen when a complete overhaul of the system has been made, behind closed doors, without them having a seat at the table? Honestly, in what world will this strengthen the trust and relations between Law Enforcement and an unforgiving public? Furthermore, as a citizen, I believe the Senate set a dangerous precedent passing this Bill without a public forum or review. Should citizens be concerned as to what other Constitutional rights are being revoked, as we sleep at 4:30 <x-apple-data-detectors://4> in the morning?

To be honest, these men and women in Law Enforcement are neither hero, nor villain - they are people trying to do their job. They need the public's support and recognition that oversimplifying a complex matter, does not simplify anything.

All they want is to have a voice in the reform that affects their jobs and lives. Include them in the conversation. And please, don't punish the many exemplary members of Massachusetts Law Enforcement for the actions of a few.

Regards,

Elizabeth Crosby

Sent from my iPhone

From: Ross Hayden <rss_hayden@yahoo.com>
Sent: Wednesday, July 15, 2020 10:29 PM
To: Testimony HWM Judiciary (HOU)
Subject: OPPOSITION OF S.2800

To whom it may concern,

I would like to reach out to voice my STRONG opposition of this bill. This bill puts more lives at risk and can ruin honest public servants lives. Please, please, please do not vote in favor of this.

Regards,

Ross Hayden

Sent from Yahoo Mail for iPhone
<https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMCAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=FSC3p_uhv7kuS2loTjPFRUuJJK3eDhhlwbNO7XbkNhM&s=ErF8G4zRzAK94SdILu8W0euuj_qsyiYmHKtA4UfzXGc&e=>>

From: russell protentis <russellprotentis@gmail.com>
Sent: Wednesday, July 15, 2020 10:25 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 Police Reform Bill

Dear Aaron/Claire ,

First of all Claire thank you for your kind assistance to my elderly parents Sam and Inga Protentis.

I am a retired federal agent with 34 years of government service with the Bureau of Alcohol Tobacco and Firearms, US Immigration and Customs Enforcement formerly US Customs Service with details to the United States Secret Service and the Drug Enforcement Agency.

I spent my entire career based in the Commonwealth of Massachusetts. I arrested and prosecuted hundreds of felons in US District Court and various State district courts. In addition, I conducted hundreds of Investigations with the assistance of numerous local police departments as well as the Massachusetts State Police. The men and women from those departments exhibited the utmost integrity and professionalism during the execution and the arrest of suspects often times under the most difficult of circumstances.

My 34 years of experience revealed urban minority communities had the highest incidence of violent crime and illegal firearms possession. My first year with ATF was spent with a senior agent who was black. During enforcement activities with this agent, he was treated more harshly by citizens of the same skin color. Young members of the black community hurled racist slurs at this outstanding agent and ex-marine. However, older members of the community applauded his service. Increased presence

of law enforcement in these communities resulted in sharp declines in violent crimes, gang activity and in particular homicide.

As we see across our great nation a cry for defunding police, especially in major cities we also witness a sharp increase in violent crime and homicides.

My 34 years experience clearly shows me that if we remove funding and resources from our great public servants who enforce the law without regard for their own lives we will see violent crimes savage our nation and the loss of life of many young innocent victims.

Thank you for your service.

From: Matthew M <manning677@gmail.com>
Sent: Wednesday, July 15, 2020 10:05 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800 bill

?

?Dear Senators,

My name is Matthew Manning and I live at 7 Peters, Street, Apt 2, in South Boston. 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,

Matthew Manning

South Boston Resident

781-267-6504

Sent from my iPhone

Sent from my iPhone
From: Trevor E <trevor.eckhart@gmail.com>
Sent: Wednesday, July 15, 2020 10:01 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please Support S.2800

My Name is Trevor Eckhart, a resident of Westfield, MA. I am writing this quick email in hopes that you will support Bill S.2800.

I am specifically a proponent of limiting qualified immunity. Doctors and nurses do not have qualified immunity and are not afraid to do their job. Police should not have this special privilege which is clearly being abused.

I am also a strong supporter of enforcing body worn cameras. There is no good reason why an officer, paid by public taxes, should not be recorded while performing the job, ESPECIALLY if a weapon is being brandished. This ensures that even if a citizen isn't there recording, police can be held accountable.

I believe this bill is in the public's best interest and would put Massachusetts as a role model to others. I sincerely hope that you will support this.

Regards,

Trevor Eckhart

M:860-485-8617
From: Robert Schiffer <rschiffer72089@gmail.com>

Sent: Wednesday, July 15, 2020 9:59 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

To whom it may concern,

I have many concerns a with this bill. My main concern is the abolishment of qualified immunity in policing. As I hope you know already, this qualified immunity does not protect officers who act recklessly. Those officers are still held liable and can be personally sued.

The issue with this is ending qualified immunity. For instance, I, as a police officer have to perform CPR on someone and break one of patients ribs and bring them back to life. This allows them to personally sue me.

If this bill does go through, officers are not going to be proactive anymore because of the fear of being sued. It would be much more easier for an officer to sit back and answer calls to reduce the chances of being sued.

If this passes you will likely see a reactive police force across the board and crime drastically increase.

Rob Schiffer
Lakeville Police Department
508-947-4422 x129From: DJ Morgz <deejaymikemorgan@yahoo.com>
Sent: Wednesday, July 15, 2020 9:47 PM
To: Testimony HWM Judiciary (HOU)
Subject: Mass Senate Police Reform Bill

I vehemently oppose the Mass Senate Police Reform Bill.

Michael Morgan
Shoe City Champions
Brockton, Ma 02302
<http://www.shoecitychampions.com>
Antiques / Collectibles
<http://www.facebook.com/shoecitychampions>
From: Robert Gaudette <robert.gaudette@uconn.edu>
Sent: Wednesday, July 15, 2020 9:47 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 Testimony

Dear Chairs Michlewitz and Cronin:

My name is Robert Gaudette and I am a private citizen living in Dedham, MA. My phone number is (603) 490-0303.

I am writing to strongly encourage the complete repeal of qualified immunity for state and local police officers. The Senate's version of this bill is unacceptable. Victims of police misconduct must have the full

remedies of the law available to them for restitution. Additionally, the multiple State Police Superintendents, Governor Baker and Attorney General Healy have shown themselves incapable of curbing state police misconduct. A civilian review board—with full subpoena power and funding—must be authorized by the legislature to oversee state and local police departments. Additionally, funding for police should be reallocated to housing, health and education funding.

Thank you for considering my testimony.

Robert Gaudette, PharmD
From: Caitlin Topping <cattopping@gmail.com>
Sent: Wednesday, July 15, 2020 9:40 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform testimony

Hello I am writing regarding the Police Reform Bill passed by the Senate. I am writing to beg the House NOT to pass it.

Some initial reasons are the clear rush job this has been to appease the new narrative that all police are racists. The fact the Senate voted on this overnight with no public hearing shows they even know they are stepping out of line. The fact that they did not speak to any law enforcement official to get a perspective from a person on the job, shows the absolute disrespect they have for officers.

Here are my more specific reasons. We (the people of Massachusetts) need our police. We need them to be there for us. We need them to stop drunk drivers, investigate drug, gang, sex crimes and homicides and put a stop to them. We need them to help us if we are injured or in a predicament that we may become injured. In any of these instances the officer will need to make split second decisions and should not have to worry if they will get personally sued. Hesitation can and have gotten officers killed. As well as innocent bystanders.

We need officers to know that their employers, cities, towns and the state, have their back. They need to know if they defend themselves against an attacker or defend another citizen they will be supported. Removing Qualified Immunity from policing does NOT show them that they supported.

As I am sure you are aware there has been a lot of discussion all over social media regarding this bill. There are few things that I would like to bring to your attention to think about while deciding what action to take.

On the surface a police reform is a good idea if done properly and well thought out. I however would like to point out some facts that have contributed to how we got to this place in Massachusetts. There was once a Quinn bill that was an incentive for higher learning. Having officers educated can only be a plus, education is never a negative. Now officers are not going to school because why would they, it changes nothing for them on the job. In any field someone with a degree is almost always higher on the list for promotions or raises. In law enforcement it actually means nothing. The Quinn Bill no longer exists, for the most part.

I also would like to point out specifically that the Mass State Police Academy has been shortened for the last few classes (I am not including this last class affected by COVID). I am not aware if local academies have been shortened. This was put in place by our last governor. One can only surmise that by reducing weeks, from 25 weeks to 20 weeks certain education was pushed aside. What education did they cut short or remove all together?

Another less discussed part of the bill that needs to be removed is that schools no longer need a resource officer. I don't think I need to list every school shooting to tell you we do need them.

Now finally my personal plea as a proud wife of a Massachusetts State Trooper who will have been on the job 14 years in September. I have seen my husband come home from a fatal car crash, a gang shooting, he has seen the absolute worst of the human race but still goes out to protect everyone. He has done multiple details and overtime shifts (many protecting state officials as well and their homes). He walked in our home from one of those details and ran out 20 min later when the Boston Marathon Bombing happened. I didn't see him for four days after that. I didn't know for hours upon hours if he was ok until I got a quick text. When the gas explosion happened in Andover and Lawrence he was there everyday, not sleeping to do what was asked of him. My husband has sacrificed a lot of family time, events and memories to do a job he once loved. It is getting increasingly difficult to love this job. If Qualified Immunity is removed my husband now has to add the additional worry of

personal lawsuits. With everything that troopers have to deal with on any given shift that should not be one of them. I am proud of my husband, my children are proud of their father. They are 6 & 8 and I have to teach them not to talk about what their father does because some people don't like him. I do that out of fear. I ask you should that be how we have to live?

Please DO NOT Pass this bill

Thank you for you time.

Sincerely

Caitlin Topping

From: John Alers <jalers28616@gmail.com>
Sent: Wednesday, July 15, 2020 9:34 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony Submission

John Alers
Worcester Police Officer
774-312-0700

To the House Committee on Ways and Means & Judiciary:

I have been a Worcester Police Officer for 7 years. It has been an honor to protect and serve in the Commonwealth. I present this testimony in light of the recent Police Reform Bill proposed by the Senate that has quite frankly left me to feel unprotected & abandoned.

To my understanding the proposed bill is an Anti-labor bill. The language of this bill supports the elimination of Collective Bargaining and the right to Due Process. It is also my understanding that the majority of whom proposed this bill have been Labor/Union supporters.

I am also concerned in regards to the POSAC Board makeup. It should be made up of solely individuals who have background, education, and experience in law enforcement. No other public employee has a Board that can investigate any allegation made without having the necessary background in the respective profession. Ex. Teacher, Nurse, Doctor, etc,. If a complaint is issued these professions all have an internal body that will first investigate the allegation. Police Officer's should be treated no differently.

I understand that there a lot of questions about qualified immunity. However, it should not be abolished. This has implications not just on Police but also other public servants in the Commonwealth. I feel it is

irrational to remove protections for those who serve and protect those who cannot protect themselves.

I would like to thank you all for allowing my voice to be heard. I respectfully request that the aforementioned concerns be reconsidered.

Respectfully,

John Alers From: Keyes, Paul A. <KeyesPA@worcesterma.gov>

Sent: Wednesday, July 15, 2020 9:25 PM

To: Testimony HWM Judiciary (HOU)

Subject: Urgent

An Act to disregard the safety and well-being of police officers.and shift resources to build a more equitable, fair and just commonwealth For all others but not for the those that protect and serve the community "

This bill you have enacted is anti police and anti labor. This bill puts the voice of the mob 1st the same mob that disregard the safety of Public by failing to follow all safety guidelines that were established to protect the public's from a virus that has taken so many lives around the world.

Now you want to take away our protection which is qualified immunity. So you want us to risk our lives but don't want to protect us.

Qualified immunity allows to act without be worried that we could lose are jobs, lively hood and no longer providing for our family. We work hard for what we have and what we provided for Our families.

Now not only is this bill taking away Our legal protection but also our right to collective bargaining. This bill is anti labor this country was built by Unions. Law enforcement Officer put their life's on the line on doing what we do. We have shown that when we came to work every day while millions of Americans were in their home quarantined. You can say your gratefull by passing this bill has shown that you are not. This bill shows you chose to listen to the voices of those that chose to put all others at risk with their protest.

Sent from my iPhone

From: Mike Skinner <mikeskinner1111@hotmail.com>

Sent: Wednesday, July 15, 2020 9:20 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform

To the morons that think this is a good idea,

Vote NO on S2800, an act to reform police standards. The drafters of this are remarkably unintelligent. It's utter and complete political BS.

Mike

"Seat of the pants to the seat of the chair, it's amazing how brilliant you can become" ~Cagle~
From: Sean Stockbridge <stockbridge.sean@gmail.com>
Sent: Wednesday, July 15, 2020 9:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill No S2820

To whom it may concern:

I am writing this email in strong opposition to Bill No S2820. This will do much more harm than good. It will cause good people and workers to walk away from positions in fear of being sued for no real reason. It will prevent good candidates from applying for jobs for the same reason. Please do not pass this bill

From: Roisin Macioce <roisinpmt@yahoo.com>
Sent: Wednesday, July 15, 2020 9:13 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800 Opposition

Dear Members of the house,

My name is Rosemary Macioce and I live at 33 Madeline St, Brighton 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.

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,

Rosemary Macioce

From: Greg Post <postiel3@hotmail.com>

Sent: Wednesday, July 15, 2020 9:09 PM

To: Testimony HWM Judiciary (HOU)

Subject: S2820 Act to Reform Police

My name is Greg Post and I am assigned as a Detective with the Woburn Police Department, which I have been employed since 2000. I am writing to you tonight 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 family, friends and colleagues, I am dismayed at the scarcity of respect and protections extended to police officers in these 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.

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(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. Our police officers and police departments are unfairly being judged and included in as those needing reform because of what has taken place in other states. The facts are the officers and departments in Massachusetts function at the highest levels compared to every other state. I again implore you dismiss this bill for what it is, a thrown together piece of legislation aimed at hurting police officers in the Commonwealth. This bill was thrown together with very little thought of the consequences this bill can have. It was done so simply to please certain members of the community who know nothing about policing. This bill needs to be amended and corrected so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Respectfully,

Greg Post
Detective, Woburn Police Department
781-953-5245

From: nicole ventolieri <nicoleventolieri90@gmail.com>
Sent: Wednesday, July 15, 2020 9:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: Oppose s2800

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:

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

Sincerely,

Nicole MacLean

From: Linda <londonahue0030@comcast.net>
Sent: Wednesday, July 15, 2020 8:54 PM
To: Testimony HWM Judiciary (HOU)
Subject: police reform

You should be embarrassed! This is some kind of joke these men and women put their lives on the line daily and this is how they are repaid! This bill need to be burned! Maybe people should be able to sue politicians for their disgusting behavior. I pray you or your family is never in need of help from the very people you are selling out. Stand up and do the right thing!

Sent from Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A_go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-

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OSFEhRMxoP_jK9MnlJEc5yNkycuU29HVVk&e=> for Windows 10

From: Jacquelyne <jc02135@hotmail.com>
Sent: Wednesday, July 15, 2020 8:51 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to Bill S.2800 on Police Reform

?

My name is Jacquelyne Garcia and I live at 206 Alder Rd in Westwood 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.

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,

Jacquelyne Garcia

This email was sent to joemama02135@hotmail.com
<mailto:joemama02135@hotmail.com>
why did I get this?
<https://urldefense.proofpoint.com/v2/url?u=https-3A__gmail.us19.list-2Dmanage.com_about-3Fu-3D5ab6704068161a0ab68277585-26id-3Dd4fbec16e7-26e-3Df915a2a438-26c-3D8e46c27729&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=jFDnNIGmoQp4ul6OKiTuo8plGTC23GXqiupe5DP58gQ&s=wuQW6jAWzAurqaSpDdgHRg1_p0vxSAOvS5AQzxxz95y8&e=> unsubscribe from this list
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BPPA · 295 Freeport St · Boston, MA 02122-3513 · USA

<https://gmail.us19.list-manage.com/track/open.php?u=5ab6704068161a0ab68277585&id=8e46c27729&e=f915a2a438>

From: Kevin Martin <kevin-lani@comcast.net>
Sent: Wednesday, July 15, 2020 8:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

To Chair Arron Michlewitz : I am writing to you today to strongly oppose bill S2820. I am a career firefighter of 28 years and work the streets everyday with my fellow agencies " IE : police and EMS workers". I feel we are very well respected and trained to the upmost standards in

Massachusetts as professionals. We should not judge our state and emergency personnel to what has happened in other states around the country. Unfortunately, a few have made poor judgement calls and their departments/personnel are under review as they should be. I watched as our officers in Massachusetts got screamed at, provoked, abused, and assaulted by so called 'peaceful' protestors that have no solution other than to cause chaos and destruction in our Communities. These officers did not even flinch or hurt any protestors that were causing this mayhem here in our state. They all handle themselves with integrity and honor. We are in difficult times in Massachusetts with these protest groups that want to change everything in a few weeks by defunding our safety organizations. In my opinion, these groups have no real direction or solutions -they just want change. Please do not cave into their agendas, let the House form a commission to help the heads of these safety departments find the right fixes for Massachusetts. Do not make a hasty decision that will affect all our lives and families just to go along with protestor demands. These issues need to be thoroughly thought out and researched in order to make the proper decisions on change. Just remember when contemplating this bill of all the good our public servants have already done in this state. A few major examples are; the response at the Boston marathon bombing, The Worchestor Fire tragedies, and the current Pandemic we are all still working under. Please vote no to this bill S2820 and make it fair for all because ALL lives matter, no matter what! Be strong - Massachusetts Strong!

Thank You for your time and I hope you consider the safety and lives of first responders like myself.

Kevin Martin Dracut Ma.
From: Caren Polillio <suburbaninsulation@gmail.com>
Sent: Wednesday, July 15, 2020 8:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Bill#S2820

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

From: Caren Polillio <suburbaninsulation@gmail.com>
Date: Wed, Jul 15, 2020 at 8:28 PM
Subject: Bill#S2820
To: HWMJudiciary@mahouse.gov <HWMJudiciary@mahouse.gov>

* I am asking you to not accept Police Reform bill #S2820
* We need our police officers
*

*

*

* 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

Why are you considering passing such sweeping changes without a public hearing - what happened to transparency in Government? What happened to the voice of the citizens?

Thank you
William Piazza
76 south elm street
West Bridgewater, Ma. 02379

From: lsfriseurs@aol.com
Sent: Wednesday, July 15, 2020 8:35 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Bill #S2820

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com
<https://urldefense.proofpoint.com/v2/url?u=http-3A__mail.mobile.aol.com&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=s8o0xAF-IdzQvUXhgLulwa2p01ndtuC4PpZ3AlahfBw&s=d7tNZ0HTGZ_71nSGWaVcKhFiKRglFKadSBcH6nrS8wE&e=>>

On Wednesday, July 15, 2020, HWMJudiciary@mahouse.gov
<HWMJudiciary@mahouse.gov> wrote:

Attention Chair Aaron Michlewitz and Rep. Clair Cronin

PLEASE DONT ACCEPT THIS BILL!!!!!!
It's morally wrong!

- * 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
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Why are you considering passing such sweeping changes without a public hearing - what happened to transparency in Government? What happened to the voice of the citizens?

Sent from AOL Mobile Mail
 Get the new AOL app: mail.mobile.aol.com
https://urldefense.proofpoint.com/v2/url?u=http-3A__mail.mobile.aol.com&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=s8o0xAF-IdzQvUXhgLulwa2p0lndtuC4PpZ3AlahfBw&s=d7tNZ0HTGZ_71nSGWaVcKhFiKRglFKadSBcH6nrS8wE&e=>

From: Caren Polillio <suburbaninsulation@gmail.com>
 Sent: Wednesday, July 15, 2020 8:34 PM
 To: Testimony HWM Judiciary (HOU)
 Subject: Fwd: Bill#S2820

----- Forwarded message -----
 From: Caren Polillio <suburbaninsulation@gmail.com>
 Date: Wed, Jul 15, 2020 at 8:28 PM
 Subject: Bill#S2820
 To: HWMJudiciary@mahouse.gov <HWMJudiciary@mahouse.gov>

- * I am asking you to not accept Police Reform bill #S2820
- * We need our police officers
- *

*

*

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Why are you considering passing such sweeping changes without a public hearing - what happened to transparency in Government? What happened to the voice of the citizens?

Thank you
William Piazza
76 south elm street
West Bridgewater, Ma. 02379

From: ilian.jano@gmail.com
Sent: Wednesday, July 15, 2020 7:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please don't cancel the Police

Dear House Members,

My name is Ilian Jano and I live and work in the great City of Worcester as a Police Officer. I swore an oath to protect and serve the residents of this city with my life. It has come to my attention that you will be looking to remove my qualified immunity and as a result, I can get sued and loose my house and my family in the process just for acting in good faith and doing my job. If you pass this bill I will also be judged by biased anti police members of a board and also by criminals that my brothers and sisters have previously arrested. I can also be judged by a board that has no idea how police jobs are. This state does not appear to be broken yet so why try to break it and the Police that put their lives in the line on a daily basis. Why must you bow to the cancel culture when there is nothing wrong with the Police in Massachusetts? Please don't

cancel and Modify our police we are doing a good job day in and day out for the citizens we serve.

Thank youFrom: Nico Marulli <yensid11122@yahoo.com>
Sent: Wednesday, July 15, 2020 7:31 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony

Dear Chairs Michlewitz and Cronin,

This bill is essential to creating a more equitable and just policing system in our state. Specifically, I call on both the House and Senate to include language in the bill that allows for the removal of qualified immunity for police officers. As many have heard from law enforcement in their own lives, "if you have nothing to hide, you have nothing to worry about." We should not be shielding criminals who hide behind the badge from civil scrutiny when they commit heinous acts of violence against the citizens they are sworn to protect and serve. While good and honest police officers will have nothing to fear from the removal of qualified immunity, this action will allow those harmed by officers who disregard their commitments to their communities to secure justice for themselves. Follow the will of your constituents and include the proper language in the final version of the bill. Thank you.

Best Regards,
Nico MarulliFrom:James Simpson <jjsimp111@aol.com>
Sent: Wednesday, July 15, 2020 7:10 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

Honorable Members of the Massachusetts House of Representatives:

I, James Simpson of Rockland Massachusetts, respectfully ask for your attention to my written email
In regards to Bill S. 2820.

I am currently a Sergeant with the Rockland Massachusetts Police Department. I'm also currently the Vice President of Rockland Police Supervisors Union Local 175 NEPBA.

Over my 26 years as a police Officer in the commonwealth I have held many instructor disciplines, I was a firearms instructor, use of force instructor, and taser instructor.

During this time the Commonwealth along with every officer I trained never learned choke holds, never skipped or took training as a joke, but took it very serious and continued the tradition of solid training and practical applications.

I ask you to reconsider the qualified immunity section of this bill. If a police Officer is acting within the law and policy we are protected when we're doing the best job we can. If there is any change it will leave an opportunity for an interpretation and possible liability on the officers

behalf. This could cause unbelievable stress and hardship on officers and supervisors, causing to change our mindset and possibly become injured.

There has never been an officer who is guilty of misdoings being protected by QI, as it is currently written and enforced. So a change is not needed.

My next issue is with due process, this is America and everyone deserves due process, just because a certain group doesn't like law enforcement should never be able to remove such protections of due process, this is the main reason for having due process due to the process we're facing at this moment.

I'm a father of three, married, have been committed to my profession for many years, please don't pass this legislation, it will harm the law abiding hard working people of the Commonwealth, reducing communication between officers and schools, limiting the many years of community relations.

I've lost many friends due to just being cops, Robert P. Dana, Metropolitan Police Officer who was killed March 25 1984 on Blue Hill Ave by an unarmed Male, doesn't matter his race, when Bob was murdered thats when at 12 years old I decided to become a cop, an honest hard working, dedicated cop based off a true hero of a cops sacrifices. This is what this profession is about.

I appreciate your attention to this matter and my email.

Please consider the hard working police officers, reflect on the highly motivated training schedules, the extremely low acts of misconduct.

Respectfully submitted

Sgt. James Simpson
Rockland Police
781-812-8077

Sent from my iPhone
From: Dan Spencer <danspencer68@gmail.com>
Sent: Wednesday, July 15, 2020 7:09 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Dan Spencer
Bellingham Board of Selectmen
617-615-1708

Since the Massachusetts Senate deem it mandatory to remove Qualified Immunity from Police, Fire and other Medical Professionals, I would hope that the House Ways and Means sees fit to remove Qualified Immunity from those who have actually caused the most harm in the Commonwealth, such as Judges, Parole board members, District Attorneys and Probation officers. You know.....In the spirit of Equality !

From: Keith Garlick <garlickkeith@yahoo.com>

Sent: Wednesday, July 15, 2020 7:05 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

To whom it may concern,

I am writing to ask that bill S2800 NOT go through. This bill circumvented the legislative process, void of any public hearings, and lack the inclusion of dialogue from stakeholders, including communities of color and law enforcement. All law enforcement groups including the MA Law Enforcement Policy Group and the MA Association of Minority Law Enforcement Officers were not considered for input. This bill creates a dangerous environment, not only for law enforcement and their families but also for all public employees and their families and the general public. This bill will cause the crime rate to sky rocket in Massachusetts because the police won't be able to do their jobs without second guessing every move they make. The cost of this bill will be way over the projected 5 million. If you want to know who is rejoicing over this bill look closely. It is not the good citizens of Massachusetts I assure you. I beg you to reject this bill. Please consider all the good families that will be impacted by this. It won't just be police and their families effected.

Respectfully,

Keith Garlick

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=7Vgz77pAfEX114yI7PI76aPxNILurdvYOSy47GuP5Xg&s=IP2n8LkfWL0A3VtO_5RJtgzDm_YPojevukUjK1l1zjWPg&e=>

From: Matthew Farnham <matthewfarnham081397@hotmail.com>
Sent: Wednesday, July 15, 2020 6:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

To whom it may concern,

My name is Matthew Farnham from the Abington Massachusetts Police Department. I have been a police officer for about a year. I am emailing you in regards to the new Amendment that is in consideration of being passed. I understand there are many different viewpoints and different mindsets on this Amendment. I would like to first thank you for your time in reading this email. Everyday we deal with different people. Everyday is a different challenge. That being said some of the people I deal with love the police, some hate the police. Some wish us success, and some wish us death and suffering. That being said, I serve each and every one of them. I serve them if they dislike police or if they love police. That is what my job entails. I am not allowed to pick sides on who I protect, and honestly that is something I love about this job. My department head, its administration, the officers, we all uphold the obligation to do the right

thing and to "protect and serve". I can speak on behalf of myself and on behalf of all the officers at the Abington Police Department, we strive to be the best we can be on each call we go to. That being said, I believe that eliminating qualified immunity would be a big mistake. I am saying this because most officers are not willing to lose their homes, families, and savings because someone we deal with decides they want to sue us for whatever reason they choose to. Having qualified immunity protects GOOD officers, doing the right thing. This is a punishment in my eyes and this will push away many of my coworkers and MANY officers on this job. How are we supposed to do a job when every call could escalate and now I/We are getting sued for trying to do the right thing? I am kindly asking on behalf of myself and all Massachusetts police officers that this Amendment gets more consideration on being denied.

Thank you for your time,
Officer Matthew Farnham
Abington Police Department
781-878-3232
From: Mary Bergeron <marybergeron1@yahoo.com>
Sent: Wednesday, July 15, 2020 6:08 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2800

To whom it may concern,

The police reform bill is a reckless bill that will be coming before the house this week. This bill was rushed and not well thought out. There are far too many unknowns with this piece of legislation. The senators themselves had difficulty understanding and explaining qualified immunity. The Senators said that they were going into uncharted territory and didn't know what the ramifications would be for the people affected by this bill. It is obvious to the public that this bill was rushed, not properly put together and lacks important input from multiple members in the community. Please do not pass this police reform bill.

Mary Ford
(Worcester county)

Sent from my iPhone
From: Jenn <garlickjennifer@yahoo.com>
Sent: Wednesday, July 15, 2020 6:03 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill S2800

Good Evening,

Being the wife to a city police officer as well as an RN brings many life experiences to our family. As an RN I have heard the screams of a mother when she was told her child didn't make it. I have held a child's hand while they were removed from life support. Even in my darkest hour as an RN my experiences don't come close to the events and trauma my husband experiences as a police officer. He has had his thumb nearly severed when a domestic abuser bit him. He has had a beer bottle smashed and stabbed

into his eye socket. He has seen child abuse and neglect that is unimaginable. He has seen children run over by cars, children that have drowned and so many other things that most people have never seen. He has been spit on, kicked, punched and berated by criminals daily. Imagine working in that type of environment everyday. I couldn't do it. My husband never complains. He loves his job more than any other person I know. I have to beg him to take a day off. He cares so much for the people in his community. I'm sure the bad days outweigh the good days but he will never say it. He continues to be as committed as the day he became an officer over 20 years ago. My husband is able to come home to me and our 6 children every day with a smile on his face. No matter what happened on his shift. This police reform bill has effected my husband. I have never seen him affected like this in the 15 years we have been married. As we watched the senate meeting into the wee hours of Tuesday morning <x-apple-data-detectors://0> I wept as the senators gave graphic, violent and one sided accounts of how terrible police officers are. Watching my husbands face as they spoke was like watching a candles flame dim. I could literally see how their words cut him to the core. Whoever coined the phrase that police do the unimaginable for the ungrateful couldn't have said it better. The way the senators spoke was like putting a nail in our police departments coffin. Right now the morale in police departments all over the country is low. They feel like the most hated profession in the world and yet they continue to go to work everyday to protect us. This bill is just another kick to our officers. Our officers didn't kill George Floyd. But the harshness of this bill seems to say they did. I have over 12 pages of notes on things wrong with this bill. This bill is far from where it needs to be and will do little to nothing to help combat racism. This bill takes away from the good citizens of Massachusetts and provides extra protection and financial gain for the criminals. The fact that the senate thought this bill was good enough for the commonwealth is concerning. If they want to develop a bill that really addresses systemic racism this isn't it. If you look closely the only people celebrating this bill are not the good citizens of Massachusetts. When I stated my dismay about this bill passing someone said to me "good now I can own that pigs house ACAB." This is the people who are celebrating this bill. Now more than ever when my husband leaves for work I fear he will be killed. This bill is seen as a punishment to police officers and the criminals are laughing. Let me be clear, I believe there is work to be done to combat racism in all municipalities including the police department but not with this bill. I agree bad officers should be held accountable for bad actions but this bill puts all officers at risk not just the bad ones. This bill also puts our good citizens at risk and makes are municipal employees liable. To all the senators that spoke so poorly about police, I encourage them to go on a ride along with an officer so they can see what it is like prior to writing the laws that govern them. I know that you will seriously consider the ramifications this bill will have on the citizens of Massachusetts. I urge you not to pass this bill.

Respectfully,
Jennifer Garlick
(Worcester county resident)

From: Janet Selcer <janetselcer@gmail.com>
Sent: Thursday, July 16, 2020 2:23 PM
To: Testimony HWM Judiciary (HOU)
Subject: Re: policing bill

Dear Chairs Michlewitz and Cronin, and Members of the House Ways & Means and Judiciary Committees:

I'm writing because I feel strongly that now is the time to make all the progress we can in creating safe communities in MA for everyone, especially Brown and Black people for whom our current policing system is anything but safe.

You have in front of you a not perfect, but quite strong piece of legislation (S.2820), passed by the Senate. It is my hope that you will vote quickly to pass it. It could use some additions: eliminate "no knock" raids; create standards by which police officers not following rules can be decertified; no chokeholds or tear gas; and a real must - end qualified immunity, or none of this really works.

Please do the right thing at this critical point.

Sincerely,

Janet Selcer
Brookline

From: Howitt, Steven - Rep. (HOU)
Sent: Thursday, July 16, 2020 2:22 PM
To: Testimony HWM Judiciary (HOU)
Cc: Kirsch Mangu, Edda (HOU)
Subject: Qualified immunity

Chairman, Madam Chairwoman and committee members,,

Without qualified immunity, why work in the public sector in such a litigious environment?
Any bill that touches on elimination or lessens the protection of this benefit, in my eyes, makes this bill unacceptable.
Thank you.
Steven Howitt

Sent from my T-Mobile 4G LTE Device

From: Jeff Hnatio <jhnatio@gmail.com>
Sent: Thursday, July 16, 2020 2:22 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on S.2800

Dear Honorable Committee Chairs,

I am writing to you with concerns about S.2800 which just passed the MA Senate.

The bill was passed with NO public hearing and NO input from police organizations. Thank you both for holding a virtual hearing on this bill, I appreciate your willingness to do so.

On to the bill: there are some good things in this bill about training, certification, etc. for police which make sense, but there are 3 aspects of this bill that are extremely concerning to me.

1. A complete ban on chokeholds by police, even in self defense.
2. Significant limitations on the use of tear gas in crowd control.
3. A limit on qualified immunity.

While I am concerned about accountability and police violence, I do not want to take away tools from the police. Education is the answer.

Here are further thoughts on the three areas that concern me.

1-The ban on chokeholds sounds good in principle, but in practice police officers need to use restraints such as these on occasion to subdue a hostile individual or to protect themselves.

2-The limitations on tear gas in crowd control. I strongly believe that police need this tool for large scale riots that get out of hand. Limiting this is a very bad idea.

3-The limit on qualified immunity is not just on state and local police, but all city and town workers, including firefighters, paramedics, EMTs and others. What this basically means is that all of these state and local first responders can be sued in civil court for all kinds of things. On a practical level this will decimate law enforcement. Within the current laws, police can be sued civilly if they break the law, which is fair. But, this would open the door to all kinds of frivolous lawsuits.

As the House debates police reform, I ask that any bill that emerges, do so without a complete ban on chokeholds or limitations on the use of tear gas by police. And finally, please do not limit qualified immunity for our police officers, firefighters and paramedics.

Sincerely,
Jeff Hnatio

Jeff Hnatio
268 Great Road
Stow, MA 01775
978-423-3977
jhnatio@gmail.com
From: Mike Wandell <mwandell@wilmingtonpoliceunion.com>
Sent: Thursday, July 16, 2020 2:22 PM

To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill S.2800

Good Afternoon, I just wanted to send a reminder of how this Bill S.2800 truly affects policing in Massachusetts.

1. Qualified Immunity - do not accept the talking point that there is not much of a change here. Not only did they make it more difficult to get Qualified Immunity (essentially turning it into a fact issue to be decided at trial, as opposed to a legal issue a judge could weed out early) - but - the real sneaky part is that they removed an element from the State Civil Rights Act, and also provided a provision for attorneys fees to be awarded to plaintiffs. These two changes are huge - will create tons of new state law claims against public employees to be brought in the state courts - as opposed to Federal Courts - where they will cost employees and Cities and Towns so much.

CLICK HERE FOR THE OPINION OF ATTY. LEN KESTEN WHO FOR 3 DECADES HAS REPRESENTED MUNICIPALITIES IN THESE CASES - PLEASE READ AND SHARE THIS WITH YOUR STATE REPS AND ESPECIALLY YOUR CITY COUNCIL AND SELECTMEN. HE EXPLAINS THE LACK OF NEED FOR ANY CHANGE, AND THE DAMAGING IMPACTS TO OUR MUNICIPALITIES THAT WILL COME. ATTY KESTEN DOES NOT REPRESENT UNIONS - HE REPRESENTS OUR COMMUNITIES.

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The Boston Police Patrolmen's Union worked with Atty Kesten to get out this important opinion.

2. Indemnification - Some legislators are pointing to the lack of changes in the State Indemnification Law (GL c. 258) as a reason that officers should just not worry - suggesting they will still be defended against all of this expected onslaught. DO NOT ACCEPT THAT. First - GL c. 258 discriminates against municipal officers. Indemnification for municipal employees (police, fire, local officials, etc.) is discretionary. They do not have to do it. On the other hand, people like legislators, and the State Executive branch enjoy mandatory defense and indemnification for up to \$1,000,000.00 if they violate the civil rights laws

Also - don't forget - the Massachusetts State Police have a special statute of their own - GL c. 258, Sec. 9A - that provides mandatory defense and indemnification for up to \$1,000,000.00 for civil rights violations as long as they are not willful or malicious. MUNICIPAL OFFICERS ARE THE ONLY ONES WORKING WITHOUT A NET.

3. Due Process Rights - Obviously there is so much wrong with this bill - but the idea that your careers may be put into the hands of an inherently political board, mostly non-law enforcement, many with anti-police

agendas, and of the law enforcement is mostly management, is alone disheartening enough. Here are some thoughts:

First - That board should be made up of a majority of law enforcement professionals, with representatives of management and labor, with appropriate and limited non-law enforcement representation. JUST LIKE EVERY OTHER PROFESSIONAL BOARD IN THE COMMONWEALTH.

Second - the way the bill defines a "sustained complaint" is that it views it as final once the City makes its decision. It does not allow for an unbiased review by an arbitrator or civil service - both rights which most have relied upon forever. This is shocking. In fact, both bargaining law and civil service law acknowledge that the city level process is biased - and more, even says that employees have no right to a disinterested or unbiased or even full hearing at the city level. THE REASON FOR THIS IS THAT THE LAW PROVIDES THESE APPEALS TO ARBITRATION AND CIVIL SERVICE. So - with this bill, officers will be stuck with only the permissibly biased, final decisions of local officials. This cannot stand. Just cause protects good officers - not bad officers. Every good public manager and Chief knows that if they follow correct process, they are able to remove unfit officers.

Third - the Governor's bill did not allow the Board to do its own investigations into complaints, and to be a place where people could complaint directly. The Senate changed this and now allows this political board to ignore local IA findings clearing officers, to ignore arbitrators and civil service officers, to ignore DA findings of justified force, etc - and simply do their own thing. This is wrong. This review board should be required to use the facts and findings of unbiased officials, should not be independently creating their own fact findings (which are insulated from appeal other than a legal "abuse of discretion" type appeal). This independent function should be removed and it should be consistent with the Governor's bill in that the board has a review function only.

Sincerely,
Mike Wandell
President
NEPBA Local 1

Sent from my iPhone
From: Rosemary Morel <mormmmr@verizon.net>
Sent: Thursday, July 16, 2020 2:19 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

I am writing this email in response to the above mentioned bill.

The qualified immunity protection that police officers have under current law was replaced by a dubious provision. Firefighters and nurses would also fall under this new provision. You will find more police officers retiring, leaving the force for public sector jobs, and less prospective candidates

applying to the academy. These first responders put their lives on the line each and every day for the public.

I am also opposed to a civilian review board that has control over police certification and discipline. We have courts of law, such as they are, to handle illegal police behavior.

Please do not punish all for actions of a few. This bill was not thought out and rushed. Please vote no.

Rosemary Morel
Methuen MA
From: Susan Self <lilzmom@comcast.net>
Sent: Thursday, July 16, 2020 2:19 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate bill S 2800

Dear Ladies & Gentlemen;

With all due respects, I am saddened to see such a knee jerk response by the MA Senators, to punish our LEO's by proposing this Bill. While the protesters that took part in the never ending protests, death & destruction, walked away free with no consequences, you have fallen into their trap of demands to Defund the Police.

With this bill, you lessen the ability for Officers to gain control of dangerous situations and to protect themselves, victims, and the Public. And sadly, by threatening to remove Qualified Immunity is Spiteful.

Respectfully;

S.C.Self

From: jimncinroy@yahoo.com
Sent: Thursday, July 16, 2020 2:18 PM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified Immunity and redistribution of LEO nudge

Please do not remove qualified immunity from first responders and nurses. Retrain society!

Please eliminate the rent-free, eviction-free extension. You're going to turn MA into one big Detroit.

Please do not mandate mask wearing. Shut down the tattletale hotline. You're turning us all against each other.

What a bunch of garbage legislation you've cooked up lately.

Cynthia Roy
508-341-0549

Sent from my iPhone
From: Alisa Conner <alisaconner@gmail.com>
Sent: Thursday, July 16, 2020 2:18 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.

Alisa Conner
781-789-0796
Arlington, MA

From: GERALYN PAGE <geralyn3075@comcast.net>
Sent: Thursday, July 16, 2020 2:17 PM
To: Testimony HWM Judiciary (HOU)
Subject: S 2800

I implore you to amend S 2800 to make certain that this legislation will actually improve law enforcement in Massachusetts. As written, it does not.

All rational citizens support actions that will stop the use of excessive force and police brutality, however eliminating qualified immunity will not do that. Qualified immunity protects public employees who act reasonably and in compliance with the rules and regulations of their departments from false accusations and frivolous lawsuits. It does not protect bad cops. The murder of George Floyd has been condemned by law enforcement officials across the nation. The act clearly was "unreasonable" (in fact horrific) and there would be no protection afforded to this Minneapolis officer under qualified immunity; thus he is being tried for murder and most likely incarcerated for life.

Police and other public safety officials put their lives on the line to protect us. They never know each day when they go to work whether it will be the last day they hug their families; and now they not only have to worry about losing their lives, they need to worry about losing their homes and any financial stability they may have earned for their families. All just because they are trying to do their jobs and help us. You can't put a Police Officer in this untenable position when s/he is making life and death decisions - everyone will lose.

Yes, bad cops should be fired. But there are administrative and criminal processes already in place to prosecute any public employee who acts "unreasonably". Eliminating qualified immunity is not necessary and a disservice to the many fine men and women in law enforcement; do not make every Police Officer pay for the sins of a few.

Moreover, the proposed review/accreditation process will continually assess the integrity of the Police Officers; the board, if made up primarily of law enforcement officials along with qualified citizen representatives, will serve to identify and decertify/train those that dishonor the badge. I think it is important that law enforcement be amply represented here - like other boards where doctors evaluate doctors or lawyers assess lawyers. That only makes sense.

To be honest, since all of these riots and attacks on the law enforcement community began, I do not feel safe anymore. I have changed my lifestyle with respect to going out at night or going out alone. I need to know that law enforcement personnel have the resources and government support they need to do their jobs and protect all of us. Please don't make us another New York or Seattle by forsaking our Police Officers. Massachusetts is better than that.

Geralyn Page
20 Langley Circle #2
Quincy, MA 02170

From: Sadyra Martinez <smartinez@utecinc.org>
Sent: Thursday, July 16, 2020 2:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: Public Testimony on S.2800 to the House Ways and Means and Judiciary Committees

Dear Chair Cronin, Chair Michlewitz, Vice Chair Day, and Vice Chair Garlick,

I am writing to request your consideration to expand the existing expungement law (MGL Ch 276, Section 100E) as the House takes up S.2800 to address Racial Justice and Police Accountability. S.2800 includes this expansion and we hope you will consider it as it directly relates to the harm done by over-policing in communities of color and the over-representation of young people of color in the criminal legal system.

Our criminal justice system is not immune to structural racism and we join you and all members in the great work needed to set things right. The unfortunate reality is that people of color are far more likely to be subjected to stop and frisk and more likely to get arrested for the same crimes committed by whites. Black youth are three times more likely to get arrested than their white peers and Black residents are six times more likely to go to jail in Massachusetts. Other systems where people of color experience racism are exacerbated, and in many ways legitimized, by the presence of a criminal record. Criminal records are meant to be a tool for public safety but they're more often used as a tool to hold communities of color back from their full economic potential. Expungement can be an important tool to rectify the documented systemic racism at every point of a young person's journey through and past our justice system.

We also know that young adults have the highest recidivism rate of any age group, but that drops as they grow older and mature. The law, however, does not allow for anyone who recidivates but eventually desists from reoffending to benefit. Young people's circumstances and cases are unique and the law aptly gives the court the discretion to approve expungement petitions on a case by case basis, yet the law also categorically disqualifies over 150 charges. We also know that anyone who is innocent of a crime should not have a record, but the current law doesn't distinguish between a dismissal and a conviction. It's for these three main reasons we write to you to champion these clarifications and now is the time to do it.

Since the overwhelming number of young people who become involved with the criminal justice system as an adolescent or young adult do so due to a variety of circumstances and since the overwhelming number of those young people grow up and move on with their lives, we are hoping to make clarifying changes to the law. We respectfully ask the law be clarified to:

* Allow for recidivism by removing the limit to a single charge or incident. Some young people may need multiple chances to exit the criminal justice system and the overwhelming majority do and pose no risk to public safety.

* Distinguish between dismissals and convictions because many young people get arrested and face charges that get dismissed. Those young people are innocent of crimes and they should not have a record to follow them forever.

* Remove certain restrictions from the 150+ list of charges and allow for the court to do the work the law charges them to do on a case by case basis especially if the case is dismissed of the young person is otherwise found "not guilty."

Refining the law will adequately achieve the desired outcome from 2018: to reduce recidivism, to remove barriers to employment, education, and housing; and to allow people of color who are disproportionately represented in the criminal justice system and who disproportionately experience the collateral consequences of a criminal record the opportunity to move on with their lives and contribute in powerfully positive ways to the Commonwealth and the communities they live, work and raise families in. Within a system riddled with racial disparities, the final step in the process is to allow for as many people as possible who pose no risk to public safety and who are passionate to pursue a positive future, to achieve that full potential here in Massachusetts or anywhere.

Thank you for your consideration,

Sadyra Martinez

UTEC, Lowell, MA, 01852

Mobile: (617)-233-6690

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Sadyra Martinez | Transitional Coach

UTEC | 978-856-3902 Ext: 769 | smartinez@utecinc.org
Programs: 35 Warren St. | Café UTEC: 41 Warren St.
Mailing: 15 Warren St., No. 3, Lowell, MA 01852

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From: Ginny Kot <ginnyk97@aol.com>
Sent: Thursday, July 16, 2020 2:15 PM
To: Testimony HWM Judiciary (HOU)

To whom it may concern,

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

Please DO NOT pass this bill.

Sincerely,
A concerned citizen of Massachusetts

Sent from my iPhone
From: Latoya Gayle <mrsgayle03@gmail.com>
Sent: Thursday, July 16, 2020 2:14 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony in support of the Reform Shift Build

Dear MA house of representatives. I am a constituent of Dan Hunt in
Dorchester.

I am writing to voice my wholehearted support for the Reform-Shift-Build Act. As a resident of Boston. 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 reimaged 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 am terrified of Police Officers and I am terrified that my children or husband may be at worst murdered and at best harassed by an officer. I fear that if something happens there will no one held accountable for it. I should not have to live with that fear.

Thoughts are free but, Action is governed, and 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. 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 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,

Latoya Gayle
617-259-7565

"The cost of liberty is less than the price of repression."
—W.E.B. Du Bois

From: Bill <flyboy3b2@gmail.com>
Sent: Thursday, July 16, 2020 2:14 PM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified Immunity

Good afternoon,

I am a Quincy firefighter, and I am reaching out today regarding the police reform bill and how it will open people like myself up to litigation and possible charges for things that may happen through no fault of my own, or actions taken in self-defense while trying to administer medical aid to a citizen. I am 1000% for police reform, as I believe most people are, but to have such a knee-jerk reaction as to open up the door for action taken against someone who might slip on the ice while carrying a patient or have to act in self defense because a person is coming at you with a needle while you're trying to help them through a possible overdose is asinine. These are things that do and will continue to happen. It is not my job to take actions that may harm someone, even if it's in the public interest. My job is literally nothing but life safety and saving. Please think before passing ridiculous bills that will make life harder for people like myself. I'll tell you right now that if this bill passes as is, many of us, myself included, will not lay a hand on a patient for fear of being sued in the sue-happy country legislators like you have cultivated over the years. Do your damn job and write laws that make sense so I can do my job effectively.

Thanks,

Bill Eastwick
Veteran, Firefighter
From: Debbie Morgan Claire <dmorgan522@gmail.com>
Sent: Thursday, July 16, 2020 2:12 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill No. 2820

Dear Rep. Aaron Michewitz, Chair of the House Committee on Ways and Means

In regards to Bill No. 2820 I have concerns on the following:

My understanding of the 3 detrimental issues (that I'm aware of- there may be more) are as follows:

- 1) Places further limits on Qualified immunity on Police, firefighters, state and local EMT's and Paramedics and other state or city workers. This would open the door for frivolous civil lawsuits against Police and others and would very significantly and negatively handcuff them for fear of being sued.
- 2) Restricts use of tear gas.
- 3) Complete ban on police utilizing chokeholds- even in cases of legitimate self-defense. So, if a Police Officer is in a physical fight for their lives against a larger and stronger criminal suspect, it would be against the law for them to utilize any type of choke hold, even to save their own lives or the lives of another citizen.

Because of these concerns I so not support Bill 2820.

Very Truly Yours,

Deborah Claire

Deborah Claire
Hudson, MA
508-783-4557

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From: alan@papscon.com
Sent: Thursday, July 16, 2020 2:12 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony in Support of Police Accountability -- Use of Force Standards, Qualified Immunity Reform, and Prohibitions on Face Surveillance

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

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

Dear Chairs Michlewitz and Cronin,

I strongly support many provisions in S.2820 designed to increase police accountability. I urge you to:

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

We must address police violence and abuses, stop the disparate policing of and brutality against communities of color and Black people in particular, and hold police accountable for civil rights violations. These changes are essential for the health and safety of our communities here in the Commonwealth.

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

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

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

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

Sincerely,
Alan Papsun
40 Glendale Rd.
Stockbridge MA

From: TedN <novakows@gmail.com>
Sent: Thursday, July 16, 2020 2:10 PM
To: Testimony HWM Judiciary (HOU)
Subject: Urging support for S.2820 passing in the House

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

Police reforms are urgently needed and long overdue in our state. We urge you to not let this unique period of general popular consensus for reform slip by and support S.2820 in the House, and indeed should be strengthened.

We 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. Research has indicated that tear gas alone has been proven detrimental to human health.

Sincerely,

Ted and Frances Novakowski

9 King St

Middleton, MA 01949

From: Francellis Quinones <fquinones@utecinc.org>
Sent: Thursday, July 16, 2020 2:09 PM
To: Testimony HWM Judiciary (HOU)
Subject: My testimony for the Public Hearing for Expungement

Hi,

Please see my testimony attached. You have the power to change so many lives for the better. Choose yes! It can improve the trajectory of so many young people's lives who have been adversely affected by unjust laws and unjust application of the law in the past.

Thank you so much for choosing to reform and rejuvenate young adults' lives.

Francellis Quinones

Expungement Testimony <https://urldefense.proofpoint.com/v2/url?u=https-3A__docs.google.com_document_d_1SdjQZDpNm8QTU8e72sBmfBa8g1HwwZDaU2W67F7wrI4_edit-3Fusp-3Ddrive-5Fweb&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=JqgxT33dFjqzB5N1rqbCgpn-jdS4yJXDIVleyVzRHV0&s=gVePW1WwB6D0CQq3zn-_dlTsK5FS1OizcjFv0aG7HQg&e=>

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"Washing one's hands of the conflict between the powerful and the powerless means to side with the powerful, not to be neutral. "
? Paulo Freire

From: Lori Kenschaft <lori.kenschaft@gmail.com>
Sent: Thursday, July 16, 2020 2:08 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.

Sincerely,

Lori Kenschaft

Former Coordinator of the Mass Incarceration Working Group of the First Parish Unitarian Universalist of Arlington
781-428-1770

From: kevan spoor <kspoor1843@gmail.com>

Sent: Thursday, July 16, 2020 2:07 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill S. 2820

To whom it may concern,

My name is Kevan Spoor and I am a resident of Eastham, my phone number is 978-870-9378. I am employed as a police sergeant for a municipal police department on Cape Cod.

I am specifically writing to you about bill S2820 that passed in the Senate early Tuesday morning. It is my understanding that this bill now goes to the House of Representatives for your approval. I appreciate your leadership giving us the opportunity to have our voices heard, more than the Senate did for us. I have been reading, digesting and understanding all the changes and amendments that have been proposed. I must admit there are some unreasonable requests in this bill that will forever change the landscape of law enforcement, and not for the good. There are also some reasonable and well overdue changes to current police standards that will help improve this profession; however, I would like to specifically comment on and highlight for you some of the changes that I believe will be a detriment to law enforcement.

To provide some background, I have worked as a reserve police officer since 2007. I have been employed in a fulltime capacity for a municipal police department since 2011. I am currently a Patrol Sergeant within that department. I am a level 3 Defensive Tactics Instructor through the MPTC. I have been teaching Defensive Tactics since 2014. I specifically teach in the Plymouth Police Academy with the reserve and recruit officers. I work with other Defensive Tactics staff members in conducting annual in-service training within the Cape and South Shore. I recently oversaw the Defensive Tactics program for the Cape Cod Police Academy ROC #1 & #2. By no means do I claim to know everything about use of force and defensive tactics, but I do have a more-than-average education and experience in this field. I know that there are other police officers in this state with greater training, experience and expertise in defensive tactics, but I wanted to provide my perception of this new language, for what it's worth.

According to S2820 they are creating a new chapter, Chapter 147A, in this new chapter specifically, Section 2 subsection b, (lines 1302-1306) it states that officers may only use force that is necessary to

- i. Effect the lawful arrest of a person
- ii. Prevent the escape from custody of a person, or
- iii. Prevent imminent harm and the amount of force used is proportional to the threat of imminent harm

There are numerous problems with this language, first and foremost it is changing case law that has been established and has been challenged in court and withstood challenges throughout the years. Julian v. Randazzo (380 Mass. 391: 1980) says that police may use force that is reasonably necessary to:

- 1. Take someone into custody
- 2. Overcome resistance to arrest
- 3. Prevent an escape or recapture an escapee, or
- 4. Protect officers and others from harm before, during, and after the arrest

This new language created is narrowing when an officer may be able to use force. There are numerous instances that could be outlined for you when an officer may be taking someone into custody, but they may not be under arrest. Officers can detain individuals and conduct investigations based on reasonable suspicion. Officer's also take people into custody based on civil commitments, Protective Custody's due to alcohol or drugs, mental health protective custody, warrants of apprehension all of which are technically not arrests. If these individuals resisted or became assaultive it would be appropriate for an officer to use a reasonable amount of force to take them into custody, but now you are removing that option. Officers may also have to protect citizens who are being attacked and/or harmed but again you have removed this ability for officers to use force. Please let me explain in more detail.

In the new language subsection b (iii) says to "prevent imminent harm." It does not say who that imminent harm is directed toward. Additionally, this new language defines imminent harm as "serious physical injury or death." For example, if someone were fighting, punching an officer or another individual there is no likelihood of imminent harm, but there would be a

potential for harm. How should an officer control this individual's actions if they are not allowed to use a reasonable level of force to stop their violent behavior?

Additionally, it continues to state that "the amount of force used is proportional to the threat of imminent harm." Nothing a police officer does when it comes to use of force is evaluated as proportional. *Graham v. Connor*, 490 US 388 (1989.) states that an officer's force should be reasonable based on specific facts and circumstances known to the officer at the time force is used. This case created what is known as "the reasonableness standard" which has been used since 1989 to evaluate the reasonableness of an officer's use of force. Officers are often forced to make split second decisions based on the facts and circumstances known to them at the time force is used. Their decision is based on what another reasonably trained police officer would do given the same information. It all comes down to what is reasonable, not proportional. By using the word "proportional" it is attempting to remove a federal standard of reasonableness, by doing this you are undoubtedly going to cause harm to police officers and members of the public since they will not be able to safely protect themselves or the citizens of our community.

Also, throughout Chapter 147A it references officers' force to be "proportional to the threat of imminent harm". Again, an officer may not always be confronted with imminent harm, they may be confronted with a harmful individual or even a resistant individual. It would be appropriate for an officer to use a reasonable amount of force based on the facts and circumstances presented to them at the time of the encounter to defend themselves, or another individual, against the level of resistance being displayed by that individual. An example of this may be if an officer is trying to take someone into custody under a section 12 (M.G.L. Chapter 123 Section 12 Emergency restraint and hospitalization of persons posing risk of serious harm by reason of mental illness). By statute this is not an arrest but a civil seizure for the purpose of transporting this individual to a health care facility for a mental health evaluation. In the course of attempting to take this person into custody they become assaultive and start to fight with a police officer. It would be appropriate for an officer to use a reasonable level of force to gain immediate control of them and stop their violent behavior. Under *Randazzo* it would be reasonable for an officer to use force to take someone into custody, as outlined in this example. Under the new statute this is not an arrest, this person would not be attempting to escape custody, nor are they a threat of immediate physical harm. So how under the new statute would it be reasonable for an officer to use force to protect themselves or others that may be in the room?

What you will be forcing an officer to do is to apply criminal charges to this person, potentially assault and battery on a police officer, disorderly conduct etc., instead of immediately bringing them to a

hospital. This serves no purpose to someone in need of mental health services, the best place for them to be is a hospital. For an officer to comply with the law in using force this is what will have to happen. Instead of this person immediately going to a hospital they will go to jail and now enter the court system where they would have been best suited to get treatment and not have any criminal charges. If officers are restricted to only use force when there is a threat of imminent harm, then this bill is creating the potential for officers, as well as citizens, to be injured as a result of them not being able to safely protect themselves or the public.

Some of the changes presented in Chapter 147A make sense and are long overdue, for example banning chokeholds, requiring officers to intervene if they witness an officer using an excessive amount of force or report an officer, they know to use excessive force. These changes will better the law enforcement profession, but some requirements are creating the potential for an increase in officer injury, citizen injury and subject injury if they are implemented as written in this bill.

It is my hope that you do not just look at the national numbers but specifically look at what the numbers here, in Massachusetts will tell you. In Massachusetts we have one of the lowest annual rates for deadly use of force incidents in the Nation - in the last 5 years our rate is 0.5 incidents per million people where the national average is 1.5 incidents per million people. One of the main reasons for the low number of deadly use of force incidents is that we have well educated, well trained, professional police officers. Our officers are already using de-escalation tactics to gain compliance from individuals. On the flipside, with the low instances of deadly force encounters that officers are involved in, in the last five years we have had 4 officers killed in the line of duty while protecting their communities. Using the same analysis, the rate of officers feloniously killed in the line of duty in Massachusetts is 21.8 incidents per million officers. The national average is 38.1 incidents per million officers. Obviously, the numbers are higher because there is a lower number of police officers compared to the overall population. Even still this should show a clear indication that a police officer has a higher likelihood of being felonious killed in this profession than a citizen being involved in a deadly force incident.

I would also like to comment on the removal of some of the standards that apply to qualified immunity. I know that you, just like me, as government employees are also afforded the rights and protections of qualified immunity. I would assume that you understand the importance of having this in place. I have heard members in the Senate say that this will not have a negative effect on police officers and there will be no ill consequences from changing the standard, but I could not disagree more. This will open the door to numerous frivolous lawsuits that individuals will feel emboldened to file because of the language in this bill. Not only will

these lawsuits be filed against a specific officer who could possibly lose all they have worked for, but they will include Municipalities. This will ultimately increase the cost to taxpayers to defend the increase in cases. Now officers acting in good faith, trying to do the right thing can be held personally liable. This will unequivocally lead to police officers hesitating and unsure of how to respond in situations for fear of being sued. This could lead to increase in injury for officers, and members of the community, with officers fearing how to help in a situation.

In this bill it seems to create a lot of new committees and councils with mandates for specific training that officers must attend. Undoubtedly it will cost money to staff individuals on these committees, have people develop training and implement the training. It is my understanding that we are already in a deficit for the budget. Law Enforcement just recently received approximately \$10 million through the car rental tax, but this money is already earmarked for training in the MPTC. I am fearful of who will have to brunt the cost of these new mandates, will citizens see their taxes go up? Or will agencies have to fund these mandates on their own, I know in my department our budget is already tight, we are on a hiring freeze, and we are being asked to find ways to cut money from the budget. So how exactly do we pay for the members' time on these committees and the new training that must be created and implemented? I do not see anything in the bill that details this plan.

Passing this bill without considering how we are carrying out our duties and responsibilities here in Massachusetts, without considering the impact of this massive legislation, without even a thought of how it will impact the thousands of police officers and their families across the Commonwealth, is not only negligent, but will have a residual negative impact that our state and our families cannot afford. There has not been enough time vetting all the potential problems with the bill. There may be numerous unintended consequences from passing this bill that will not be realized until well after its implementation.

As a constituent of Massachusetts, I request and expect that you will do your due diligence. Please read and understand the bill. Please research how your own local police officers are carrying out their duties and realize we are doing what is expected and understand that what you are being told in regard to this bill, is not applicable to what is happening here in this state.

We, as law enforcement professionals, intend to hold ourselves accountable, and we trust that you will do the same. Please feel free to contact me with any comments or concerns you may have.

Respectfully,

Kevan Spoor

From: Paula <pkm0627@aol.com>
Sent: Thursday, July 16, 2020 2:06 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reform Bill

Hello:

I hope I am understanding this bill correctly and if I am you are putting public servants in a bad unsafe situation. No Public Servant should be allowed to be sued, punished if inappropriate behavior yes but sued!!

No excessive force should not be used, but not all police officers use excessive force, so why are the good ones being penalized by some Rogue police officers?

No! officers should not cover up for one another and should intervene if another office is using excessive force, if not yes be punished for this.

You are putting stipulations on a lot of public servants who don't deserve this, no one is going to want to be a public servant so now where does that put MASS?

MASS/lawmakers are bending over a little too far when these issues have not been an issue in MASS.

Show people where Police and the black/brown communities have had issues? If anything black/brown communities have caused their own issues. People need to take their blinders off too really see where the issue(s) lie and not make public servants the scapegoats.

Regards

Disappointed MASS resident

From: Natalie Johnson <njohnson@hria.org>
Sent: Thursday, July 16, 2020 2:05 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please advocate for Expungement in Massachusetts in house bill focused on racial justice

Dear MA Judiciary,

My name is Natalie Penhale Johnson and I am from Somerville, MA. I am reaching out about the effort to expand the existing youth expungement law so that it is more accessible to young people in Massachusetts. As a public health professional, specifically working in community violence intervention and prevention, I want our state to commit to upstream solutions, such as financial investments in communities, housing first, and a robust social safety net, which all contribute to safer communities. I want to live in a society that prioritizes growth, not punishment.

Let's amend the expungement law applying our understanding of young adult recidivism rates (young adults have a 76% recidivism rate over three years), cognitive brain development (people are more risk averse before their mid-twenties), and the seven year expiration of a criminal record's effectiveness as a tool for public safety.

The current law is very exclusive and most young people cannot qualify. It doesn't even distinguish between a conviction versus a dismissed case. Race plays a central role in the problem with criminal records. Black youth are three times more likely to be arrested than their white peers. Black individuals are six times more likely to go to jail than whites despite being just 7.5% of the population. People of color are over-represented at every stage of the legal system and expungement will go a long way to undo the harm from this systemic racism. Criminal records stay with people forever and prevent many from getting good jobs and education which puts an unnecessary strain on our economy. Records also have a very negative impact on mental health and they particularly hurt communities of color.

We respectfully ask for an amendment that will:

?

- * Allow for multiple offenses to be expunged (prior to age 21).
- * Remove the list of 150+ charges that automatically disqualify and let the judge decide. Charges don't reflect the reality of an individual's character, guilt, likelihood of future risk, or ability to contribute to society in a positive way. Instead we should allow for judicial discretion. Since the 7 year felony and 3 year misdemeanor wait periods

only begin at the end of one's sentence, the most severe charges like murder and aggravated rape which come with life sentences will never be eligible.

* Differentiate between convictions and dismissed cases. Not all charges are equal.

I know that the Legislature is planning to pass legislation to address police accountability and racial justice and I would really appreciate your support to make sure an expansion to the expungement law is included. As your constituent, I would appreciate your leadership on this issue.

Thank you for your consideration! This issue is very important to me, the young people in our community, and the entire Commonwealth of Massachusetts.

Sincerely,

Natalie Johnson, MPH

Natalie Penhale Johnson, MPH

Education and Training Manager, Gun Violence Prevention Training Center for Excellence

Pronouns: she/her/hers

2 Boylston Street, Boston, MA 02116

617-279-2219

Learn more about the TC4E: <https://hria.org/projects/gun-violence-prevention-training-center-for-excellence/>
<https://urldefense.proofpoint.com/v2/url?u=https-3A__hria.org_projects_gun-2Dviolence-2Dprevention-2Dtraining-2Dcenter-2Dfor-2Dexcellence_&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=DSXpZUA2dU4kwdbFZ0bS-0B9yZljYbCipE7pVWxKVsk&s=RZZloVMadMaxtpDqMu61Rd-0YnNnTzA9pWeNJ6S-Ic8&e=>

Request TC4E Technical Assistance: <https://www.research.net/r/TC4ESupport>
<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.research.net_r_TC4ESupport&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=DSXpZUA2dU4kwdbFZ0bS-0B9yZljYbCipE7pVWxKVsk&s=LGuOGp7gmIuzx8xjgfaDwfwx6pk1aFeXSPHc40Vo4tE&e=>

From: Pamela S Lynch <pamela.giasson@gmail.com>
Sent: Thursday, July 16, 2020 2:05 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 - Police Reform Bill Feedback

Hi MA House,

I would like to provide my feedback on S.2820 - Police Reform Bill. I am an active resident in the Dorchester community. Though my organizations are not affiliated with my input today, I am also on the Board of Directors of two non profits in Massachusetts. I care deeply about the safety of our greater Boston community.

On S.2820 - Police Reform Bill:

Please preserve language around:

?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

I would like to see us go further than the Senate bill with regard to:

?Strengthening use of force standards

?Fully prohibiting facial surveillance technology

?Lifting the cap on the Justice Reinvestment Fund

Sincerely,
Pamela Lynch

--

Pamela S. (Giasson) Lynch
Cell: 857-334-8474
pamela.giasson@gmail.com

From: biged86@comcast.net
Sent: Thursday, July 16, 2020 2:04 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 Police Reform bill

Good morning,

I write to you today in strong opposition to the most dangerous bill to ever be considered in the Commonwealth of Massachusetts, "An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color." I was able to read the entire 72 pages of this bill last week. While there are some positive merits of the bill, the negative aspects would have far reaching consequences that would negatively effect all residents of the Commonwealth, especially poorer communities. As a 22 year veteran police officer in the Commonwealth (4 as a municipal police officer, and the last 18 with the Massachusetts State Police), I wish to offer you a few examples of where police officers are currently indemnified but if this bill were approved, they would be opened up to liability.

Example 1:

Since police officers are usually "on the road" and an ambulance usually responds from a fire station or other fixed location, police officers are often the first person on scene with first aid training. In some places in the Commonwealth, like western Massachusetts, the police officer's arrival could be 15 to 20 minutes sooner than Fire/EMS.

Consider this scenario:

A State Trooper responds to a medical call on one of our interstates. A subject has had a heart attack and is in need of CPR. The trooper arrives well before the ambulance and performs CPR as trained. In the process the patient sustains broken ribs, but, they survive the heart attack. Currently, because the trooper acted in good faith and as trained, the trooper is immune from liability for any injuries sustained by the patient from the CPR. Under the negative consequences of this bill, the trooper is now open to liability and can be personally sued (for saving this person's life).

In my 22 year career, I have given CPR many times, sometimes it was successful, sometimes it wasn't. Even in the successful cases, the patient sustained injuries from the CPR.

Example 2:

A police officer responds to a call for a disturbance at a town-house condominium. Police officers arrive on scene and hear a woman screaming

and sounds of an obvious struggle. The officers check the doors but they are locked. The officers force entry, locate a male subject on top of a female and smashing her head off the floor. The officers use force to remove the male from the female and he is taken into custody. This scenario happens every single day in the Commonwealth.

Often times, several months down the road, the couple has reconciled. By the time this case gets to court, the victim denies the assault and the case is dismissed. With the removal of qualified immunity, the couple can now go after the officers civilly for any damage that may have been done to their door while making entry. With the "POSAC" in place as described and composed in the original bill, with members that have little/no law enforcement background, the couple files a use of force complaint with POSAC for excessive force, saying that the police entered their residence for no reason and assaulted the male. The officers involved are now sued civilly and criminally charged... for saving this woman's life

Example 3:

I apologize if this is graphic, but with the recent news of one of the suspects in the Jefferey Curley case eligible for parole, I think it makes a good example. Police receive a report of a child kidnapped, a weapon was reported to be involved, Mass registration 123ABC is the suspect vehicle. An Amber Alert is issued and a police officer locates the suspect vehicle parked in an area notorious for sexual activity. The officer exits his cruiser and checks the area where he locates 2 naked men, 1 holding a gun to the head of the naked child, the other is about to rape the child.

Today, the officer would be justified using lethal force on both male parties to save the life of the child... With the passing of this bill, the officer runs the risk of the following: The subsequent investigation reveals that the gun is non-functioning (one of the internal components has been removed and the gun does not fire). In Massachusetts, prior court decisions rule that this gun can not be considered a firearm. The POSAC investigates the case. The officer is accused of using excessive force because he has shot two "unarmed" men. The officer is sued by the families of the suspects and charged with 2 counts of murder... He saved the life of this child but now spends the rest of his life in jail for doing so...

In addition to the issues with qualified immunity, there are several other issues with this bill.

Copy and paste, directly from the bill:

1104 (e) A law enforcement officer shall not discharge any firearm into or at a fleeing motor

1105 vehicle unless, based on the totality of the circumstances, such discharge is necessary to prevent

1106 imminent harm to a person and the discharge is proportional to the threat of imminent harm to a

1107 person. For purposes of this subsection, use of the vehicle itself shall not constitute imminent

1108 harm

An example..

On August 12, 2017, James Alex Fields Jr. deliberately drove his car into a crowd of people who had been peacefully[12]
<https://urldefense.proofpoint.com/v2/url?u=https-3A__en.wikipedia.org/wiki_Charlottesville-5Fcar-5Fattack-23cite-5Fnote-2Dusatoday-2Dattack-2D12&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=yqAeKiAshsMXut-hxZwbUUuobOXcE_H1FkdfJw3Z6Hk&s=wLxQHdjawCBTL1afiTOnIKONW3aNw6-WUi-ZO94N7ds&e=> [13] <https://urldefense.proofpoint.com/v2/url?u=https-3A__en.wikipedia.org/wiki_Charlottesville-5Fcar-5Fattack-23cite-5Fnote-2Dsnope-2Dattack-2D13&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=yqAeKiAshsMXut-hxZwbUUuobOXcE_H1FkdfJw3Z6Hk&s=tFBgzdIwTmUnxpowGlnIACJllyD8ZevHP0bbcutv8M&e=> protesting the Unite the Right rally
<https://urldefense.proofpoint.com/v2/url?u=https-3A__en.wikipedia.org/wiki_Unite-5Fthe-5Fright-5Fally&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=yqAeKiAshsMXut-hxZwbUUuobOXcE_H1FkdfJw3Z6Hk&s=hujmFCsAmEn121ZiLG92aTwlQ9MG0Em1kFeQbl8lpBM&e=> in Charlottesville, Virginia
<https://urldefense.proofpoint.com/v2/url?u=https-3A__en.wikipedia.org/wiki_Charlottesville-2C-5FVirginia&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=yqAeKiAshsMXut-hxZwbUUuobOXcE_H1FkdfJw3Z6Hk&s=IfI7DySQvtvxHrE8JtrXQhCEFWlCFaizspmL8qJIsGRo&e=> , killing one and injuring 28 (copied from Wikipedia).

This is a perfect example of how "use of a vehicle itself" actually did constitute imminent harm. If there was a police officer in a position to act, this tragedy could have been prevented. This proposed legislation prohibits law enforcement from acting in this instance.

Another issue with specific language from the bill, also copied directly from the bill:

941 (b) A law enforcement entity shall not engage in racial or other profiling.

We all know that racial profiling is wrong, however, "profiling" is good police work. Here is an example of "profiling":

You observe a man carrying a gun (not illegal,) put on a ski mask (not illegal) and walk into a bank. It is August. What do YOU think is about to happen? If you assume that he is about to rob the bank, you just "profiled" this subject. Under US Supreme Court case Terry v. Ohio, a police officer's reasonable suspicion, with the observed behavior, would allow a police officer to stop this armed and masked subject to investigate... This bill prohibits "other profiling" and would not allow the officer to intervene until the bank is actually robbed.

There are so many sections of proposed legislation throughout this bill that would have extremely negative consequences, not only to Law Enforcement, but to the general public, that I can not list them all. I strongly ask that the entire bill is defeated. There are reforms that need to be made throughout our Criminal Justice system, but this bill is not the answer. Please do not hesitate to contact me directly if you have any questions

Thank you for your time,

Edward F. Johnson III

50 Lowell Boulevard

Methuen, Ma. 01844

Biged86@comcast.net

978-815-4387.

From: Virginia <virginia.perez1234@gmail.com>
Sent: Thursday, July 16, 2020 2:04 PM
To: Testimony HWM Judiciary (HOU)
Subject: Regarding 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. Best,

Virginia Perez, Somerville Resident
From: Kieran Sheldon <kieransheldon73@gmail.com>
Sent: Thursday, July 16, 2020 2:03 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill (S.2820)

Hello,

My name is Kieran Sheldon, and I am a registered voter at 85 Highland St in Holden (01520). I am writing to provide testimony on the Senate's Police Reform Bill (S.2820).

I strongly approve of the reform measures put in place by the bill, such as the limitation of qualified immunity, the establishment of the Justice Reinvestment fund, and the banning of sexual relations between officers and individuals in custody.

However, I believe that the bill should take further steps, by fully banning chokeholds and facial recognition technology. I also believe that the cap on the Justice Reinvestment Fund is unnecessary.

Thank you for your time.

- Kieran Sheldon

From: Peg Adams <pegadams1078@gmail.com>
Sent: Thursday, July 16, 2020 2:01 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to Bill S 2800

As your constituent, Margaret Adams from Roslindale, I write to you today to express my strong opposition to S.2800 which was passed in the dark of night 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. To quote David DeCoste, 5th Plymouth District - "It eviscerates civil protections which are critical

for police and other public safety personnel to perform their duties without jeopardy to the well being of themselves and their families. This is bad law and I oppose it."

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 plan on voting NO on this bill.

Thank you,

Sincerely,

Margaret Adams
44 Aldrich Street
Roslindale, MA 02131
From: Lawrence Kolodney <kolodney@fr.com>
Sent: Thursday, July 16, 2020 2:00 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Sincerely,

Lawrence Kolodney

4 Austin Park

Cambridge, MA 02139

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From: Phyllis Geany <marina815@me.com>
Sent: Thursday, July 16, 2020 2:00 PM
To: Testimony HWM Judiciary (HOU)
Subject: Do Not Pass This Bill

To whom it may concern:

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

Do NOT pass this bill!!!

Sent from my iPhoneFrom: Ofc Michael Pollock <pollockhpd@gmail.com>
Sent: Thursday, July 16, 2020 1:55 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony for S2820

Good afternoon,

My name is Michael Pollock and I live in Plymouth MA, and as a taxpayer and citizen of the great state of Massachusetts I would like to see a Police Reform Bill S2820 that receives input and hearings that involve who this effects most, police officers. Working with other officers we don't see race, color, gender. We have taken a sworn oath and answer every call for every person, we protect everyone's constitutional rights, even if we don't agree with politics involved. The largest issue that we have with the Senate S2800 bill is the rush and push of legislation that does nothing to address what police reform needs to be. And every officer officer of every rank should be allowed to be heard and the bill should take as long as it takes to make it right. Most importantly if you want to keep the best trained, the most knowledgeable and experienced officer's, S2820 shall not include any language that interferes or redefines the definition of qualified immunity. Not only keeping the senates version of qualified immunity in the bill, it would single handily destroy all the good work that police officer's of this state has done and relationships the police have built with the community. There's always room for improvement but I ask that qualified immunity be left for public employees and that you have police officer's at the table to help craft a great bill. You have our ears, let's all work together or many good officers will leave the profession.

Respectfully submitted,

Michael Pollock
Plymouth Ma

Sent from my iPhoneFrom: Liz Cardenas <lizpetty@gmail.com>
Sent: Thursday, July 16, 2020 1:55 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 testimony

Esteemed members of the Massachusetts House:

I'm writing in full support of S.2820, the final version of the Senate police-reform bill passed this past week. I urge you to keep all the vital reforms in the Senate version of the bill. But I know you can do better, too. I demand you also include the following:

- * Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas. Tear gas isn't allowed to be used in war; why would we allow police to use it against our own neighbors?
- * Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)
- * Lifting the unnecessary cap on the Justice Reinvestment Fund

Massachusetts can lead on this. It's long past time we started investing in creating solutions in which people don't commit crime in the first place rather than focus most of our attention and funding on the often harmful ways we react to crime.

Thank you,

Elizabeth Cardenas
North Billerica, MA

<Sent: Thursday, July 16, 2020 1:55 PM
To: Testimony HWM Judiciary (HOU)
Cc: tacky.chan@mahouse.gov; DeLeo, Robert - Rep. (HOU); Ayers, Bruce - Rep. (HOU); Jonna Dondero
Subject: ***** OPPOSE BILL NO. S2820*****

<<mailto:Robert.deleo@mahouse.gov>> Dear Chairman Michlewitz and Chairwoman Cronin,

As a resident of the Commonwealth, I write to you today to express my staunch opposition to Bill #S2820, a piece of hastily-thrown-together legislation that will hamper law enforcement (fire, doctors, nurses, EMT's and teachers) efforts across the Commonwealth. It robs police officers of

the same Constitutional Rights extended to citizens across the nation. It is misguided and there are so many parts of this bill that are unjust.

This bill has immediate and long term detrimental ramifications on the men and women that serve our state, especially our police. This bill has not been transparent, vetted or had the full due diligence that it deserves. This bill, as written, is forcing far reaching changes that will impact every single resident of the Commonwealth and furthermore it is being done in a vacuum while only giving consideration to a small and loud group of people.

For lawmakers, representing the people of this state, engaging in back door politics, is unacceptable and despicable. The majority of people follow the rules, laws and do the right thing. We, those people, and the men and women in Blue deserve more than just a knee jerk reaction bill. We urge you to do the right thing.

I read through the bill, yes I actually did, and realize most people & most elected officials never do. Not only are there quite a few parts I disagree with, but I think it is absolutely disgraceful that changes of this magnitude, to a bill like this, are being rushed without thoughtful consideration as to both sides of the situation. This bill as proposed is reckless and this is a recipe for unintended consequences that will have a negative impact on this entire state and the residence of it. Your constituents should have a say and be heard. As elected politicians I urge you to represent all constituents and do what is morally and ethically right for all of the people and all communities you serve and not for personal political agenda and gain.

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. I am quite sure you understand the importance of immunity because as written in the current bill, elected officials made sure their immunity was preserved and not tampered with (seems a bit self serving).

(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.

Massachusetts has some of the most elite and world class police forces around. Your vote and the "going along with the herd" mentality, is going to destroy what has been built. Years of blood, sweat, and tears on the backs of officers that work hard every single day, to protect all of our families (including your own). The large majority of police officers do great things for their community, that go far above and beyond the call of duty and they do this because they love the job and believe in good.

That fact that legislation is being thrown together and hastily moved through the system to pacify a small group of people that are threatening and destructive to our communities, is very concerning. As an elected official, I ask that you represent the silent majority and DO NOT PASS THIS BILL in its current form.

Let's be very careful not to create a profession that will find no applicants or willing bodies to do the work very much needed. Lets not forget there are bad people in EVERY profession (Including politics), so let's not persecute an entire profession that a few bad apples find their way into, just as we don't persecute the masses of any other profession.

I know as elected officials you and all of your colleagues can do much better than this and we the people demand that of you and are looking to hold our House of Representatives accountable to fix the shortcomings of our Senate. Please remember to represent the great people of this state and not bow down to the people that don't care about our cities, town, flag, country. I would ask that you please remember who your constituents are and think long and hard before you vote.

My hopes are for you to be the leader you were voted in to be and stand behind and back the good men and women in our police forces throughout this state. The men and women in blue that go to work to protect and serve us. That put their life on the line every single day for us.....we all owe it to them.

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 so deserve.

Respectfully,

Jonna Dondero
25 Samoset Ave
Quincy

From: Bob Fleischer <rjf@tiac.net>

Sent: Thursday, July 16, 2020 1:55 PM

To: Testimony HWM Judiciary (HOU)

Cc: Harrington, Sheila - Rep. (HOU)
Subject: Please support S.2820

All the policing and criminal justice reforms in S.2820 are needed, and I ask for your support.

Robert Fleischer
119 Nashua Rd
Groton, MA 01450

Sent frlm Bob Fleischer's phone. Please pardon typos.

From: Ofc Michael Pollock <pollockhpd@gmail.com>
Sent: Thursday, July 16, 2020 1:54 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony for Bill S2820

Good afternoon,

My name is Michael Pollock and I live in Plymouth MA, and as a taxpayer and citizen of the great state of Massachusetts I would like to see a Police Reform Bill S2820 that receives input and hearings that involve who this effects most, police officers. Working with other officers we don't see race, color, gender. We have taken a sworn oath and answer every call for every person, we protect everyone's constitutional rights, even if we don't agree with politics involved. The largest issue that we have with the Senate S2800 bill is the rush and push of legislation that does nothing to address what police reform needs to be. And every officer officer of every rank should be allowed to be heard and the bill should take as long as it takes to make it right. Most importantly if you want to keep the best trained, the most knowledgeable and experienced officer's, S2820 shall not include any language that interferes or redefines the definition of qualified immunity. Not only keeping the senates version of qualified immunity in the bill, it would single handily destroy all the good work that police officer's of this state has done and relationships the police have built with the community. There's always room for improvement but I ask that qualified immunity be left for public employees and that you have police officer's at the table to help craft a great bill. You have our ears, let's all work together or many good officers will leave the profession.

Respectfully submitted,

Michael Pollock
Plymouth Ma

Sent from my iPhoneFrom: Micayla Grew <micaylagrew@yahoo.com>
Sent: Thursday, July 16, 2020 1:53 PM
To: Testimony HWM Judiciary (HOU)

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,
My name is Micayla Grew and I live at 620 Cohannet Street Taunton, MA. 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,
Micayla Grew

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=s7uVFt2xvTJ6lKGRORrQUQEvKdphsh9ajXW-Ln9VUBM&s=4mUebtj1l7Tele3Omww00R63dKumdXMgbBkcP0-tqQ4&e=>>

From: joe kenneally <kenneallyj2@gmail.com>

Sent: Thursday, July 16, 2020 1:53 PM

To: Testimony HWM Judiciary (HOU)
Subject: Stop this bill

Look at how well it's working for New York City. As I convicted felon with many years in prison I do not support this bill and it will just lead to huge spike in crime and murder.

Thank you for your time.

Sent from my iPhoneFrom: Sarah Betancourt <Sbetancourt@massinc.org>
Sent: Thursday, July 16, 2020 1:53 PM
To: Testimony HWM Judiciary (HOU)
Subject: Media inquiry for ASAP

Good afternoon,

Wondering if written testimony about the policing reform bill could be sent to us here at Commonwealth Magazine. We're working on an ongoing story.

Best,
Sarah Betancourt
CommonWealth Magazine
From: Grenier & Weissman <joanjon@gogtt.net>
Sent: Thursday, July 16, 2020 1:51 PM
To: Testimony HWM Judiciary (HOU)
Cc: Carey, Daniel - Rep. (HOU)
Subject: S.2820

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

We're writing in favor of S.2820, to bring badly needed reform to our criminal justice system. We urge you to work as swiftly as possible to pass this bill into law and strengthen it.

We 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,

Jon Weissman & Joan Grenier

25 High Street

Granby MA 01033

From: Clifford Silva <csilva@iafflocal1478.org>
Sent: Thursday, July 16, 2020 1:51 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

To whom it may concern,

I am against this bill being signed so quickly without proper research and discussion.

Thank you,
Cliff Silva
Lynnfield, MA

Cliff Silva

Vice President / Treasurer
Wakefield Firefighters Union
Local 1478 P.F.F.M. / I.A.F.F.

From: John Perodeau <johnperodeau@yahoo.com>
Sent: Thursday, July 16, 2020 1:51 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 bill

Representatives,

I apologize for the length of this email, but thank you for taking the time to read it. I want to inform you of my views, both positives and negative that I have of the Senate bill #S.2800, which is now Bill S.2820.

I believe my experience is important as it shapes my views. I am a supervisor of Police Detectives and Student Resource Officers in a Commonwealth town. More importantly I am a resident and have family in the Commonwealth in Mr Linskys District. As a supervisor I see areas of law enforcement differently than a line patrol officer. Additionally, I am the housing liaison and pre-covid I was meeting regularly with the managers of the multi family residences to learn how the police department can better assist families who may be in need of additional assistance.

I used to attend regular meetings with DCF Trauma informed leaders team and worked with them to create the DCF Community Provider Forum which partners DCF, Schools and Police Officers to identify how we can address the needs of children in their system and work together to support them.

As the supervisor of both Detectives and School Resource Officers I see the awful trauma that children experience especially with sex related crimes, and I see the frequency of these complaints.

I am part of a team of officers, fire fighters, teachers, and councilors that will immediately respond to other schools in the state to enhance either security in a dangerous situation, or to provide social emotional assistance if a member of the school or community suddenly dies.

If Qualified Immunity were to be removed or remodeled, I may question whether it is appropriate to focus on all these areas because ultimately I am fearful of the potential liability to get involved in social areas that are generally considered outside the normal scope of policing.

As for the bill, I do see some positives, but I think that this is just a starting point and rushing this bill in a week has the potential to do more harm than good.

First I am greatly opposed to the Qualified Immunity portion (starting SECTION 10 lines 549 -573. Even with a great amount of experience in criminal justice, 13 years employed, 2 degrees, and multiple training opportunities, when I reasonably discuss this matter with colleagues and associates with greater law expertise. I find the concerning issue is that nobody can fully define what this change does, or how poorly it may impact public servants as they serve the public. It is well documented that officers/firefighters/ teachers can be sued for negligent or illegal acts, this is a longstanding ruling of both state and federal court systems. My opinion is why do we need anything else, the current system actually seems very good if not perfect.

This section which changes MGL Chapter 12 subsection 11I (letter I as in India) , first changes language to be more inclusive, a good change. The next area on line 553 it adds "or attempted to be interfered with" this is dangerous language because an attempt is often subjective, even in criminal law it can be difficult to prove without the combination of "specific intent" and "overt act". This is one area I find fault with the Bill, because this language can lead to many frivolous lawsuits, especially since in an "Attempt", there is not a violation of constitutional rights, by definition it did not happen.

Second, topic POSAC

I support POSAC (Police Officer Standards and Accreditation Committee) is important but currently it is written in a way that I fear begins to dismantle Civil Service. Civil service is designed with a mission of creating diverse public service agencies. I think this needs to be vetted. In lines 513-517 it discusses the side stepping of MGL Ch. 31 (Civil Service) for complaints. Not only is civil service designed to enhance diversity, it is also something many labor unions and citizens are

passionate about. Voting to remove the the Town where I work from Civil service was a long and well debated process that went to a town vote.

My other concern for POSAC is in the complaint process under Section 224 (a), starting on line 412. It is understandable that POSAC will hear some complaints, but this doesn't limit what complaints they will hear. Ultimately, this takes the ability to internally investigate our officers and brings it to POSAC , for instance, if a complaint is made (as there have been) about officers being outdoors, standing over 6ft away from others, without a mask. Does the agency have to report this to POSAC to be investigated, it seems that certain issues can be handled in the department. In my opinion police agencies should update policy and procedures for Internal Affair investigations and appropriate supervisory officers trained as such. These supervisors will investigate and if the complaint is sustained, then the chief should review and recommend a discipline, then send to POSAC for additional investigation and potential discipline review.

Third,

Motor Vehicle Stops and Data Collection

Section 52 of this bill deals with Motor Vehicle stops and Data Collection it starts on line 1132.

My concern is first with the removal of discretion to issue a verbal warning which is discussed on line 1180. If the law enforcement officer does not issue a citation they shall provide a receipt with certain information. Thus if I need to leave a stop for an actual emergency, I will be delayed so that I can write out a receipt. There needs to be language for situations where a receipt can not be provided.

Second, with regard to documenting Age, Gender, and Race, who identifies race, because it can be very difficult, we must be inclusive of all walks of life, we understand the importance of not assuming gender, and race can be just as difficult. As of now, the MA RMV lists both Age and Gender, but not Race. Police officers should not be placed in a position to assume a race, when the operator can identify their own race when applying for a license. Out of state and non licensed drivers represent a smaller portion of motor vehicle stops and some states do have this listed, as do some international drivers licenses. Ultimately, more correct data will be obtained, versus data that is subjected to a potential assumption based on physical characteristics. Data is important to monitor potential biases in policing, shouldn't we want the best data possible.

I have no disagreement with the banning of choke holds, but there could be a scenario where I am being strangled and my only option is to try and save my own life by placing my hands around the neck of my attacker. Granted very rare, but still something to consider for a very limited exemption.

Finally, there are a lot of good police officers, this bill has caused good experienced officers great concern. I know many who are considering a change in career. This would lead to many newly hired officers, who have little to no experience. I believe the current bill, as written, would do much more harm than good.

Thank you,

John Perodeau

9782650937

Organization: Though I am part of law enforcement, I write this on my family's behalf. If passed, I am concerned for them especially a time of medical need, as I feel we will have lesser quality and quantity of officers and firefighters.

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=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Dnj-P3qvIbUCMxc7L4oFfi0Ns4XqL5nIfU0nzCS5L-w&s=ym0MS1HXg-Rxf63GOrxMx74Rtce56kQMF_DxJzaIIGE&e=>>

From: Michelle Roberts <mchlllgeany@yahoo.com>
Sent: Thursday, July 16, 2020 1:50 PM
To: Testimony HWM Judiciary (HOU)
Subject: Do NOT pass bill

To whom it may concern:

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

Do NOT pass this bill!!!

Sent from my iPhone
From: Ed Conway <edconway@comcast.net>
Sent: Thursday, July 16, 2020 1:50 PM
To: Testimony HWM Judiciary (HOU)

Subject: Bill No. S2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin:

I think that Bill No. S2820 is a reactionary response to the current cultural turmoil and should be sent to committee for additional review.

I question the need for spending tax payer money on additional police training. My sense is that Massachusetts already has one of the most educated and trained police force in the country; thanks in part to the Quinn Bill.

To remove "qualified immunity" from police and other state and city workers will only expose these professionals to frivolous civil lawsuits. Police already can be held accountable for lawless acts.

The use of tear gas in Massachusetts is seldom used, and it just seems reactionary to remove an effective tool for crowd control.

A complete ban on self defense techniques such as a choke hold defy common sense when an officer is confronted with a larger or stronger suspect.

Massachusetts has done a fine job at educating and training its police force, and I would urge a less reactionary and more thoughtful approach.

Best regards,

Edward Conway

30 Settlers Way

Salem, MA 01970

978.604.0457

Edward Conway, D.Min.
Senior Pastor
Calvary Chapel Chelmsford/Manchester
978.458.3392
www.chapelchelmsford.com

From: 7817187851@vzwpix.com
Sent: Thursday, July 16, 2020 1:49 PM
To: Testimony HWM Judiciary (HOU)

To whom it may concern:

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

Do NOT pass this bill!!!From: Chris Claire
<cclaire@harvardapparatus.com>
Sent: Thursday, July 16, 2020 1:49 PM
To: Testimony HWM Judiciary (HOU)
Subject: FW: To whom it may concern, regrading senate bill S2820

From: Chris Claire
Sent: Thursday, July 16, 2020 1:01 PM
To: Testimony.HWMJudiciary@mahouse.gov
Subject: To whom it may concern, regrading senate bill S2820

I do not support Bill S2820.

I have many friends who are amazing police officers and this bill is a slap in all who wear a police uniform

Please do not pass this bill and hurt our state of Massachusetts.

Sincerely,

Christopher Claire

Disclaimer, Please Note:

This email (and any associated files) may contain confidential and/or privileged information. If you are not the intended recipient or authorized to receive this for the intended recipient, you must not use, copy, disclose or take any action based on this message or any information herein. If you have received this message in error, please advise the sender immediately by sending a reply e-mail and delete this message. Thank you for your cooperation.

From: Jane Matlaw <jane.matlaw@gmail.com>
Sent: Thursday, July 16, 2020 1:48 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please vote in support

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.

Jane Matlaw

Newtonville MA

Sent from my iPhone
Please forgive my brevity and any misspellings!
From: Michelle Filleul <michelle.filleul@gmail.com>
Sent: Thursday, July 16, 2020 1:46 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support the Bill S. 2820

Dear Chairs Michlewitz and Cronin,

Please support funding Bill S. 2820 and support resources to reform the police force in Massachusetts. Make them equitable and just for Black lives and all people of color.

Thank you.

Michelle Filleul
277 Farnum St, North Andover, MA 01845
508-982-2160

From: Femino, Amy <Amy_Femino@DFCI.HARVARD.EDU>
Sent: Thursday, July 16, 2020 1:46 PM
To: Testimony HWM Judiciary (HOU)
Subject: Do Not Pass Police Reform Bill!!!

To whom it may concern:

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

DO NOT PASS THIS BILL!!

Amy Femino

Senior Radiation Therapist

Dana Farber Cancer Institute / Brigham and Women's Hospital

781-624-5759

The information in this e-mail is intended only for the person to whom it is addressed. If you believe this e-mail was sent to you in error and the e-mail contains patient information, please contact the Partners Compliance HelpLine at <http://www.partners.org/complianceline> . If the e-mail was sent to you in error but does not contain patient information, please contact the sender and properly dispose of the e-mail.

From: Lynn Rosenbaum <lynnarosenbaum@gmail.com>
Sent: Thursday, July 16, 2020 1:45 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

To the House Ways and Means,

I strongly support S.2820, the police reform bill. I hope the House will 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 have been on the streets multiple times in the last months protesting along with so many others, calling on the legislator to make major changes to our police policies. I particularly support the creation of a state-wide certification board, the Senate bill's limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, and all of the provisions requested by the Black and Latino Legislative Caucus. Police also need significantly more training in deescalation practices.

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, such as my own town of Arlington, should be able to make this decision for themselves.

I would like to see the Senate bill's small modifications to qualified immunity for police officers be strengthened. Police officers should not, 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.

Thank you for considering these point.

Respectfully,

Lynn Rosenbaum

11 Peirce St. #2

Arlington MA 02476

781-646-0313

From: John Bujalski <thebcats@comcast.net>

Sent: Thursday, July 16, 2020 1:46 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police support Attention Aaron Michlewitz

Good Afternoon Aaron,

I reached out my state representative, Ken Gordon. Per his suggestion I am also reaching out to you.

This the first time I have ever voiced my opinion but I feel that with all the recent events that everyone is rushing legislation without taking the time to reach out to the citizens of the Commonwealth to hear them.

Everyone agrees that what happened to George Floyd was a tragedy. The officers involved are being held accountable. As they should. The incident has sparked intense emotions among people. That is important because it makes us all re-evaluate if change is necessary.

It is also important not to make mass judgements for all because of the actions of a few. No one disagrees that a review of law enforcement procedures needs to be done. The police are an important part of all civilized society. The Boston PD is a great example of how the police can work with the community. I fear that there are parts of the bill that will make it harder for them to do their job. We need law enforcement who has the faith of the community they are there to protect. They have one of the most difficult jobs and put their lives on the line for us every day. Reform needs to be balanced with support.

Thank you for taking the time to listen to my opinion.

John Bujalski

Sent from my iPad
From: Jennifer Graham <jennifer.graham08@yahoo.com>
Sent: Thursday, July 16, 2020 1:45 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: S.2800 Testimony

?

I'm writing to you to express my concerns regarding S.2800: 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.

While I understand the desire to pass legislation to prevent police officer misconduct and excessive force I have serious concerns with many provisions of this bill including the removal of Qualified Immunity. The concept protects public servants from frivolous lawsuits brought for by anyone who didn't like the way they were treated during a police interaction. Anyone could sue their arresting officer at anytime for basically any either real or perceived wrongdoings. Everyday Americans abuse civil court with frivolous lawsuits, I can only imagine the sheer number filed if this concept is removed from law. I'm also deeply disturbed that the Senate chose to pass this flawed legislation on the anniversary of a police officers death at the hands of an "unarmed man". Weymouth Officer Michael Chesna was murdered by a 20 year old man after that man attacked him with a rock, stole his firearm and then used it to kill him and an elderly woman in her home. Just because someone doesn't have a weapon on them does not make them not dangerous. Had the officer fired sooner he might still be alive. But then he would have been attacked by the media and public for shooting an "unarmed" kid.

Removing qualified immunity from public servants will not make streets any safer. Had officer Chesna fired his weapon during this altercation and wounded or killed the suspect he could be sued for wrongful death by the family and a civil judgement could ruin his life. How many officers will be willing to risk their lives in this instance? How many dangerous criminals will remain on the streets cause police refuse to give chase and risk an altercation? Everyday Americans sue McDonalds when they're burned by their coffee; you don't think criminals will use this to their advantage anytime they're arrested to make a false complaint?

Yes, trying to push reform to limit excessive force is good. Yes we don't want rouge cops going around shooting completely innocent people, but lets be clear; this legislation is not the way to do it.

The MA Senate knows the bill is flawed. They passed it overnight with zero public hearing and zero public input. This is not the way we

make laws here in America makes laws. We are a government of the people,
FOR the people.

Please, I urge you to vote "NO" on S.2800.

Respectfully,
Jennifer Graham

Sent from my iPhone

From: Brad Rothrock <rothrockster@gmail.com>
Sent: Thursday, July 16, 2020 1:44 PM
To: Testimony HWM Judiciary (HOU)
Subject: Pass and strengthen S. 2820

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

I'm a resident of Brighton, MA and am writing to urge you to pass and
strengthen S. 2820.

The House process stripped out several amendments that would strengthen
this bill and create a safer community for everyone, but especially for
Black, Latinx, and Native people.

I would like to see a final bill that would 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.

Thank you for your consideration and I strongly urge you to do the right
thing.

Sincerely,

Brad Rothrock
36 Winship Street
Brighton, MA 02135
(857) 540-0586
From: Eric Klose <ericklose@gmail.com>
Sent: Thursday, July 16, 2020 1:44 PM
To: Testimony HWM Judiciary (HOU)
Subject: Constituent Support S.2820

Hi, I live at 42 Chauncy St, so I believe I'm a voting constituent of Rep
Michlewitz. I called in yesterday to voice my support for criminal justice
reform, and for ensuring robust oversight of our police officers. I think
Massachusetts has done a much better job than most states, and that also

means that the burden of oversight rules should require less change than in other states. I would love to see funds shifted to staff that supports smooth functioning of society! That's become too encumbered into the police force, but simple things like ensuring cross walks are respected, or giving directions, or reminding people to not litter. This nominally falls under the police, but they have more important things to do, so in practice there's no one minding the shop.

Let's focus the police on what they're most capable at, give them a span of responsibilities they can succeed at, and ensure a zero tolerance policy for abuse of their authority. I understand the background on where qualified immunity came from, but it's totally broken in practice. It's shocking that we don't do more to certify police officers, and in general I'm a fan of "stop killing or harassing our own citizens".

Thanks!

-Eric Klose
42 Chauncy Street
Boston MA 02111
m: 617-823-7030
From: jdamico06 <jdamico06@aol.com>
Sent: Thursday, July 16, 2020 1:43 PM
To: Testimony HWM Judiciary (HOU)
Subject: Do not pass this bill, please!!!

To whom it may concern,

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

Please DO NOT pass this bill.

Sincerely,
A concerned citizen of Massachusetts

Sent from my Verizon, Samsung Galaxy smartphone
From: Bob Bell <rpbell61@gmail.com>
Sent: Thursday, July 16, 2020 1:43 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Police reform bill

Dear Legislators,
I'm hoping we can count on your support to fix S2800. If qualified immunity is changed from its current definition, the safety of the public will be severely jeopardized.
It is unfair and immoral to change current collective bargaining agreements without negotiations

When you put these considerations along with other problems with the bill, no one will want to be a police officer. Look around the country and see what's happening. NYC officers are retiring in droves. Minneapolis officers are leaving on medical stress. Atlanta officers stopped answering calls for a shift.

Do you really want that for Massachusetts?

We try to recruit officers of color to no avail.
No young people want to be cops any longer.

When cops are gone, there will be no one to protect innocent civilians of all colors from the evil that liberals refuse to acknowledge.

Please consider your actions on this issue carefully. Be aware of unintended consequences. You might find yourself living in a world without police officers.

Best regards,
Bob Bell
Quincy

From: Nicholas Hammond <hammondnsh@gmail.com>
Sent: Thursday, July 16, 2020 1:43 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Police Accountability

From what I understand of the police reform bill as it passed the senate is that it takes great first steps, but I believe it can be enhanced by going even further. I support the points that the ACLU of Massachusetts are asking be added to the bill:

- * Prohibiting violent police tactics
- * imposing meaningful restrictions on qualified immunity
- * banning facial recognition surveillance

I'm glad that Massachusetts is taking this crucial first step, but we should take this opportunity to be a leader in the nation on this movement to improve policing by raising the bar even higher.

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.

Finally, please support an unequivocal ban on the use of dangerous facial recognition technology that would supercharge racist policing.

I thank you for your work on this important legislation and encourage you to push even further.

Nick Hammond

From: Elaine Silva <nana5550@yahoo.com>
Sent: Thursday, July 16, 2020 1:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: S28020

This bill was passed too quickly.
There needs to be more research done before any bill like this is written and passed

Elaine Silva
Wakefield

Sent from my iPhone
From: Annabel Consilvio <annabel.consilvio@gmail.com>
Sent: Thursday, July 16, 2020 1:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support S.2820

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

My name is Annabel Consilvio, and I am a resident of Cambridge, MA. I am writing to ask you to support S.2820, which will bring incredibly needed reform to our criminal justice system here in Massachusetts.

Additionally, I would like to push you all to include the elimination of qualified immunity within this legislation. This loophole prevents holding police accountable for their actions, and leads to disproportionately Black and Brown members of our community to be killed or put in jail, with no justice. On top of this, I believe the final bill should also include introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

All of these things should already be part of our basic justice system, and is Massachusetts really wants to call itself a leader in civil justice, these things need to be implemented immediately.

Thank you for your consideration. I'm looking forward to seeing your support on this bill and watching you advocate for strengthening it further.

Annabel Consilvio, Cambridge MA From: James Hodgerney
<jhodgerney@gmail.com>
Sent: Thursday, July 16, 2020 1:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Hello,

My name is James Hodgerney and I live on Brintnal Drive in Rutland. I currently work for the Worcester Police Department. I am writing to you to express the serious concerns with bill S2820. Should this bill pass as written, Police Officers in Massachusetts will be stripped of Qualified Immunity, and will be able to be personally sued for anything and everything they do while on-duty. There is no doubt in my mind this will lead to Police Officers who make a lot of (lawful) arrests being targeted with frivolous lawsuits, in order to curtail their proactive policing. The change also includes a section where they removed an element from the State Civil Rights act, and allowed a provision for attorney fees to be awarded to plaintiffs. This will create a ton of new cases to be brought to the state courts, and will cost the cities and towns as well as all public service employees so much. I am asking that you stand up for us and help make this bill the right way. We are not asking to be protected while being "bad cops" only to protect the good cops who put their lives on the line to protect their communities, and see the bill for what it is: a way to destroy proactive policing.

Thank You,
James Hodgerney
Jhodgerney@gmail.com
508-963-6897

From: Garret Whitney <garretwhitney@gmail.com>
Sent: Thursday, July 16, 2020 1:40 PM
To: Testimony HWM Judiciary (HOU)
Subject: please pass 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.

Garret Whitney

296 Heath's Bridge Rd, Concord

From: Joshua Pirl <joshua.d.pirl@gmail.com>
Sent: Thursday, July 16, 2020 1:40 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony 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, the criminal justice reform bill currently in the MA state house. Please do all you can to strengthen this bill and work to pass it before as soon as possible.

While there are attempts to amend and weaken the legislation, the final bill must eliminate qualified immunity, lay out strong standards for decertifying problem officers, and ban the use of tear gas, choke and strangleholds, and no knock warrants.

Please ensure that MA leads on criminal justice and enacts this legislation in the memory of George Floyd, Breanna Taylor, and too many more.

I will pay close attention to how the house acts on this matter,
Joshua Pirl
Cambridge, MA

From: Deborah Levenson <levendeb@aol.com>
Sent: Thursday, July 16, 2020 1:40 PM
To: Testimony HWM Judiciary (HOU)
Cc: Carey, Daniel - Rep. (HOU)
Subject: Police reform bill (S2820)

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

I urge the Mass. House to support and improve Senate police reform bill S2820. 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. Please retain the language for these urgent and necessary provisions of the Senate bill:

- * Creating an independent and civilian-majority police certification/decertification body
- * Limiting qualified immunity so that victims of police brutality can sue for civil damages
- * Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records

In addition, I ask that the House improve the Senate bill in these areas:

- * Strengthening use of force standards
- * Fully prohibiting facial surveillance technology
- * Lifting the cap on the Justice Reinvestment Fund

These are urgent matters that cannot be postponed or watered down.

Submitted by:

Deborah Levenson

Hadley, Mass.

From: Melissa Johnson <melissa.johnson@lahey.org>

Sent: Thursday, July 16, 2020 1:40 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill

To whom it may concern,

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

Please DO NOT pass this bill.

Sincerely,

A concerned citizen of Massachusetts

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From: Kathleen Karanas <ksilva426@gmail.com>

Sent: Thursday, July 16, 2020 1:38 PM

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

To whom it may concern,

I am writing to ask you to please take time to review the new bill S 2820. This is being signed too quickly and I believe there is more thought and research to be done before passing. As a lifelong resident of the state of Massachusetts, I am against the passing of this bill. Please take the time and listen to the voice of the citizens of the commonwealth.

Sincerely,
Kathleen Karanas, Tewksbury MA
From: Fran Muzyka <fm muzyka@outlook.com>
Sent: Thursday, July 16, 2020 1:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

In response to Bill S.2820 I am urging you not to pass this bill with the qualified immunity being taken away from our police, fire and nurses. I believe their hands will be tied and it will be much harder for them to do their jobs. Potentially causing second guessing and delay in action which could effect the lives of people they are attending to. This will leave them open to frivolous law suits.

Respectfulluy,

Fran Muzyka
Waltham, Ma.
From: Wendy McDonald <politicalwendy@gmail.com>
Sent: Thursday, July 16, 2020 1:37 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

Dear Members of the Judiciary Committee,

I'm using text supplied by the ACLU of Massachusetts because, quite frankly, they cover everything I want to say, more clearly than I could say it.

As your constituent, I'm writing to ask that 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 SEVERELY 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.

Respectfully,
Wendy M. McDonald
29 Shakespeare Street
Tyngsboro, MA 01879

From: maprice89@yahoo.com
Sent: Thursday, July 16, 2020 1:28 PM
To: Testimony HWM Judiciary (HOU)
Subject: PLEASE RECONSIDER THIS BILL

Dear Chair Michlewitz and Chair Cronin,
My name is Mathew Price and I live at 30 Hobart Square in Whitman, MA. I work at Old Colony Correctional Center 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,
Mathew Price

From: Andrew Gorlin <asgorlin@gmail.com>
Sent: Thursday, July 16, 2020 1:35 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

My name is Andrew Gorlin, I live in Brookline, MA. I just learned about the passage of the bill in the Massachusetts senate to end qualified immunity for police officers. (The very fact that I, who closely follows the news, learned about the legislature of such importance from a friend, is truly appalling: there was no public hearing, or other discussions - just late night vote in the MA senate.)

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.

Andrew Gorlin
Brookline, MA
asgorlin@gmail.com

From: Martha Smith-Blackmore, DVM <marthasmithdvm@gmail.com>
Sent: Thursday, July 16, 2020 1:34 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fair and just policing for all communities

Dear Chairs Michlewitz and Cronin:

Please amend S.2820 to include Special State Police Officers' transparency. Currently, Massachusetts special state police officers are empowered with rights of policing without being accountable to the police, including BiPOC and other marginalized populations.

The lack of transparency around numbers of investigations, arrests, and arraignments means that private entities can continue with selective and unjust policing practices. My suggested language is below. Thank you for all that you do for people and animals in the Commonwealth.

An Act relative to transparency for special state police officers

SECTION 1. Chapter 66 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after section 21 the following section:-

Section 22. A document made or received by special state police officers as defined in Chapter 22C, including but not limited to, special state police officers as defined in sections 51, 56, 57, 58, and 63 shall be considered a public record under this chapter and under clause twenty-sixth of section 7 of chapter 4 and subject to all applicable exemptions.

--

Martha Smith-Blackmore, DVM
<https://urldefense.proofpoint.com/v2/url?u=http-3A__www.linkedin.com_in_marthasmithblackmore&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk

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Yixh3D1vhAaF9qIxP1RPwc7L74YUCimYJQM&e=>

President

Forensic Veterinary Investigations, LLC
<https://urldefense.proofpoint.com/v2/url?u=http-3A__www.VetInvestigator.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=9RR6BWOLeoBFnriXS33G5R7d1TbC9mOtk8WKWAHE4KU&s=ZeMISE2OOKQqocm6nlHbsqrP_zB4lYPLG8aXPZd2n7k&e=>>

Cell: 617.293.8183

Consider following me on twitter @VetInvestigator (work)
and @MarthaSmithDVM (play)

From: M+M <mmp232004@yahoo.com>
Sent: Thursday, July 16, 2020 1:34 PM
To: Testimony HWM Judiciary (HOU)
Subject: Proposed Bill S.2820

To: The Chair of the House Committee on Ways and Means and Chair of the
Joint Committee on the Judiciary

I am writing to you regarding the proposed Bill S.2820.

As being a law enforcement officer for approximately 12 years, I have seen
a lot of change in this state that has brought good and bad to how we do
our job daily.

I have served my country in the United States Air Force Reserve for
thirteen years with multiple overseas deployments to Iraq, Afghanistan and
Kuwait and also my community with the Wakefield Police Department because
I care to serve and protect EVERYONE. I have worked hand and hand beside
anyone to get the job done regardless of their race, color or origin.

My current position within the police department is being assigned as a
School Resource Officer (SRO) for the past eight years to a twelve
community technical high school with a diverse school culture and always
treated everyone with the same respect.

After reading this proposed bill coming before you there are many things that need a lot more input from the everyday law enforcement representatives/officers in our great state.

This bill has been rushed through to your level based on the current movement going on throughout this country and it should not be the driving force to enact a bill like this that will negatively effect policing going forward for all citizens of the Commonwealth. Let's not forget the Commonwealth already has some of the strictest laws in the country that protects its citizens.

Currently in law enforcement we are already having trouble recruiting individuals into this job. If we continue to take away protections (ex. qualified immunity) that have been set in place to protect us from just doing our job no one will want to protect and serve our citizens. There is also the push in this bill to take away information sharing and tools we may need to do our jobs at certain times.

It is sad to see how all law enforcement officers are collectively being attacked based on the actions of the few who acted not appropriate in their position. Every profession or business sector has those few who do things not appropriate, but their actions should not discredit the whole body.

I can only hope you and your fellow House members do not pass this bill and stand behind the hardworking law enforcement officers in our state who serve and protect everyone everyday.

Respectfully,

Officer Michael Pietrantonio

Resident of Wakefield, Massachusetts

Employed by the Wakefield Police Department

781-621-8448

From: Renee Pierce <renee600@icloud.com>

Sent: Thursday, July 16, 2020 1:32 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820 Public testimony - concern about Police reform act

Dear House Committees on Ways and Means and Judiciary Committee,

My name is Renee Pierce and I live at 15 Woodhaven Drive in Andover Massachusetts. I write to express my concern about and opposition to Bill 2820. This bill puts law enforcement and citizens in danger!

I respect the dedication of police who choose to protect the people of Massachusetts. I understand the dangers faced and what they are up against when they head to work each day, evening and overnight shift. Though well intentioned, I do not believe that many of my neighbors are aware of the crime that does happen every day. For these reasons, they cannot imagine the need for some police protections, training, or reactions. They are insulated from crime because our police protect communities. If we do not continue to offer our officers protection and support, as they do a job that most would not attempt, we jeopardize the safety of everyone.

I believe ones experiences shape their opinions and I am a proud member of a law enforcement family. My husband is a State Trooper who has served for more than 15 years. I am also the daughter of a retired Lawrence Police officer who served for 30 years. I have seen their struggles and I have learned how scary our world can be. In the years my family has served they have been put in unthinkable situations, but still make the choice - everyday- to protect those in need and run at evil for the benefit of others.

Our police officers do not make the laws, but they are tasked with enforcing them. If we, as citizens of Massachusetts want to be safe, we need to support the effort of our officers so they can do the best job possible. I strongly believe that the bill proposed to reform police standards has the intention to make situations better for our people, but falls short and will make things worse. As a state with quality policing in place, we need to make sure that this level of policing is upheld, not diminished. Defunded police, and limiting the ability to identify and act on crime before it happens, or stop crime in process will result in less safe environments. It is the responsibility of our state government to support police policies that ensure that we continue to have educated

officers that have quality training. We need to offer our law enforcement the respect they deserve and teach our community and our children to do the same.

This ultimately will result in professional officers who are skilled when interacting with the community.

Our police forces in Massachusetts are exceptional and should not be defunded or demoralized with policies that make their jobs even tougher. I restate my argument that more training and more support is what we need. It is the low income, crime-ridden cities that will first fall victim to more crime if the police presence and ability to maintain order is lessened. There will be no shortage of individuals looking to take advantage of unprotected communities because they know there are not enough police or police who cannot act with success because their power has been diminished. This bill will backfire and result in emboldened criminals, poorly staffed departments, poorly trained officers and police who may not act with conviction because they fear retaliation. This will create more problems than can be imagined. If being a police officer becomes more dangerous than it already is you will get more retirements sooner and less qualified applicants going forward.

Please do not put people at risk by passing this bill as is, which limits police response by removing qualified immunity and encourages criminals to fight back knowing police response has been stifled. Police deserve due process and access to defensive tactics that work in tough situations. Even though it is hard to imagine, bad things do happen. Criminals do exist and cause harm to innocent civilians. Finally, police oversight commissions need to include rank-and-file officers who know about the job. State police and local municipalities need to be included.

I ask that my representatives put themselves in the shoes of an officer. Go on a ride along in your city and in a city struggling with more crime than your community. I dare you to go out there and politely ask the bad guys to stop. Will that work? The good guys have to be able to do their job. It can be an ugly profession and the bad guys, in many cases, won't always listen to reason. Sometimes controlled force is necessary. Officers are asked to have countless negative interactions with the public we have to give them something positive rely on; our support, quality training and the benefit of protection when they have our best interests in mind.

The death of George Floyd was unnecessary and disgusting. His killer was wrong, his fellow officers were wrong, we are angry and upset at this ex-cop for what he did to that man and he is being brought to justice for his crime. He also might as well have pointed a gun at law enforcement. Police are now targets, officers will die and be hurt as a result, and their families will be afraid and possibly targeted.

I support funding, training and education for law enforcement and the public, I believe that those who patrol should be well informed and better prepared. We need mutual respect, quality policing and support for those men and women who go out there when bad things happen and bad people choose to hurt and hate. I hope that we get there someday.

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 and treat the men and women in law enforcement with the respect and dignity they deserve.

I would be happy to speak with you about my concerns.

Sincerely,

Mrs. Renee Pierce

(978)490 9277

Renee600@me.com

A fact to consider taken from the Washington Post:

Based on the 2019 statistics -

In the United States, our nearly 700,000 police officers make 55,800,880 contacts with the public per year. Which, at the time of the last report, that led to 26,000 excessive force complaints against officers. That is 0.047% of all contacts. Only 8% of those complaints were sustained. That is 2,080 out of over 55 million contacts, or .0039%. The police are not a danger to our community!

From: Kimberly Barrett <kimberlybarrett8710@yahoo.com>

Sent: Thursday, July 16, 2020 1:33 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2800

Good Afternoon,

My name is Kimberly Barrett and I live in Reading. As your constituent, I write to you 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, one, in particular, stands out and demand immediate attention, modification and/or correction.

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.

The lawsuits resulting from this, whether they're won or not, will result in personal time away from the job to attend court hearings and money lost on legal fees. This would result in MANY officers leaving their positions.

I know it would not be totally eliminated under this bill, but the rephrasing leaves much room for interpretation. For example, if an officer were to do chest compressions on someone for CPR and accidentally break their rib, would they be protected? If someone was resisting arrest and they broke their wrist in the scuffle, would the police be protected? How does this distinguish between a smaller female officer feeling as though their life is being threatened or a larger male officer?

In a society where the media and politicians are clearly against GOOD officers who are doing their job well, many people have turned their backs on police. They would jump at the opportunity to file a lawsuit against the person who arrested them.

Why the rush to push this bill through so quickly? What about public forums? Why not find a way to rephrase this that wouldn't put so many of our police officers in harm's way? Massachusetts' police are the country's best, most educated officers. That doesn't mean they're not open to reform, but it they do not deserve the treatment of this rushed, imperfect, and dangerous reform.

As a Democrat, I am extremely disappointed in my party that none of my representatives are stepping forward to voice their support in the good men and women who are serving as police officers in this state and country. Expressing gratitude toward police in a private email, while appreciated, is not public it will not help protect these innocent officers who are encountering growing hatred on the streets of the communities they serve. I strongly believe this is directly influencing many of the violent acts against police, including murders. When will someone speak up? Hopefully before it's too late.

My husband is a proud police officer. He puts his life on the line daily for people who are turning their backs on him and other men and women in blue. He's highly educated with a bachelors and a masters on the way. He is the type of officer you would want to protect and serve your community, but he puts our family first. He's ready to leave a job he's worked his whole life for because of this bill and the recent hateful actions against police. I'm sure many others will follow.

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. They're absorbing most of the blame for systematic racism of our entire society. While I would assume that it is already going to become more difficult to fill police jobs with educated, qualified individuals, instituting this rewrite on qualified immunity would make it nearly impossible to fill these positions.

Thank you,
Kimberly Barrett

Sent from my iPhone
From: Christine Balmer <cbalmer2@gmail.com>
Sent: Thursday, July 16, 2020 1:33 PM
To: Testimony HWM Judiciary (HOU)
Cc: Garlick, Denise - Rep. (HOU)
Subject: Police Reform

To: Rep Claire Cronin & Rep Aaron Michlewitz:

We urge you to preserve and build upon the accomplishments of the Senate bill on police reform, especially 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

We also urge you to 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
- * Abolish, rather than limit, the doctrine of qualified immunity -- which permits law enforcement to violate people's constitutional rights with virtual impunity.

Thanks for your attention,

James & Christine Balmer
76 Kimball Street, Needham MA 02492
From: loislind@aol.com
Sent: Thursday, July 16, 2020 1:32 PM
To: Testimony HWM Judiciary (HOU)
Subject: It is important to include

language about Raise the Age in the Reform, Shift, + Build Act.

Thank you,
Lois L.Lindauer
Lois L Lindauer
220 Boylston St
Boston, MA 02116
617-529-3334
From: Daniel Sohn <danielmsohn1@gmail.com>
Sent: Thursday, July 16, 2020 1:32 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reform bill

To whom it may concern,

This police reform bill, if passed will change the commonwealth. Why would a police Officer risk his life without any protection? Qualified immunity is dangerous. Please think of the consequences before you vote!

Your constituent

Daniel M. Sohn
781-308-8426
From: KATHLEEN BROWN <katbrown480@verizon.net>
Sent: Thursday, July 16, 2020 1:31 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2800

I am opposing S2800 in support for our law enforcement. Our police need qualified immunity, collective bargaining rights and having a fair certification board. They risk their lives everyday to protect us and we need to protect them This bill was very quickly approved without any public hearing and is unfair to our law enforcement.

Sincerely

Kathleen BrownFrom: Brendan Byrne <investbyrne@yahoo.com>
Sent: Thursday, July 16, 2020 1:31 PM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified immunity

I am highly against dropping qualified immunity for first responders, they will not be able to do their jobs properly and it will cause hesitation to do their jobs and will cause more deaths of them and of the public.

Brendan Byrne

From: Brian Ayers <WBPD623@msn.com>
Sent: Thursday, July 16, 2020 1:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

To whom it may concern;

I write to you today regarding the proposal for S2800.

First and foremost are you aware of the standards that are in place today with regards to Police Officers in the Commonwealth? Do you know the current standards are bias and racist? Example: Two candidates take the same exact entry exam for the State Police Academy, one candidate scores a 96 on the exam the other candidate scores an 84, which candidate is chosen for the State Police Academy? The answer is the person with the skin color of black, the gender of female, or the person who has been labeled by society as anything other than a Caucasian male. How is this ethical, and how does this not violate the racism / bias that society is trying to currently combat?

I have been a part-time police officer for 21 years for the Town of West Brookfield. I have worked alongside some of the finest people I have met with every skin color, gender, religious background that one could imagine. I have never witnessed any discrimination against any citizen in the Commonwealth while working in the capacity as a sworn police officer. What I ask is very simple, do not put onto others what you would not want done to yourself. You want to limit qualified immunity for police officers, then the bill should also include the limited immunity for Judges, and every other employee of the Commonwealth including State Senators, and Representative of the house.

I certainly agree that society as a whole need to continue to adapt to changes in our world around us. However, is this bill being rushed through to make a positive difference in our society or simply appease a crowd and protests for an event that occurred over 1,000 miles away? My concern is the bill you are putting forward will force many of the officers in the Commonwealth to find alternative careers and we will lose a lot of knowledge and experience on the front lines. This bill should

not be rushed through and done in haste but she be put before a study and verify what these changes will do for not only the society around us but the Police Officers who put on a uniform each and every day to make the Commonwealth a better place to live.

If you have any questions please don't hesitate to contact me.

Sincerely,

Brian J. Ayers
508-277-5878

From: kzanard@yahoo.com
Sent: Thursday, July 16, 2020 1:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: opposition to Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Kevin Zanardelli and I live at 18 Cardinal Circle, Weymouth, MA 02189. I work at Innovative Development, Inc. (Walpole, MA) and am a Director of Product Development. 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 Zanardelli

From: Wesley Cannon <wesleydcannon@gmail.com>
Sent: Thursday, July 16, 2020 1:28 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reform Shift Build MA Act

Hi there,

My name is Wes and I live in Essex, Massachussetts.

I wanted to day that I fully support the Reform, Shift, Build MA Act. I think that for myself and others to feel fully safe in Massachussetts', police officers must be certified. This level of accountability is incredibly important to me and many others.

Thank you,
Wes Cannon

From: Mary Butler <maryjane041704@gmail.com>
Sent: Thursday, July 16, 2020 1:28 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2800 Police Reform Bill

I am writing in opposition to the police reform bill, specifically the limiting of qualified immunity for our police. I firmly believe these

limits will endanger our communities and our police by forcing good cops to second guess their instincts out of fear that a frivolous lawsuit will cost them their home or worse. Qualified immunity is not a get out of jail free card and does not mean our police are not held accountable as is being widely reported.

Please do not follow in the footsteps of New York and handicap our officers to the point where they are afraid to do their jobs. These reforms are not working in other states, and while there are parts of the bill that we all can agree with, rushing this through to quiet a mob that bases its ideas on feelings instead of facts is a mistake. I trust you to make the right decision for the safety of the people who elected you as well as the officers who protect us.

Thank you,
Mary Butler
508.272.1472
Resident of Attleboro, MA
From: John Davey <sgtdavey@gmail.com>
Sent: Thursday, July 16, 2020 1:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: SB2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,
My name is John Davey and I live at 258 Arlington st Dracut. I work at MCI CONCORD and am a Sergeant. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

??: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the

appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

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

Sincerely,

John Davey

From: Gabriella Mazzie <gamazing29@gmail.com>

Sent: Thursday, July 16, 2020 1:27 PM

To: Testimony HWM Judiciary (HOU)

Subject: Opposition to S.2800/S.2820

Dear Massachusetts State Representatives,

I am writing to you today in opposition to S.2820 (2800). As a lifelong citizen of the Commonwealth of Massachusetts and the daughter of two police officers who have dedicated themselves to the safety and security of Massachusetts residents (for over 24 years and 28 years), I feel this bill has been hastily written and is unfair to my parents and all women and men that serve as Law Enforcement Officers in the Commonwealth.

Please take time and use a common sense approach before passing this legislation. I call for you & your colleagues to go "on patrol" for a month with your state & local police departments. See what they face and how they interact with the public. You the law makers stand protected while the law enforcement officers risk their lives every day. You protect yourself with immunity and want to take it away from police officers. I don't know a lot about qualified immunity but I do know the women and men in blue suit up for their shifts not knowing who or what they will face and have to make split second decisions to protect themselves and the public. I've heard plenty of awful stories over the years growing up. Yet my parents and their co-workers continue to protect the community and give of themselves by raising money for organizations like Cops for Kids with Cancer or serving the less fortunate at food pantries on Saturday mornings.

What happened in Minneapolis is a disgrace! Why are the Law Enforcement Officers in Massachusetts paying for the failures of officers halfway across the country? You feel the need to do something? That something should be well thought out. If not, you will see those that can retire will be gone ASAP. Some will quit and those that stay will only respond to an emergency. New recruits? There won't be any because it's a thankless job. Is that what you really want?

For the first time in my life, I do not feel my safety is a priority. My views do not align with the message to "defund the police" yet I can't vocalize that for fear of reprisal. You, your children, your husbands and wives, your mothers and fathers, your brothers and sisters...you're all at risk as I am, along with the rest of the law abiding citizens in the Commonwealth.

I pray you do not destroy law and order for your family or for the citizens of the Commonwealth or for my family and for generations to come. Please, I implore you to vote "no" on S.2820.

Thank you,

Gabriella Mazzie
32 Rowley Road
Boxford, MA 01921
978-880-2459
From: Roberto Rivera <titorivera375rr@gmail.com>
Sent: Thursday, July 16, 2020 1:27 PM
To: Testimony HWM Judiciary (HOU)

Hello I'm a armed guard working for national cinema security what's this about a testimonyIf it's wrong or right

Sent from my iPhone
From: L Bonczek <bozls@hotmail.com>
Sent: Thursday, July 16, 2020 1:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fw: Police Reform Package (s.2820)

From: L Bonczek <bozls@hotmail.com>
Sent: Monday, July 13, 2020 12:24 PM
To: kimberly.ferguson@mahouse.gov <kimberly.ferguson@mahouse.gov>;
william.galvin@mahouse.gov <william.galvin@mahouse.gov>;
richard.haggerty@mahouse.gov <richard.haggerty@mahouse.gov>;
john.mahoney@mahouse.gov <john.mahoney@mahouse.gov>;
joseph.mckenna@mahouse.gov <joseph.mckenna@mahouse.gov>;
michael.moran@mahouse.gov <michael.moran@mahouse.gov>;
harold.naughton@mahouse.gov <harold.naughton@mahouse.gov>
Subject: Police Reform

Dear distinguished members of the House of Representatives
I am a 25 year veteran of the Worcester Police Department and member of the NEPBA local 911. I am contacting you today seeking your support in the issues of qualified immunity , due process, arbitration, and having members on the POSAC Board to contain people with a background and experience in law enforcement.
This is not a time for knee jerk reactions but rather a time for well thought out plans. I feel that Massachusetts law enforcement has always been ahead of the curve in many of the issues facing our profession today. I ask that you don't make judgments on Massachusetts officers based on what's happening in other parts of the country.

Thank you for your time and look forward to your support.

Steven Bonczek

8 Spring St, Jefferson MA 01522

(508) 846-8115

From: Brigitte Deitz <hunthorse@aol.com>

Sent: Thursday, July 16, 2020 1:25 PM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony

To My Senate:

I am writing with great concern regarding MA House of Representatives Bill #5128. If your goal is to "build a more EQUITABLE, fair, and just commonwealth that values Black lives and communities of color" you are gravely mistaken that this is the solution.

While there are many elements to this bill that cause great concern and quite frankly shock, I will focus my effort in explaining what I feel would be most damaging.

SAY NO TO #8 No more tear gas, rubber bullets, pepper spray, or K9's against another person.

Unless you are prepared and desire a max exodus, you must seriously reconsider what you are proposing. K9's are never deployed for apprehensions unless they are absolutely necessary. MA has the best K9 trainer in the US, Troy Caisey, who has dedicated his life and career to training dogs and their handlers from all over NE. He leads each and every handler to value the rights of ALL and to utilize their K9's abilities in apprehension only when necessary. Our K9 teams are the BEST in the country, due to his work and dedication. When his students graduate and certify, they sign on to a continued monthly training education for the life of the team. He makes himself available for support 24/7, far exceeding his position's expectations.

How do I know? Why do I care? Do I have anything to lose? I have been working with Troy for over 10 years now, breeding, raising, and training German Shepherds and Malinois for the region. I have countless dogs working in the Northeast as certified department K9's who are saving lives every day. Who's lives are they saving? Sometimes they are saving our officers, sometimes they are saving civilians, and sometimes they are even saving criminals' lives. If EQUITY is what you are striving for, K9's are absolutely the most special tool that we must preserve. While no one likes force, sometimes it is absolutely necessary. A dog bite doesn't kill and the pain inflicted is temporary and benign when compared to that sustained by a bullet or a stun gun.

For anyone who questions my agenda in my opposition of this bill, supposing that I am writing in concern of protecting income, I will have you know that raising and training police dogs is not a profitable venture. We do it because we truly care about giving back to our community. K9's are an invaluable asset to everyone in the commonwealth.

Please, if nothing else, think hard about the key word "equitable" in this proposed MA bill. To rush such a bill, with how it is currently written,

will guarantee that that safety for all will NOT be equitable for our officers.

Thank you for your time and consideration,
Brigitte Deitz
Owner of Fox Hill Farm & K9 llc

Brigitte Deitz
FOXHILLK9.com <https://urldefense.proofpoint.com/v2/url?u=http-3A__www.foxhillk9.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=e7dZbq1114TEwFHCMICXZly6QHzzIdCjTLdLlt063FU&s=-OTMNd55bNZAHEz6Ny-vJ_x9dmWfhc812gNdcK9i-E&e=>>

(978) 270-9200

From: Matthew Anderson <anderson50834@gmail.com>
Sent: Thursday, July 16, 2020 1:24 PM
To: Testimony HWM Judiciary (HOU)
Subject: OPPOSE S.2820

To whom ever it may concern,

I am offering my testimony in regards to bill S.2820:

WHAT DOES THE PROPOSED POLICE REFORM BILL DO?

The proposed massive Police Reform Bill IS NOT BASED ON MASSACHUSETTS performance history and NOT BASED ON MASSACHUSETTS DATA.

The proposed bill will destroy the morale of our police departments, will put our officers' safety at great risk, and will expose them and their families to personal liability, will generate thousands of frivolous lawsuits to be paid for with taxpayer money, and even has provisions to pay the lawyer's fees for people who sue our communities.

For example - the legislation:

? Creates and funds at least 6 new Agencies, Commissions or Committees

? Eliminates Civil Service Protection only for Law Enforcement Officers; (Sections 41-43)

? Prohibits School Department Personnel from Providing Information to Law Enforcement regarding gang activity and affiliation; (Section 49)

? Expands the rights of individuals convicted of multiple crimes to expunge records of those crimes

? Requires that a lengthy record (receipt) be generated related to virtually any interaction between a police officer and a member of the public; (Section 52)

? Creates - but does not fund - mandates upon municipalities to gather, track, organize and report data, as well as unfunded training mandates; (Section 52)

? Creates a Police Officer Standards and Accreditation Committee to govern the conduct of police and judge police officer conduct but - unlike every other professional licensing board - is made up of individuals nominated by groups which openly advocate against law enforcement. It would be similar to staffing the Board of Pharmacy with anti-vaccine advocates or staffing a medical board with lawyers who sue doctors. The Board of Plumbers is made up by a majority of plumbers. The Board of Accountancy is made of by a majority of Accountants. Same goes for nurses, electricians, etc. Law Enforcement should be no different and the committee that can take away our careers should not be populated with nominees that include law firms who claim to have made millions suing cities and towns and their police departments (Lawyers for Civil Rights, Inc.) or the ACLU. (Section 6).

? This bill effectively eliminates collective bargaining rights for police officers - the employees that need it most given the difficulty of their job. This anti-labor, anti-employee bill essentially removes (only for police) the right to be disciplined only where there is just cause - a right enjoyed by virtually every other public employee in our state. (Section 6)

? This bill creates a cottage industry for lawyers and another unfunded mandate upon Cities and Towns by greatly expanding liability on municipalities and officers. Under this Bill, every time a Court grants a motion to suppress evidence - because of any technical violation of the Fourth Amendment for instance - a per se violation of the Massachusetts Civil Rights Act will be created. The proposed Bill even provides for attorney fees to prosecute these actions. (Section 9). Even officers acting in good faith will be liable.

? This bill purports to regulate the Use of Force by Law Enforcement Officers without any recognition that police officers often must make split second decisions, often under extreme stress. Good faith actions will result in lawsuits and can result in the loss of a career. Even if those actions were deemed appropriate by an internal or District Attorney's review, the new committee can decide on their own to end a career. Nowhere in the bill is there acknowledgement that the reasonableness or necessity of a particular use of force must be judged from the perspective of a reasonable officer on the scene and not from the perspective afforded by 20/20 hindsight. (Section 55). It is easy to make decisions in the comfort of a lawyer's office with the benefit of video, hindsight and knowledge of the actual outcome of an event. The law has recognized for years that hindsight judgment is unfair and not practical for the officer who may be faced with life or death situations in the heat of the moment.

The senate bill is an ANTI LABOR bill thats supporting the elimination of Collective Bargaining & the right to Due Process and is a major flaw and goes against the states platform as always being labor/union supporters.

DO NOT OVERLOOK THE SUCCESS OF MASSACHUSETTS
POLICING

Don't believe the misinformation about the alleged need for emergency police reform here in Massachusetts - in reality, Massachusetts is a success story on Police Training and use of force results - even according those groups advocating national police reform. Our educated police force, competitive wages and mandatory training have produced excellent results.

For example, Massachusetts is among the very best in the nation when it comes to police use of deadly force:

? Massachusetts has one of the lowest annual rates for deadly use of force incidents in the Nation - at only 1.2 incidents per million people.

? Massachusetts Cities have excellent records when it comes to deadly force - In Worcester, there have been ZERO deaths caused by police since 2013 (excluding a taser related incident which was ruled a drug overdose) - in fact, Worcester has an annual citizen complaint rate of only .0002% out of 140,000 calls for service. In Lowell, there has been only one police related death (justified) in that same time period.

? During this span, the police have successfully handled many millions of calls for help, often involving, volatile and violent individuals, without incident.

? Most Massachusetts Towns have had no law enforcement related deaths during the tracked time period.

? When anti-police groups present data of people killed by police, they include people like the Boston Marathon Bomber, and others who murdered police officers during incidents.

Before passing a bill creating new state agencies and destroy the morale and success of our public safety officers - is it too much to ask that you first take a look at how police in Massachusetts are performing? Have you looked at your own constituencies - the Towns in your district to see what needs changing, and what is working?

Respectfully,
Matthew Anderson
Worcester Police Officer
774-437-1542
From: Alfred Jacques <aljacques@comcast.net>

Sent: Thursday, July 16, 2020 1:24 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Proposal

To All,

Stripping Law Enforcement of qualified immunity takes away their protection and due process.
This State is in for some tough times if this happens.
It would be safer for Police and Fire to do the bare minimum if this bill is passed.

The Public deserves more!

Regards

Al Jacques
Whitman Ma.

From: Jenny McIntosh <jennymcintoshcellist@gmail.com>
Sent: Thursday, July 16, 2020 1:23 PM
To: Testimony HWM Judiciary (HOU)
Subject: I Support Bill S2820

Hi,

My name is Jenny McIntosh; I am a student and my phone number is 978-259-8532. I support bill S2820, and hope that you will too. Thank you.

Sincerely,
Jenny McIntosh

From: M A <mca6095@gmail.com>
Sent: Thursday, July 16, 2020 1:22 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

To whom it may concern,

You have probably received many emails similar to mine and I thank you for taking the time to read this.

My name is Michael C. Anderson and I have been employed as a Police Officer by the Town of Andover for 11 years. I moved to Andover in third grade from the City of Lawrence, graduated from Andover High School and decided to enter into public service. My wife, whom I met in college fifteen years ago, decided two years ago to quit her private sector job and become a civil servant at the age of 34. Her decision to take the civil service exam to become a Police Officer was solely based on how she saw how the Andover Police Department truly cares, implements and impacts

the lives of people in the community. She has been a Police Officer in the Town Of North Andover for the past two years.

The amount of training along with standards from both state and individual departments, holding Officers to the highest standards is something that can only be experienced first hand. I can assure you that this new bill will completely eliminate the level of customer service, respect and professionalism that the public expects and demands from Police Officers.

This bill is turning away very qualified applicants who are dreaming of careers in Policing and others that have invested the majority of their life to a career that is for the greater good to retire prematurely.

Understand the passing of this bill is going to completely change Policing forever... for the worse.

Respectfully submitted,

Officer Michael C. Anderson
Andover Police Department
978-475-0411 <tel:978-475-0411;3041>
X3041 <tel:978-475-0411;3041>
Mand@andoverps.net
From: Barbara Neenan <bneenan45@gmail.com>
Sent: Thursday, July 16, 2020 1:20 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

To the members of this committee,

As a 75yo life long citizen of MA, I am respectfully requesting that you vote against the proposed removal of police immunity. I feel that they deserve a certain amount of respect and support. The majority of officers in MA, are college educated, many with advanced degrees. They take their jobs very seriously and put their lives in danger every time they leave their homes and families to report for duty. This is not Minneapolis.

Even Pres. Obama related to the excellent manner in which our police depts. perform.

I believe he was referring to Boston specifically. Training programs in our region are very rigorous.

I feel that residents in the inner city will suffer more with a reduction of staff. New York is experiencing many murders as a result, a one year old baby was killed in the crossfire last night.

I fear the changes that may come as a result of the passage of this bill, more than I do the Corona Virus!

Respectfully submitted,

Barbara Neenan
781-648-1281

Sent from my iPadFrom: Jerald Jagers <jjagers@verizon.net>
Sent: Thursday, July 16, 2020 1:19 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill No. S2820

Chairman Michlewitz and Chair Cronin,

Your act to reform police standards and shift resources is both irresponsible and reckless given the dangerous climate and number of police "executions" we have seen over the past six weeks. The fact that you would even consider such a shift in police policy, demonstrates how very little regard you have for their occupation and how little value you place on their lives and those of their families. The fact that they put their lives on the line each and every day to keep you and the rest of the community safe, regardless of the race of those they protect and serve, should certainly make you reevaluate your dangerous and feckless decision.

There is good and bad in every profession, but the oath taken by police officers to keep the community safe, cannot be upheld if resources are denied and protocols and training challenged which have up to this time been effective in keeping the population safe. You obviously feel the welfare of the citizens of the Commonwealth of Massachusetts is not important.

This bill is a big disappointment.

Mary Gail MacMaster Jagers
5 Coolidge Dr.
Tyngsborough, MA 01879
From: David Holzman <DaveyTClown@comcast.net>
Sent: Thursday, July 16, 2020 1:18 PM
To: Testimony HWM Judiciary (HOU)
Subject: S. 2820

My name is David Holzman. I live at 603 South Street, Apt. 1, Roslindale, MA 02131. I urge you to SUPPORT POLICE REFORM by: preserving and building on the accomplishments of Senate Bill 2820:

- * 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

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 in advance,
David Holzman

From: Annmarie Daly <run4angels@gmail.com>
Sent: Thursday, July 16, 2020 1:18 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: S2820 Act to reform police standards

?

Dear Representative Michlewitz and Representative Claire Cronin,

I hope this email finds you both well. I am writing relative to 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. The following is an outline of the issues I have concerning this Act.

- * 1. The senate version will seriously undermine public safety

The false narrative that Qualified Immunity (QI) prevents the public from suing Police Officers 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 officers in the course of their duties due 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 to be used. 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.

• 5. 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

I would like to thank you for your consideration of my concerns.

Have a great day.

Anmarie Martini
176 Main Street
North Easton, MA. 02356

From: MARY FOUNTAIN <missmary87@verizon.net>
Sent: Thursday, July 16, 2020 1:17 PM
To: Testimony HWM Judiciary (HOU)
Cc: Speliotis, Theodore - Rep. (HOU)
Subject: S.2820

Good afternoon:

Please accept this correspondence as a plea to reconsider ending the qualified immunity as described in S.2820 for public servants including those of us who work in public safety and education.

I agree there needs to be constructive reforms that work for all people. By ending qualified immunity, From many will suffer the unforeseen consequences of this radical agenda.

Sincerely,

Mary Fountain
Peabody resident & taxpayer
Police Officer in Essex County.

From: Mark, Paul - Rep. (HOU)
Sent: Thursday, July 16, 2020 1:16 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Constituent Testimony

Dear Committee Chairs and Members,

Please see the below correspondence from a Dalton constituent on S.2820. Feel free to be in touch if there are any questions or comments.

Best wishes,

Paul Mark

State Representative
2nd Berkshire District
Chair-House Committee on Redistricting

Representing 16 Communities in Berkshire and Franklin Counties.

Massachusetts State House
Room 160
Boston, MA 02133
(617) 722-2304

District Office-
(413) 464-5635
<http://www.representativemark.com>

From: Nicholas Leveque [NLeveque@dalton-ma.gov]
Sent: Wednesday, July 15, 2020 12:45 PM
To: Mark, Paul - Rep. (HOU)
Subject: Re: [External]: qualified immunity

Thanks for responding. It is still very unclear what they did with qualified immunity. They actually stated they were worried about the nurses, teachers and firefighters. What that paints a picture of is that no one cares about us, we are all bigot, useless criminals in their eyes. I thought the meeting was shady and wrong. Here is an example that someone could now sue me for and take my home.

I respond to a patient having a heart attack, I do cpr, that person dies. The family thinks I didn't do it good enough because he was still breathing when I got there. They sue me.

A domestic violence call. Guy/girl is beating up their significant other. You intervene, the significant other is now mad you arrested them and that you came into their home without permission. They sue me

Anyone with enough money and hatred towards police can sue for anything. It will be a vicious cycle. They may not win in court but lawyers cost money and we don't get paid all that much money. My base salary to put on a Kevlar vest everyday, deal with today's media, work nights weekends and holidays is 50k. A teacher makes about 70k to work 9 months out of the year with weekends and holidays off.

Much more people die of medical malpractice every year then people killed by police. Guilty or innocent. We have a duty to act and taking away our qualified immunity in anyway, puts a real pause on what officers are going to do. Traffic accidents are going to skyrocket because cops are not going to want to pull cars over and be sued because someone thinks they got pulled over because of the color of their skin.

This is real and this is scary for us. Not one officer would tell you different. That's how I know Sen. hinds did not speak to any street cops.

Thank you for your time.

Respectfully,

Officer Nicholas Leveque

Dalton Police Department

462 Main Street Dalton MA 01226

(413) 684-0300 Business

(413) 684-6108 Fax

Nleveque@dalton-ma.gov

From: Joseph Lencki <josephlencki@yahoo.com>

Sent: Thursday, July 16, 2020 1:16 PM

To: Testimony HWM Judiciary (HOU)

Subject: opposition to police reform bill S2820

Joseph Lencki Quincy Police Dept. cell #617-827-7961

I am a 23 year veteran of the Quincy Police Dept and currently hold the rank of Sergeant. First off I condemn the actions of the Minneapolis Police Officers who killed George Floyd and their actions as I am sure most of you know are not representative of 99.9 percent of police officers in America today. Bill #S2820 as presently crafted will prevent good police officers from doing their jobs. To eliminate or change qualified immunity for police officers would cause a chilling effect on policing and the ability for our profession to protect the public when needed. I am not against POST licensing and increased transparency in policing as long as these new measures are implemented fairly to both the public and the police officer. Police Officers need to retain their due process rights just like any other citizen and should have a right of appeal if they are de-certified. A convicted first degree murderer has a right of appeal however under this bill a police officer will not. I have worked many of the protests in Boston and the surrounding communities and the vile / obscene language that has been yelled at me and my fellow officers is not being reported by the press and is described as "peaceful". I have also been spit at and had bottles thrown at me. I believe history will look back at this time of demonizing all police officers as disgraceful and comparable to when the Vietnam Veterans returned home and were vilified. As a supervisor in Quincy I am making daily decisions on a vast array of public safety incidents including Domestic Violence and Mental Illness. I shudder at the thought that me and my family could be financially ruined for any of these good faith decisions I make on a daily basis. With the increased scrutiny on police officers I think any police reform bill should mandate that all police officers in Massachusetts wear body cameras to protect them from false allegations. Body cameras would also provide a better picture to the public on what officers have to deal with on a day by day basis. Moral among Massachusetts police officers is at an all time low and I hope you

will listen to our concerns about this bill. My family, friends and neighbors will be watching closely on how our representatives will vote on this issue. I hope you will vote against this bill in it's present form. Please don't hesitate to call me if you want to discuss this issue further.

Thank-you Joseph Lencki

From: Steve Flaherty <svflaherty@gmail.com>
Sent: Thursday, July 16, 2020 1:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: Public Safety is in jeopardy

? Dear Representatives :

My name is Steve Flaherty and I live in Burlington . 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 <x-apple-data-detectors://8> st <x-apple-data-detectors://8> . <x-apple-data-detectors://8>

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

Thank you for your consideration.

Stephen Flaherty

9R Mill street Burlington MA <x-apple-data-detectors://9/1>

Svflaherty@gmail.com

From: Mark, Paul - Rep. (HOU)
Sent: Thursday, July 16, 2020 1:14 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Constituent Testimony

Dear Committee Chairs and Members,

Please see the below correspondence from a Dalton constituent on S.2820. Feel free to be in touch if there are any questions or comments.

Best wishes,

Paul Mark

State Representative
2nd Berkshire District
Chair-House Committee on Redistricting

Representing 16 Communities in Berkshire and Franklin Counties.

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<http://www.representativemark.com>

From: Glenn Lagerwall [glagerwall@msn.com]
Sent: Tuesday, July 14, 2020 11:23 PM
To: Barrett, John - Rep. (HOU); Farley-Bouvier, Tricia - Rep. (HOU);
Pignatelli, Smitty - Rep. (HOU); Mark, Paul - Rep. (HOU)
Subject: [External]: Police Reform Bill

Rep. Mark, Rep. Barret, Rep. Farley-Bouvier, Rep. Pignatelli,

I am taking the time to write to each of you, the Berkshire County Delegation to our Massachusetts House of Representatives, because although I am a Dalton Resident, my 30+ years in law enforcement has been spent in all the towns in this county, to include each of which you all serve. From my time as a Massachusetts Environmental Police Officer covering South County to my time in both the Lee and Cheshire Barracks as well as in the Berkshire County District Attorney's Office, I have had the opportunity to work with each of you toward the betterment of the residents of this county. It is for this reason that I write to all of you regarding S.2800: The Police Reform Bill which will soon be presented to the House after its passage in the Senate. I implore each of you to take a long hard look at this bill and the provisions that were included in it. I am 100% in favor of change and feel we need it within our ranks. Unfortunately S.2800 fails to properly address these needs in a way that will benefit both the public and the officers themselves.

I have been in law enforcement since 1988, with the majority of my career being spent here in the Berkshires. I was a member of the U.S. Coast Guard, a local police officer, a member of the Massachusetts Environmental Police, and am currently a member of the Massachusetts State Police. I was the lead defensive tactics/use of force instructor at the Massachusetts Municipal Police Training Academy and at the Massachusetts State Police Academy for over 10 years and have been deemed an expert by the courts in its application and use. I have given opinion and testimony for both the prosecution and defense in cases involving officer use of force. I was a narcotics officer assigned to the Berkshire Narcotics Unit and have conducted hundreds of investigations with the county. As a patrol officer I have had tens of thousands of encounters with the citizen of the

Commonwealth. So I write to you from a position of experience and expertise in this specific area.

Police Training needs to be revamped. Police officers do not receive enough training in the use and application of force. Due to budget constraints, more and more information is being added to the basic training curriculum but the hours required is not changing. As the lead use of force instructor, I was dismayed as the hours dedicated to use of force training was continually cut back to accommodate other needs in both the academy and in service settings. Officers are currently trained in de-escalation techniques and in the application of proper force but are not given the time to properly become proficient in such techniques. This discipline requires practice and muscle memory. When someone is attacking, an officer does not have time to refer to a book to look up a proper response. It must be quick and instinctual. Think of how long it takes to acquire a black belt in martial arts...years. I was asked to make "black belts" of officers in less than 40 hours. This lack of knowledge is causing officers to react to situations with fear and emotion not confidence. When decisions are made out of fear and emotion, they are not usually good ones. We need to train officers better...now. I fully support mandated training, accreditation, and oversight.

I would apply this same thought process to S.2800. It is a bill that was hastily put together out of fear and emotion. While it's intent is a step in the right direction, its content has serious flaws that will have negative impacts on the future of Massachusetts; not just in policing but in the shape of the future of the entire Commonwealth.

What is Qualified Immunity and Why is it Important? One major part of S.2800, one that was fiercely debated in the Senate, centered around the limiting of Qualified Immunity for Police Officers. The Massachusetts Supreme Judicial Court addressed this issue in the case of *Rodrigues v. Furtado*, 410 Mass. 878: 575 N.E.2d 1124 (Mass. 1991). The Legislature, in enacting the SCRA, [State Civil Rights Act, G.L. c. 12, §§ 11H, 11I] intended to adopt the standard of immunity for public officials developed under 42 U.S.C. § 1983 (1988). *Duarte v. Healy*, 405 Mass. 43, 46, 537 N.E.2d 1230 (1989). The United States Supreme Court has held that most public officials who exercise [410 Mass. 882] discretionary functions are entitled to qualified immunity from liability for damages under § 1983. *Harlow v. Fitzgerald*, 457 U.S. 800, 818, 102 S.Ct. 2727 2738, 73 L.Ed.2d 396 (1982). 5 The Court in *Harlow* concluded that "government officials performing discretionary functions generally are shielded from liability for civil damages insofar as their conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would have known." The Court explained that qualified immunity is a necessary compromise between the need to provide remedies to individuals whose constitutional rights have been violated and the necessity of protecting public officials from "[i]substantial lawsuits" which may deter them from carrying out their official responsibilities. *Id.* at 814, 102

S.Ct. at 2736. 6 Rodriques v. Furtado, 410 Mass. 878, 575 N.E.2d 1124 (Mass. 1991)

In Massachusetts, judges and prosecutors enjoy complete protection from liability for their official discretion under the principle of absolute immunity. So, even if completely wrong in bringing a case forward or in making a ruling on a motion or finding guilt or innocence, the judge or prosecutor cannot be sued for damages. Judges and prosecutors, in safe environments with hours, days, and weeks to make decisions enjoy complete immunity while police officers on the streets, in the midst of chaos, confusion, and violence with only seconds to decide, are now, if Senate Bill S.2800 passes, to be deprived of the limited immunity offered by qualified immunity. This immunity also covers many other public officials such as town clerks, selectmen, mayors, and various city and town board members. This provision of the bill is a knee-jerk reaction by some of your colleagues seeking political cover who, for their own political survival, are willing to endanger public safety and abandon loyal public servants by exposing them to financial and career ruin. Of note, private persons are entitled to qualified immunity when carrying out acts at the request of the police that would normally be executed by the police. In the Rodriques v. Furtado case above, the doctor who performed the body cavity search pursuant to a search warrant obtained by the police officer was granted qualified immunity along with the officer and was not held liable. So this provision in the bill does not just affect the police. Another point; the clerk-magistrate who issued the search warrant for the body cavity search enjoyed absolute immunity and was never even sued.

I honestly believe that any police officer must be held accountable for any violation of the public's trust. The officers involved in the George Floyd case were wrong and need to be prosecuted. What the public does not understand is that it is not qualified or absolute immunity that alleviates police officers from responsibility of wrongdoing. Police are criminally judged based on case law such as Graham vs. Connor 490 U.S. 386 (1989) that sets the standard for police conduct and use of force. Qualified immunity helps protect those officers that are doing it right and does not protect those that are doing it wrong.

I would like to bring up another point regarding this topic. Following the February 2018 shooting at Marjory Stoneman Douglas High School in Parkland, Florida, some students claimed local government officials were at fault for failing to provide protection to students. The students filed suit, naming six defendants, including the Broward school district and the Broward Sheriff's Office, as well as school deputy Scot Peterson and campus monitor Andrew Medina. Last year, a federal judge ruled that the government agencies "had no constitutional duty to protect students who were not in custody."

That decision adds to a growing body of case law establishing that government agencies – including police agencies – have no duty to provide protection to citizens in general. To quote Darren L. Hutchinson, a professor and associate dean at the University of Florida School of Law, "Neither the Constitution, nor state law, impose a general duty upon police officers or other governmental officials to protect individual persons from harm – even when they know the harm will occur. Police can watch someone attack you, refuse to intervene and not violate the Constitution."

The US Supreme Court has made it clear that law enforcement agencies are not required to provide protection to the citizens who are forced to pay the police for their "services." In the cases *DeShaney vs. Winnebago* and *Town of Castle Rock vs. Gonzales*, the Supreme Court has ruled that police agencies are not obligated to provide protection of citizens. In other words, police are well within their rights to pick and choose when to intervene to protect the lives and property of others – even when a threat is apparent. In both of these court cases, clear and repeated threats were made against the safety of children – but government agencies chose to take no action. So what happens when the protections provided by the law under doctrines such as qualified immunity are taken away and the courts have ruled that the police are actually more protected if they don't act than if they do act? Officers won't act. They won't put themselves in a position of personal liability if they believe that the action they take, although legal and justified at the time, may lead to frivolous litigation. It's a very dangerous slope we are staring down.

Another point to consider is that I firmly believe that no person should be appointed as a police officer until the age of 25. I have seen various forms of legislation where the request is to raise the age of criminal responsibility above the current age of 18, citing that most persons do not mature or obtain rational thought until the age of 25. Yet we are allowing them to make life altering decisions as a police officer at age 21. We are giving them a gun without the life experience needed to make these decisions. Raising the minimum age allows future candidate to complete college or military service before joining the law enforcement ranks. This gives them valuable knowledge to fall back on in the exercise of their powers.

For the last 30 years I have put on my uniform and protected the citizens of Berkshire County and now I am asking that you help protect me by carefully considering some of what I have discussed here when the Police Reform Bill comes before each of you in the House. Thank you for your time, consideration, and for your service in these trying times. Please do not hesitate to contact me with any questions regarding the above.

Glenn Lagerwall

168 East Housatonic St.

Dalton, Ma

413-207-4246

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=_nn0eYN5YdeE6MwxtH86Nbihgl2YtBCxNuAvIj3bBoU&m=b07L-JoDICFX6207102psHEv6CW-aWdTKtmI6LazUiM&s=Vnur9Vl-5QhBw-rxKXA5rzI0UXOxKi61KUhhelneN8M&e=>> for Windows 10

From: Larissa Castro <wrciaofficial@yahoo.com>

Sent: Thursday, July 16, 2020 1:15 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform bill

Please do not pass this bill! It will turn our state into NYC!

Please do not rush a bill to please a rage mob!

We have families and have made lives here!

We want a safe city and state!

The BPD is not perfect but no where near other city departments!

Stop all this anarchy!

We voted for you because we trusted you to keep our families safe!

We will move eventually over this or vote you all out!

Please think of the safety of this state!

Best,

Kerry Castor

100 Glenellen Road

West Roxbury Ma

617-435-1182

Sent from my iPhone

From: AMY FEMINO <amj1178@hotmail.com>

Sent: Thursday, July 16, 2020 1:14 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

To whom it may concern:

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

Do NOT pass this bill!!!

From: Mark, Paul - Rep. (HOU)
Sent: Thursday, July 16, 2020 1:13 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Constituent Testimony

Dear Committee Chairs and Members,

Please see the below correspondence from a Dalton constituent on S.2820. Feel free to be in touch if there are any questions or comments.

Best wishes,

Paul Mark

State Representative
2nd Berkshire District
Chair-House Committee on Redistricting

Representing 16 Communities in Berkshire and Franklin Counties.

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From: Glenn Lagerwall [glagerwall@msn.com]
Sent: Wednesday, July 15, 2020 11:01 PM
To: Mark, Paul - Rep. (HOU)
Subject: RE: [External]: Police Reform

Paul,

Thank you for taking the time to read over my emails and for your response.

Yes, the portion of S.2800 you referenced is a portion of the legislation that deals with the issue of qualified immunity. There are a couple of facets regarding this. First is the current statute under MGL Ch12 section 11H which reads:

Section 11H. Whenever any person or persons, whether or not acting under color of law, interfere by threats, intimidation or coercion, or attempt to interfere by threats, intimidation or coercion, with the exercise or enjoyment by any other person or persons of rights secured by the constitution or laws of the United States, or of rights secured by the constitution or laws of the commonwealth, the attorney general may bring a civil action for injunctive or other appropriate equitable relief in order to protect the peaceable exercise or enjoyment of the right or rights secured. Said civil action shall be brought in the name of the commonwealth and shall be instituted either in the superior court for the county in which the conduct complained of occurred or in the superior court for the county in which the person whose conduct complained of resides or has his principal place of business.

If the attorney general prevails in an action under this section, the attorney general shall be entitled to: (i) an award of compensatory damages for any aggrieved person or entity; and (ii) litigation costs and reasonable attorneys' fees in an amount to be determined by the court. In a matter involving the interference or attempted interference with any right protected by the constitution of the United States or of the commonwealth, the court may also award civil penalties against each defendant in an amount not exceeding \$5,000 for each violation.

So, the current civil rights protections as referenced in the above statute are written into S.2800 as referenced under Section 11I below. As noted, Section 11H calls for compensation for any litigation for which the attorney general prevails in a case of a violation of one's civil rights. I attached the above since it is referenced in the pending legislation.

As proposed in S.2800

Section 11I. (a) A person whose exercise or enjoyment of rights secured by the constitution or laws of the United States or the constitution or laws of the commonwealth has been interfered with, or attempted to be interfered with, as described in section 11H may institute and prosecute in their own name and on their own behalf a civil action for injunctive and other appropriate equitable relief as provided for in said section 11H, including the award of compensatory money damages. A person who

prevails in an action authorized by this subsection shall be entitled to an award of the costs of the litigation and reasonable attorneys' fees in an amount to be determined by the court.

(b) A person whose exercise or enjoyment of rights secured by the constitution or laws of the United States or the constitution or laws of the commonwealth has been interfered with by a person or entity acting under color of any statute, ordinance, regulation, custom or usage of the commonwealth or, or a subdivisions thereof, may institute and prosecute in their own name and on their own behalf a civil action for injunctive and other appropriate relief, including the award of compensatory monetary damages. An action under this subsection shall be instituted either in the superior court for the county in which the conduct complained of occurred or in the superior court for the county in which the person or entity whose conduct complained of resides or has a principal place of business. A person who prevails by obtaining significant relief after the filing of an action under this subsection shall be entitled to an award of the costs of litigation and reasonable attorneys' fees in an amount to be determined by the court.

(c) In an action under this section, qualified immunity shall not apply to claims for monetary damages except upon a finding that, at the time the conduct complained of occurred, no reasonable defendant could have had reason to believe that such conduct would violate the law.

Above lies the problem. In the wording of S.2800 it allows for the filing of civil and criminal legal action against any person that the plaintiff believes has interfered with their civil rights. I believe this dangerous wording begins to open the door to where any person who thinks that their rights have been violated can begin legal proceedings without an investigation or without just cause. In my many years, I wish I had kept a running count of the number of times I have heard, "I'm going to sue you" or "I'm going to have your job", not because I was wrong in my actions but because they were retaliatory statements made by people who simply did not like the fact that they had been arrested for the crime to which they committed. I read this statute as providing an avenue to such retaliation. We have had discussions before about how the courts are currently overwhelmed and with the COVID-19 issue, it will be even worse. Imagine now how this will affect the court system with the number of frivolous lawsuits that this could potentially generate.

In looking at section (c), I believe the key word to be "reasonable". Who will decide what conduct is reasonable and whether it applies to qualified immunity? This is a sticking point with many police officers in that the reasonableness standard for those in the profession is found under *Graham vs. Connor* 490 U.S. 386 (1989), where the Court determined that an

objective reasonableness standard should apply to a civilian's claim that law enforcement officials used excessive force in the course of making an arrest, investigatory stop, or other "seizure" of his person. This reasonable officer's standard is often misunderstood and misinterpreted. Even though it has been often tested, many do not agree with what is, through police policy, statute law, and case law, a reasonable officer's response to situations. Because of this, the reaction of officers in these situations will be subdued, knowing that if they take an action that they believe to be within their right as an officer of the law, that they will be brought into litigation based upon the wording of this statute. They will be sued in court and then will have to sweat through knowing that if, their actions are found unreasonable, that they then will be personally liable for monetary damages. As I mentioned in a previous email to you and the other members of the Berkshire Delegation, based upon the federal court rulings, officers will be protected more for not acting than to act. I have spoken with many officers regarding this and, in general, they are losing efficiency and enthusiasm because of the threat of frivolous lawsuits. They also feel that they are losing faith in their leaders to stand beside them and represent their interests. S.2800 has taken a toll on the morale of many in the ranks.

In my humble opinion, Section 11I was added to S.2800 as an attempt to appease those who want police to pay (both literally and figuratively) for their actions. It was drawn up out of emotion and put forth with little study or regard. While the original wording was disappointing, it was even more disappointing that the Senate refused to reverse this error by failing to adopt Amendment 137 which stated, "A special Commission will be convened to study qualified immunity, consisting of four (4) legal experts in the relevant areas of qualified immunity and its impacts on public safety appointed by the Governor, the Senate President, the Speaker of the House, the Chairs of the Ways and Means Committees, and the House and Senate minority leaders, and a designee of the Supreme Judicial Court is hereby created. The Commission shall study the issues of qualified immunity and file a report with the House and Senate Clerks within 180 days from its creation". This commission could have answered relative questions regarding this matter. Questions such as how often is the state sued and how often is qualified or absolute immunity used? Who benefits the most from qualified immunity? What case laws have addressed qualified immunity and is there already wording in place that provides better protection? I know other officers and I would welcome such a commission.

I once again thank you for taking the time out of your busy schedule to address this issue with me. We need change. We need to do things better, I agree. But we should not be taking away, we should be giving officers better training and more tools (knowledge) to properly serve the public.

Glenn

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From: Mark, Paul - Rep. (HOU) <<mailto:Paul.Mark@mahouse.gov>>
Sent: Wednesday, July 15, 2020 12:45 PM
To: Glenn Lagerwall <<mailto:glagerwall@msn.com>>
Subject: RE: [External]: Police Reform

Thank you for this, I appreciate it and put a lot of weight into it. I know you have been an advocate to me for reform many times and I respect your service and concern for the community.

I do not think the Senate followed a great process, I don't like the rush and having votes overnight into 4am. That being said, I looked over the bill and this seems to be the relevant line on qualified immunity.

"(c) In an action under this section, qualified immunity shall not apply to claims for monetary damages except upon a finding that, at the time the conduct complained of occurred, no reasonable defendant could have had reason to believe that such conduct would violate the law..."

The House version, if there is one, may not contain any of this. But assuming that there is, what I am reading is that they are not trying to make a blanket end to qualified immunity. It seems more like they are adding a guideline in statute to clarify when it would not apply, and that seems to be in very limited cases where the defendant was clearly doing something they knew was illegal. If you have thoughts on that, if that seems reasonable or not, and if not what a better way to proceed is, I would greatly appreciate hearing them.

Thanks for the time. Hope you are staying safe during these crazy times.

Best wishes,

Paul Mark

State Representative

2nd Berkshire District
Chair-House Committee on Redistricting

Representing 16 Communities in Berkshire and Franklin Counties.

Massachusetts State House
Room 160
Boston, MA 02133
(617) 722-2304
District Office-
(413) 464-5635
<http://www.representativemark.com>

From: Glenn Lagerwall [glagerwall@msn.com]
Sent: Sunday, July 12, 2020 9:12 PM
To: Mark, Paul - Rep. (HOU)
Subject: [External]: Police Reform

Deal Paul,

Hope you are well in these crazy times. Although I know the Police Reform Bill is being debated in the Senate, it is my understanding that the House is drafting its own bill, which I assume will either be joined with the Senate version or debated within your own chambers. From our past conversations, you know that I am all for reform as it is needed on many levels. I fully support a change in the way police are trained, accredited, monitored, and are held accountable for their actions. I support an oversight committee, changes to laws that place minorities and those of low income at a distinct disadvantage (if you remember our conversation regarding the changing MGL Ch.90 sec 23 from criminal penalties to civil penalties), and better training for police officers, especially when it comes to dealing with de-escalation of confrontations. I recently emailed Senator Hines regarding the Senate Bill and cc'd you in that email.

What worries me in the Senate version of the Police Reform Bill is the removal of police officer's eligibility for qualified immunity. I would ask that you not support this if it were to come before the House. I am hearing that this push comes from citizens wanting police to be held accountable for their actions and the misinformation that qualified immunity takes away this accountability. This is false. 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.

As you know, I honestly believe that any police officer must be held accountable for any violation of the public's trust. The officers involved in the George Floyd case were wrong and need to be prosecuted. What the public does not understand is that it is not qualified or absolute immunity that alleviates police officers from responsibility of wrongdoing. Police are criminally judged based on case law such as *Graham vs. Connor*, that sets the standard for police conduct and use of force. Qualified immunity helps protect those officers that are doing it right and does not protect those that are doing it wrong.

As we have spoken about, I have been a law enforcement officer in Massachusetts for over 30 years. Every day, I have proudly put on my uniform and served the citizens of Berkshire County to the best of my abilities. This is the scariest time of my career. I leave my home fearful of the attacks that we in law enforcement are continually facing; the physical and emotional attacks and now, with such a legislative move, the potential of an attack by frivolous litigation that will affect me and my ability to support my family. Again, I ask that you not support any portion of a bill that takes qualified immunity away from my profession. As always, please do not hesitate to contact me with any questions or comments regarding this or any other legislation.

Thank you,

Glenn Lagerwall

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From: Samantha Marchesi <marchesi.s@northeastern.edu>
Sent: Thursday, July 16, 2020 1:14 PM
To: Testimony HWM Judiciary (HOU)
Subject: Action on Reform, Shift, + Build Act

Hello,

My name is Sam Marchesi. I am a resident of 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 its constituents, and we've never shied away from decisions that seemed radical at the time. I feel a great sense of pride to be a resident of Boston. I have always been proud of - and bragged about - 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. 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,
Sam

From: Eric Prileson <prileson.e@gmail.com>
Sent: Thursday, July 16, 2020 1:13 PM
To: Testimony HWM Judiciary (HOU)
Subject: Regarding S2820

Dear Massachusetts House of Representatives,

When voting or amending the Senate bill 2820, please consider the following for preserving what has already been placed in the bill:

- * Creating an independent and civilian-majority police certification/decertification body
- * Limiting qualified immunity so that victims of police brutality can sue for civil damages

- * Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
- * Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities
- * Banning racial profiling by law enforcement

Please go further than the Senate bill by proposing the following amendments:

- * 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

These are important revisions to our vision of law enforcement in the Commonwealth to provide equal treatment, reduce systemic racism of the judicial system, and to fully support black and brown people and recognize their rights that for so long have been ignored or trampled on

Best,

Eric Prileson
Medford, MA

--

Eric G. Prileson
Pronouns: He/Him/His (What is this?)
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prileson.e@gmail.com

cell: 520-904-7465

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History: <http://understandhistorynow.wordpress.com>

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From: Elaine Silva <nana5550@yahoo.com>
Sent: Thursday, July 16, 2020 1:13 PM

To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

I

This bill was passed too quickly. There should have been more research and thought done before it was written and passed

Elaine Silva
Wakefield, MA
Sent from my iPhone
From: Andrew Sluckis <Andrew.Sluckis@AuburnMassPolice.org>
Sent: Thursday, July 16, 2020 1:13 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

Hi my name is Andrew Sluckis I have been the Chief of Police in Auburn for the past 15 years, a position I still hold. First, let me say thank you for accepting written public comment it is very much appreciated.

Personally, I have no issue with most of the proposed legislation such as certification or banning choke holds. Officer certification is the norm in a lot of states I see no reason why Massachusetts can't do that as well. Regarding choke holds, we here in Massachusetts don't teach them and don't use them. In my 33 years in law enforcement I have never seen one used.

With respect to qualified immunity, that must remain in place. Even before Covid and the Mr. George Floyd incident in which the officer was completely wrong, recruitment and retention of police officers was a national problem. People don't want to become police officers any longer. Things are so bad, the Los Angeles Police Department had to change their hiring policy with respect to previous drug use. Before if you answered yes to questions like cocaine use you were passed over now, as long as you have not used heroine, cocaine or methanfetimine within the 3 years you are welcomed with open arms. Are you kidding me? This profession is going to be so dumbed down by lack of quality candidates it's not going to even be funny.

Can you imagine getting arrested for an offense that's not even arrestable by statute and the officer then saying oh I though you could arrest for that... there are going to be morons policing your neighborhoods. You are going to have corruption like we have never seen before.

I tell anyone who asks about becoming a police officer to choose another career. My own son just entered the Army to become a Combat Medic, he told me he may want to follow in my footsteps when he gets out. I told him don't it's simply not worth it. I have officers currently working for me who have already said as soon as I they are vested at ten years they are out of here. Make no mistake, the folks who make the laws not only Massachusetts but the entire country are going to get exactly what they want and the old saying is true, the only reason history repeats itself is because nobody listened the first time... Defunding police or elimination

of qualified immunity is going to lead to substandard unqualified candidates protecting the people who live and work here. I guarantee it and I don't say that lightly.

Listen, I have a short time left in my career and when I retire I am out of here heading south so whatever you guys and girls choose to do has no impact on me long term so I say do as you wish but please think of the people that will still live here, they deserve the best police officers we can create and train to stand up for and protect the people that live here and that includes all of you.

Laws are made to protect people so please protect the police so they are not afraid to do their jobs. I already see depolicing occurring in major cities and it will without question happen here. Don't let it.

Respectfully,
Chief Andrew J. Sluckis JR

Sent from my iPad
From: Bobby Nasson <bnasson@mtwyouth.org>
Sent: Thursday, July 16, 2020 1:14 PM
To: Testimony HWM Judiciary (HOU)
Subject: FW: Raising The Age Legislation

Dear Chair Michlewitz and Chair Cronin,

Please see the email below for that I sent to Senator Rush last week. I am asking that language to raise the juvenile justice system age be included in the bill 2820. Thank you for your attention to this.

Regards,

Bobby

Bobby Nasson

Director of Strategic Initiatives

617-674-5559

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From: Bobby Nasson [mailto:bnasson@mtwyouth.org]
Sent: Sunday, July 12, 2020 10:16 PM
To: 'Mike.Rush@masenate.gov'
Subject: Raising The Age Legislation

Dear Senator Rush,

Thank you for committing to confront racial injustice in our communities. I am writing asking you to support youth-focused amendments to Senate Bill 2800 that addresses racial disparities in our justice system and holds law enforcement accountable when interacting with young people in our communities and in our schools. Please vote in YES on amendments #1, #3, #17, #25, #41, #80, and #108:

* Amendment #3 (filed by Sen. Creem): We don't solve institutional racism by making the racial impact of the legal system's decisions invisible. This amendment would require law enforcement and other juvenile justice agencies to report data on young people at major decision points with the juvenile justice system to improve the state's policy and planning. For too long, we have waited for transparency on how our legal system responds to children and youth by collecting and reporting race and ethnicity data <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.cfjj.org_data-2Dcollection&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=-Xk_etVR-7QDHmfSd3nuRKMim3G2YYG_jhArGOgCYRk&s=XFW2W6ZRlGbomRdmPath8t79YqjVundvDy5qo2RQbPM&e=> to allow us to see disparities where they occur and to identify policies or practices to reduce these disparities. When some agencies shared data and found that some counties are up to 2.5 times
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U-FSMk&e=> more likely to incarcerate Black youth for the same behavior
as their White counterparts, that data was pulled and the research was
thwarted because it "made some decision makers look bad
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* Amendments #1 and #17 (filed by Sen. Boncore and Sen. Creem):

Massachusetts' youth of color bear the harshest brunt of our legal system with their over-representation in the adult criminal justice system. Black and Latinx youth are 3.2 and 1.7 times, respectively, as likely to be imprisoned as their white peers. By raising the age at which a teenager can be automatically tried as an adult, we can hold young people accountable in a more developmentally appropriate setting, giving them a better chance to succeed and turn away from offending. Raising the age will reduce crime in our communities.

* Amendment #108 (filed by Sen. Jehlen and Sen. Rausch): End surveillance of students in schools by prohibiting school police from sharing student information they gather through their interactions with students that would eventually be placed in shared law enforcement databases. This amendment prohibits information-sharing from school staff and school police to the Boston Regional Intelligence Center and the Commonwealth Fusion Centers, closing a dangerous loophole in the current version of S. 2800. The amendment captures the various ways in which this information is collected including seemingly innocuous observations and conversations with students which are the basis of entries in law enforcement databases.

* Amendment #41 (filed by Sen. Friedman and Sen. Rausch): This amendment would create certain protections for children during interactions with law enforcement officials. It would prohibit restraining minor children in a prone or hog-tie position and requires that de-escalation techniques are developmentally appropriate, and requires law enforcement be trained in these techniques. The amendment also gives law enforcement the option to call parents/guardians to de-escalate. This amendment also corrects a significant gap by requiring SROs, constables and special service officers to also be subject to the use of force provisions of the bill.

* Amendment #80 (filed by Sen. Jehlen): Schools and police are not complying with state laws and this amendments aims to hold school districts accountable for compliance with the data reporting required by the Criminal Justice Reform Act. This amendment gives the authority to

assign an SRO to the school committee, and requires that the district and police department comply with the reporting requirements of school-based arrests to qualify to have an SRO.

* Amendment #25 (filed by Sen. Boncore): This amendment requires the Municipal Police Training Committee (MPTC) to establish an in-service program to train School Resource Officers (SROs) on topics that are important to interacting with children and that SROs document that they are trained in these topics, as required by the Criminal Justice Act of 2018.

Thank you and I look forward to hearing back from you about how you voted on these amendments!

Regards,

Bobby Nasson

87 Cobleigh St.

Westwood, MA 02090

From: Richard Vitale <richiev50@yahoo.com>
Sent: Thursday, July 16, 2020 1:12 PM
To: Testimony HWM Judiciary (HOU)
Cc: Richard Vitale
Subject: Bill S.2820

July 16, 2020

Representatives,

My name is Richard Vitale and I have been a police officer for nearly 30 years, half of which I have been a trainer in force related issues including, firearms, defensive tactics, TASER and use of force. I am asking you to take a moment and consider this legislation and ask, have we done our due diligence or are we making an emotional decision.

While there are many areas of concern that need our attention to ensure racial inequality and abuse of power are not tolerated in our society the focus is on law enforcement. This bill contains many positive aspects including the adoption of POST strategies and uniformity of training as well as oversight and development committees designed to broaden training and understanding of these issues. However, many aspects of the bill appear to have been put together without input from law enforcement professionals and without regard to the stresses that are inherent to police work and the decision making process.

The implementation of the POSAC as listed in this bill has several concerns. While we are looking to address the abuse of power it appears that this committee has absolute power to permanently revoke certification with no avenue to an independent appeal process. This is like the judicial system doing away with the appellate section and the appeal process being heard by the Judge that decided the conviction. As a legislator, I am sure you understand the absolute need for the checks and balance system that our government has been utilizing since its inception. This section eliminates the due process as it does not allow for an independent appeal process.

The section which addresses "Qualified Immunity" is of the utmost concern when it comes to the decision making process during times of extreme stress. The current concept of qualified immunity supplies officers with the confidence that decisions made in good faith will be supported. Not unlike medical malpractice insurance allows a doctor to make life and death decisions instantly knowing that if they are acting in good faith they have an umbrella of personal liability protection. The current concept has an avenue for damages through the municipality or overseeing entity and also holds the individual officer accountable for actions involving gross negligence or violations of the law. This proposed language is extremely vague stating, "...qualified immunity shall not apply to claims for monetary damages except upon a finding that, at the time the conduct complained of occurred, no reasonable defendant could have had reason to believe that such conduct would violate the law". The current qualified immunity statutes cover these areas and are more clearly developed. This language appears to have been worded in a particularly vague manner and included in the bill as a pacifying section instead of a thoughtful planned attempt at crafting logical and practical legislation.

Please take the time to consider this important legislation and to objectively look at the sections so that you may make an informed and logical decision. Reach out to those who perform these functions and ask if these are viable solutions or are they the result of an emotional outreach by the legislature during this time of civil unrest.

Take the time that the Senate refused to take and do your research so that you can make an informed decision. You should seek clarity where it is needed and input from stakeholders. You have an obligation to the people of Massachusetts to make objective decisions and to put forward bills developed by logic and debate not by an emotional response.

Thank you,
Richard Vitale
Bedford MA

From: Joseph Ryan <josephr68@gmail.com>
Sent: Thursday, July 16, 2020 1:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: Law enforcement reform

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Joseph Ryan and I live at 23 Stearns Street, Chelmsford, MA 01824. I work at MCI Concord in Concord, MA 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 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 floodgates 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 Ryan
From: Joe Keith <joekeith8654@gmail.com>
Sent: Thursday, July 16, 2020 1:11 PM
To: Testimony HWM Judiciary (HOU)

Subject: OPPOSE THE END OF QUALIFIED IMMUNITY

I STRONGLY OPPOSE AN END TO QUALIFIED IMMUNITY AS WRITTEN, AND NO PUBLIC SERVANT SHOULD BE HELD CIVILLY LIABLE WITHOUT DUE PROCESS! NO MORE BACK DOOR DEALS!

Mr. Joseph Keith

From: Cristina Silva <casilva62592@gmail.com>

Sent: Thursday, July 16, 2020 1:11 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reform, Shift + Build Act Testimony

Hi,

I am a resident of Medford, MA and I unequivocally support the Reform, Shift + Build Act (S.2800). 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've lived in Massachusetts nearly my entire life and have always been proud of how we were the first state to legalize gay marriage and for being at the forefront of passing legislation that supports all residents of the state. We've never shied away from decisions that seemed radical at the time and I hope to see us continue to make the right choices and set the standard for the rest of the country to follow.

I hope to see this legislation pass so I can continue to be a proud resident.

Thank you for your time,

Cristina Silva

From: jillian donnelly <xojillie09ox@gmail.com>

Sent: Thursday, July 16, 2020 1:11 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform bill

Good afternoon;

My name is Jillian Donnelly. I am a police officer with the Everett Police Department. I currently work as the School Resource Officer for the Middle and Elementary Schools within my community. I have been an officer for the past four years. I have a Bachelor's and Master's Degree in Administration of Justice from Salve Regina University.

Prior to becoming a police officer I worked many years in human services such as the Department of Child and Family in Middletown Rhode Island, Riverside Community Care specializing in the treatment and rehabilitation of children suffering from mental and behavioral health issues as well as those who have been physically and sexually abused. I also worked at Riverside Community Care in Everett specializing in substance abuse and mental health. I then worked as a Public Safety Officer at Boston Medical Center before entering into the police academy.

The reform bill that has been proposed and passed by the Senate calling for "justice and reform" takes away justice from those of us who have dedicated our lives to protecting and serving our communities. This bill in and of itself is unconstitutional because it strips away our rights to Due Process which every American citizen has a right to.

This bill is a slap in the face to anyone who wears the badge. This bill single handedly strips away our ability to serve and protect because we are not protected! Our job requires us to go hands on in many different situations whether it is a use of force situation or saving a life. Without Qualified Immunity I cannot render aid or protect myself without facing civil litigation which I have to pay for. This bill has handcuffed me and placed me under arrest without even reading me my Miranda Rights.

This job in and of itself already puts a target on my back and because of the disgraceful display of media propaganda and now this "reform" bill I also have a monetary bounty on my back as well. I will be forced with the constant question any time I go into work, "if a kid has a cardiac arrest in front of me, if I render aid I could be sued and potentially fired if I break a rib and am found to use "excessive force" but if I don't do anything and let the kid die in front of me, I have to live with that as well as face the ramifications of being sued, being fired and potentially face federal prison time for failing to act.

It as a lose lose situation every single time and it truly disgusts me. I work in a school system where we have gang members who recruit within the schools. This bill will prevent me from getting information of these kids from school officials as well as not allow me to go hands on without facing serious consequences. When rival gang members start shooting and stabbing each other we will have another Sandyhook scene.

Society is in extremely grave danger because of this bill. The members of the Senate who voted to pass this bill will be responsible for the increase in crime, murders, deaths, lootings, rapes, robberies etc that have been going on in Seattle, New York and across the country with this bill. That will happened here!

Everyone will suffer. This is not why I became a police officer. I hold the line with members who have sacrificed their lives in Afghanistan to come home to be treated like this! This bill allows criminals to increase crime and prevents police from doing anything about it.

This bill allows a civilian counsel who knows absolutely nothing about the job I do be the judge, jury and verdict about my life. The members proposed in this civilian counsel represent the defendants that will be against me therefore creating a bias and verdict of guilty before I can even argue my case.

Any person with even a shred of intelligence would run for the hills from this job. The good cops like myself who actually do this job with pure motives will be forced to leave this profession because legislators have turned their backs on us who they expect to "hold the line." No one will want this job and without law there is no order. There will be civil

unrest across the Commonwealth and once you open up Pandora's box it cannot be closed.

I truly and whole heartedly hope this email does not fall on deaf ears. Peoples lives are at risk. I would plead with you to vote no on this bill and to let this bill be tabled completely until law enforcement officials as well as legislators can communicate and come up with common ground reform.

I thank you for taking the time to read this letter. I hope and pray you take into serious consideration. My name again is Jillian Donnelly, I reside at 18 Maplewood Avenue Everett Ma 02149 and can be reached via email here as well as phone 617-823-7575. Again, thank you!

Sent from my iPhoneFrom: Jean P. Brazier <jpb9786@yahoo.com>
Sent: Thursday, July 16, 2020 1:10 PM
To: Testimony HWM Judiciary (HOU)
Subject: Vote no on this bill

Sent from my iPhone
From: AMY FEMINO <amj1178@hotmail.com>
Sent: Thursday, July 16, 2020 1:09 PM
To: Testimony HWM Judiciary (HOU)
Subject: STOP POLICE REFORM BILL

To whom it may concern:

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

Thank you,
Amy FeminoFrom: Justin Moody <jstnmoody@gmail.com>
Sent: Thursday, July 16, 2020 1:08 PM
To: Testimony HWM Judiciary (HOU)
Cc: repblais@gmail.com; Blais, Natalie - Rep. (HOU)
Subject: Testimony for S2820

?

To: Rep. Aaron Michlewitz, Rep. Claire Cronin, and Rep. Natalie Blais,

My name is Justin Moody. I am a resident and registered voter in the town of Montague. I am also a police officer in town and I hope that does not disqualify my voice or opinion from the start, please hear me out.

I do believe that it is necessary and important to have a conversation on police reform especially because it seems that is what the people of our community want. They should be heard and appreciated. However, knee jerk reactions and laws passed on feelings or emotions without examination of facts is dangerous and irresponsible. I also appreciate that the House is taking testimonies and hopefully examining facts.

I think any bill ending qualified immunity is a knee jerk reaction based on feelings and emotions not facts. Qualified immunity protects public servants who are doing their job and acting in good faith from civil litigation. It does not protect us when we act outside of our scope of training. Ending qualified immunity puts public servants careers, homes, and families at risk.

I've only been a police officer for about 6 years. I chose this career path because I want to help people, I want to protect those that can't protect themselves, and I want to be a good example in my community. However, recently I have been disheartened by the lack of support from elected officials for good police officers. But I have had residents stop while on road details to personally thank me and all law enforcement, I have had residents pull me aside in stores and while walking downtown to personally thank law enforcement and to tell us to keep going. They have been incredibly encouraging to me. However, every time they have done it they have spoken softly and quietly, as if what they were saying was wrong or offensive. I just want you to know there are people in our communities who do appreciate law enforcement and who are encouraging us but I fear that they are not being heard or listened to simply because they are not the loudest even if they may be the majority.

Thank you for your time and consideration of my testimony. I urge you all to please vote no for any bill ending qualified immunity.

Respectfully,

Justin Moody

23 I Street, Turners Falls, MA 01376

413-230-8885

From: Julie <jrembrandtseeley@charter.net>
Sent: Thursday, July 16, 2020 1:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: OPPOSE SB2820

OPPOSE SB2820

SB2800 (now SB2820) is a bill that makes countless changes to our laws with no transparency in the development of the bill. To make matters worse, the bill circumvented the legislative process, void of any public hearings, and lacks the inclusion of dialogue from stakeholders, including communities of color and law enforcement. All law enforcement groups including the MA Law Enforcement Policy Group and the MA Association of Minority Law Enforcement Officers were not considered for input.

This is a divisive and politically driven piece of legislation.

We need to support police officers and make common sense decisions on police standards and training. Help protect our police and the public by working together for best practices and changes for all.

FMI: Sen. Dean Tran, Dean.Tran@masenate.gov
Larry Calderone, President Boston Police Patrolmen's Assn.,
lcalderone@bppa.org

Julie Rembrandt Seeley
Harvard, MA 01451
jrembrandtseeley@charter.net

From: Sophie Cash <sophielcash@gmail.com>
Sent: Thursday, July 16, 2020 1:06 PM
To: Testimony HWM Judiciary (HOU)
Subject: Public testimony for SB 2800

To whom it may concern,

I am a Massachusetts voter and have lived here my whole life. I write in support of the police reform bill. Though we need more dramatic measures to direct funding away from police departments statewide and towards community-based stability, safety, clean energy, and justice services, the reform measures in the bill, including reducing qualified immunity, are necessary for making our communities (especially Black and Brown ones) safer and more just. Please pass this bill and continue making MA a leader in our country for just legislation.

Thank you,
Sophie Cash

From: pjgoldstein@gmail.com
Sent: Thursday, July 16, 2020 1:06 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Police Reform

Dear Chair Michlewitz and Chair Cronin,

My name is Peter Goldstein and I live at 44 Bel Air Road, Hingham, MA. 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,

Peter Goldstein

--

Peter Goldstein
44 Bel Air Road | Hingham, MA 02043 | 781-413-1589 |
pjgoldstein@gmail.com <mailto:pjgoldstein@gmail.com>
From: Jonathan Rodrigues <jon.rodrigues23@gmail.com>
Sent: Thursday, July 16, 2020 1:06 PM
To: Testimony HWM Judiciary (HOU)
Subject: Preserve the Strong Language in S. 2820

Hello,

My name is Jonathan Rodrigues, I live in Mattapan.

I am writing to please include the strong provisions out of the Senate bill, we can accept nothing less than:

- * 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

The house may actually strengthen this 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.

From: Larissa Castro <wrciaofficial@yahoo.com>
Sent: Thursday, July 16, 2020 1:04 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Police reform S2800

Sent from my iPhone

Begin forwarded message:

From: Larissa Castro <wrciaofficial@yahoo.com>
Date: July 15, 2020 at 9:53:42 PM EDT
To: HWMJudiciary@mahouse.gov
Subject: Police reform S2800

As a wife of a Police Officer, I am disappointed in how this state has been gaslighted by these senators that passed a bill without a public hearing at 4am!

This bill is reckless and dangerous.

A few overlooked facts:

- Qualified immunity does NOT protect illegal actions by police officers.
- Abolishing or modifying qualified immunity will have severely negative unintended consequences for ALL Massachusetts citizens, courts, and public officials - NOT just police officers.
- Qualified immunity is NOT an absolute immunity from civil suit.
- The Massachusetts Civil Rights Act of 1979 (MCRA) allows civil actions against public officials who use force, intimidation or coercion to interfere with Constitutional or statutory rights.
- Current law - unchanged - still allows individuals to file suit against a police officer or other public official granted Qualified Immunity if they use force, intimidation or coercion to interfere with an individual's rights.

- The Senate bill approved at 4 a.m. on July 14 would dramatically lower the standards under which a civil action could be brought against a public official with qualified immunity.

- The use of force, intimidation or coercion would no longer be the standard under which such civil actions could be brought. Any simple disagreement, dispute or argument involving a public official could lead to a costly civil action. This would send a damaging chill through all areas of local government where public servants must deal directly with citizens:

- o Town managers
- o Selectmen
- o Fire chiefs
- o Commission appointees
- o Educators and school administrators
- o Police officers
- o Others

- Many, and possibly the majority, of MCRA complaints in the Commonwealth are brought against non-law enforcement personnel and do NOT involve allegations of police misconduct.

- The Senate bill passed at 4 a.m. on July 14 is a direct threat to the thousands of hard-working and dedicated municipal officials, commission appointees and employees in all 351 cities and towns across Massachusetts. It also threatens their households and their families.

- The consequences of the Senate bill would be damaging and disruptive to the Commonwealth.

- o State courts would be flooded with civil actions - as plaintiffs who would otherwise pursue civil actions in federal court seek an advantage in state courts.

- o Cities and towns across Massachusetts would be forced to absorb massive legal costs in defense of the municipality's role in the action - and almost certainly indemnify public employees against damages.

- o Municipalities will almost certainly incur burdensome legal costs - including plaintiff attorney fees - from litigation and settlement of meritless claims that would have been weeded out by QI.

- o The massive new financial burdens would come at the worst time possible: as cities and towns are bracing for devastating budget impacts from the COVID-19 pandemic and related economic shutdowns

- o Federal courts have a large body of case law on which to base interpretations and analysis of new QI cases. Under the proposed Senate bill changes, the state courts will have to develop a whole new body of case law to interpret the new language.

This will lead to uncertainty for municipalities, public employees and plaintiffs for years to come.

Thank you,
Kerry Castor
100 Glenellen Road
West Roxbury, Ma 02132

Sent from AOL Mobile Mail

Sent from my iPhone

From: tef59@comcast.net
Sent: Thursday, July 16, 2020 1:03 PM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified Immunity

Please do not take away qualified immunity. This will severely impact the willingness of our public service men and woman, from taking action in a situation that warrants their expertise and experience, but may result in lawsuits against them. Then what? They all leave their professions? Who would want their jobs, then. Noone!
Tricia Flaherty

Sent from my iPad
From: Philip Mahoney <philmahoney62@gmail.com>
Sent: Thursday, July 16, 2020 1:03 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

I am writing for the purpose of offering my opinion of Bill S.2820. I will be direct.

I speak from 30 years experience as a public school teacher as well as 26 years as a Police Dispatcher. Like many teachers a part-time job was necessary. My Police "career" took on a life of its own and complete involvement including training, certifying, and recertifying was required in many facets of the job.

Still, I was a civilian. A civilian who lived and learned police policies, procedures, and protocol. On a personal level they became my brothers and sisters in Law Enforcement. As in many other vocations there are a few who step outside of the lines, some bring embarrassment to their departments and need to be disciplined within the perimeters of their collective bargaining code of conduct. I did not work or associate with any "rogue" officers. I did not work or associate with any officer who willingly broke public laws, broke public trust, or displayed abusive treatment of any citizen of any race, creed, or color. Nor would any officer have been supportive of any such abhorrent behavior. Nor would any fellow officers have been supportive of any form of misconduct .

With the full understanding that, as in all professions , there will always be those who deviate from standards. They and they alone must be dealt with. It is unfair, unjust, and a "systemic" failure of leadership to punish an entire states roster of police officers for the actions of a few in another state. This is one of my many arguments with Bill S.2820.

As a legislative body, you have failed to display trust, leadership, and transparency. This bill in its current state is slanted towards making "Serving and Protecting" a next to impossible task! This bill is an over reach, not to mention painting all LEO with a broad brush. I do not trust that you have looked at policy and procedures with an objective eye. You might consider the dangers that all officers face every shift. It has been stated many times that we are a nation of laws. All police officers are trying to work within that framework.

Of particular concern is the discussion of eliminating "qualified Indemnity" for police , Fire, and nurses. It was a very short time ago that first responders and front line workers were thanked and viewed as hero's. Indemnity will cause chaos, frivolous lawsuits, an exodus of good people from necessary public safety and nursing positions. I and my former acquaintances have multiple concerns about this bill. They range from make-up of the commissioners to the gathering and translating of data and information, to the watering down of police procedures. Actually this list is quite lengthy.

The senate has already failed in its attempt at police reform by passing this bill in the wee hours of the morning with no public debate. This bill was put together, hastily with no thought of leadership, transparency, and real concern for public safety or real reform with outcomes and expectations. Instead we have a document based on politics and misguided , vengeful policies.

My son is a police officer in a neighboring state. He is thoughtful, structural and with his rank is a leader in the station and out on the road. He assesses every situation carefully and avoids over reaction. Now, however, he may reassess his career. This is a shame, that a good officer like this has been put in this position. The real shame lies with any legislative body that could create such an unbalanced bill such as S.2820 over the horrific acts of a few roque officers! Please defeat, repeal, reject, turn away the cowardly passage of this bill by the Senate. Please provide real reform for all citizens of The commonwealth.

Sincerely,

Philip E. Mahoney

17 Daley Drive

West Newbury, MA 01985

Sent from my iPadFrom: Neal Barhight <nealb537@gmail.com>

Sent: Thursday, July 16, 2020 1:03 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Neal Barhight and I live at 31 Bayview St Weymouth Ma. 02191. I work in Massachusetts and am a Union Pipefitter. 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,

Neal Barhight

From: Chris Claire <cclaire@harvardapparatus.com>
Sent: Thursday, July 16, 2020 1:01 PM
To: Testimony HWM Judiciary (HOU)
Subject: To whom it may concern, regrading senate bill S2800

I do not support Bill S2800.

I have many friends who are amazing police officers and this bill is a slap in all who wear a police uniform

Please do not pass this bill and hurt our state of Massachusetts.

Sincerely,

Christopher Claire

Disclaimer, Please Note:

This email (and any associated files) may contain confidential and/or privileged information. If you are not the intended recipient or authorized to receive this for the intended recipient, you must not use, copy, disclose or take any action based on this message or any information herein. If you have received this message in error, please advise the sender immediately by sending a reply e-mail and delete this message.

Thank you for your cooperation.

From: Monika C <monika.chitre@gmail.com>
Sent: Thursday, July 16, 2020 1:01 PM
To: Testimony HWM Judiciary (HOU)
Subject: Re: Writing in Support of S.2820

My phone number is 5088014750. I am a PhD student at UMass Medical School in Worcester, MA.

Sent from my iPhone

> On Jul 16, 2020, at 12:56 PM, Monika C <monika.chitre@gmail.com> wrote:
>

> ?Hello House Committee on Ways and Means,
>

> I am writing in support of S.2820 and want to see preservation of the Senate's reforms to qualified immunity, strengthened use of force standards, and a ban facial surveillance technology.

>

> Best,

>

> Monika Chitre
> 80 Adams Street
> BOYLSTON, MA 01505

From: Maddie Seraphin <maddieseraphin@gmail.com>

Sent: Thursday, July 16, 2020 1:01 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill S2820 Testimony

Dear Chair Michlewitz and Chair Cronin,

I would like to provide written testimony in support of the proposed Reform, Shift + Build Act. I have lived in Massachusetts all my life, and I've witnessed firsthand how law enforcement in this state can work in favor of upper-class white communities while working against communities of color.

I grew up in a predominantly white suburb with ample resources where my classmates could commit dangerous crimes like DUIs and be punished with just a slap on the wrist if their family had the right connections.

I then moved to Boston and started working with children in the Orchard Gardens neighborhood of Roxbury, where I learned that the police can put minorities in more danger than they will protect them from. The kids I work with are often afraid of the police, and rightfully so given events that have unfolded in recent years.

The current law enforcement system in Massachusetts is not fair, and I believe there is a lot of work to be done before we can claim that our state is just and equitable for all. I think the Reform, Shift + Build Act is a great step to get us onto the right path, but it is a step that we must take right now. If we don't act now, the police will continue to be overfunded while institutions that promote restorative healing are underfunded. Students of color will continue to face the risk of being funneled into the criminal justice system after being labeled problematic by officers in schools.

Inaction on these issues will continue to put people's lives at risk, so it is up to the Massachusetts House of Representatives to pass this bill and enact real statewide change to begin the process of dismantling systemic racism in the Commonwealth.

Thank you,
Maddie Seraphin
Boston, MA
978-496-6368
From: Alex Frenett <afrenett@g.harvard.edu>
Sent: Thursday, July 16, 2020 1:00 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor. I also believe it should reduce the amount of public funding available to police and other security forces.

Thank you for your consideration,
Alexander Frenett, Somerville From: Michal Zahler <mczahler@gmail.com>
Sent: Thursday, July 16, 2020 12:58 PM
To: Testimony HWM Judiciary (HOU)
Subject: testimony for S.2800: House version

I am calling on the House to preserve the vital reforms in the Senate bill, with emphasis on the following:

- * Limiting qualified immunity so that victims of police brutality can sue for civil damages
- * Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
- * Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities

* Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody, which can obviously never be consensual and is strikingly not yet illegal

and please add amendments to 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

* Removing state police from details at community pools

Thank you,
Michal Zahler, Somerville

From: sarah joy <sadiemjoy@icloud.com>
Sent: Thursday, July 16, 2020 12:58 PM
To: Testimony HWM Judiciary (HOU)
Cc: Mum Mum
Subject: Immunity bill

Good afternoon,
Please do what's right and end this bill. This bill will have a trickle effect that most aren't considering. Public service will no longer be a career that most intelligent/ passionate people will choose should they be at risk of losing everything because of others opinions of how they may have been treated. If this bill were to just uphold the rules of wrongdoing that are already established and in place, then we should not. It. I predict hurt feelings and people's opinions will be the grounds of most the lawsuits headed our way. This bill, in my personal opinion, is a lobbying move. I feel that the politicians in favor of this bill are more focus on the profits that could be made than they are in improving the system. The rules are already in place along with progressive discipline. Instead of holding the public servants responsible for the liability, it should fall onto the municipality to make sure their rules in place are followed according.
This will have dire consequences unless it's stopped. People need to be able to do their job without the fear of litigation based on someone's uneducated opinion on how the calls should've gone.
Do the right thing. Shut this bill down and stop catering to lobbyists.
Sincerely
Sarah Joy

Sent from my iPhoneFrom: Brian D'Amico <bjice4@yahoo.com>
Sent: Thursday, July 16, 2020 12:58 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Get BlueMail for Android <https://urldefense.proofpoint.com/v2/url?u=http-3A__www.bluemail.me_r-3Fb-3D15894&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=P5ykhBuGSzDnQ8FQdjWkkcKrC_k-XuSTl-bDysayqkI&s=HsJIILyWd7qve38vonwmYOZZ_TbPLQEsBo80XWTdn8M&e=>>
On Jul 16, 2020, at 10:57 AM, Brian D'Amico <bjice4@yahoo.com> wrote:

To the members of the Legislature,

My name is Brian D'Amico and I am a Massachusetts State Police Trooper. Thank you for taking the time to read this and for having a public forum to discuss the topic of police reform unlike the Senate. I urge you not to accept the Senate bill, which was done without public input, and rushed. We at the State Police are not against police reform and believe like any profession there is always room for improvement. Most concerning from the bill from the Senate is the eroding of qualified immunity. Every government official in Massachusetts is covered by qualified or absolute immunity. To take this away from us in policing would be cruel. We are forced to make split second decisions to protect ourselves and others from violent criminals. We should not have to worry about our financial livelihood every time we go to work. Qualified immunity does not shield us from illegal acts. When someone in police breaks the law, we are held accountable. It does protect us from frivolous lawsuits and provides peace of mind when performing a dangerous job. Those of you in the Legislature are protected by absolute immunity, a higher level of protection than police, for actions you take over the course of weeks and months. To strip protection from police for actions we are forced to make in seconds is wrong.

Furthermore, 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 of us doing the job. We 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.

Again, thank you for taking the time to hear my voice and I trust that the Legislature will provide a more balanced and thoughtful bill than the one passed through the Senate.

Respectfully,

Brian D'Amico

Massachusetts State Police Trooper

617-943-2779

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: Gita Haddad <gwhaddad@gmail.com>
Sent: Thursday, July 16, 2020 12:57 PM
To: Testimony HWM Judiciary (HOU)
Subject: S. 2820

I am writing to urge you to preserve the reforms in the Senate's police reform and to go even further in strengthening it. Now is the time!

Please preserve

- * the creation of 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

Also, please ask the House to strengthen 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,

Gita Haddad
 Waltham, MA 02451
 From: Lori Boghdan <l.boghdan@comcast.net>
 Sent: Thursday, July 16, 2020 12:57 PM
 To: Testimony HWM Judiciary (HOU)
 Subject: opposition to Bill S.2820 (as written)

> ?To Whom May Concern:

>

> Thank you for seeking input on the important issue of police reform and specifically, Bill S.2820. What occurred in the senate last week, under the figurative and literal cover of darkness, was a travesty. The essential process for transparency, stakeholder involvement, and true deliberation was nonexistent. Allowing a mere 48 hours for something this IMPORTANT is a clear indicator of the motives. Some of our state senators chose knee-jerk, partisan politics to make scapegoats out of ALL law enforcement in an attempt to settle society's ills. The bill (with the elimination of Qualified Immunity (QI)) is the antithesis of meaningful and effective reform AND and it is DANGEROUS for society, as a whole. The senators who voted for this were either willingly ignorant, which is shameful, OR they were deliberately trying to further an anti-police agenda, which is disgusting!

>

> So thank you for seeking public input and for making an attempt to LISTEN (and not just using that term as an "on trend" slogan). Ironically, some of these very same people have been stressing the need to "listen" to improve our society (and I don't disagree)... but apparently, for some of them, that means only "listening" to CERTAIN groups, not truly trying to create informed, common sense, much-needed reforms. It's furthering ignorance and it's dangerous!

>

> We are a police family so we are quite accustomed to living with stress that others cannot even fathom. We seek to be socially-aware, civically-minded, contributing members of our community. We have honest and tough conversations "on the regular" with a desire to understand others' struggles and view points. It is because of these values that we DO want reforms and have advocated for many of them, especially updated training and education for law enforcement officials. MA has historically been among the best-trained, well-educated police forces in the country!

>

> Unfortunately now our police family has even MORE to be worried about right now with the attempts to end QI in Bill S.2820. This will have a devastatingly negative impact on our society as it does not apply ONLY to law enforcement; it affects teachers, firefighters, healthcare workers, and other vital civil servants.

>

> It is important to note this legal explanation from Yarmouth's town counsel - "QUALIFIED Immunity does NOT protect illegal actions by police officers. Rather it safeguards ALL public officials in situations where the law is unclear. The doctrine allows lawsuits to proceed if a government official had fair notice that conduct was unlawful, but acted anyway. This common sense and reasonable approach explains why those seeking to abolish or modify QI CANNOT point to ANY situations in MA where wrongful conduct by police officers has been protected by the doctrine. As written in Bill S.2800, abolishing or modifying qualified immunity will have important negative, unintended consequences for ALL MA citizens, courts, and public employees, not just police officers."

>

> Police officers are simply asking for TIME for meaningful deliberation and for law enforcement professionals to have a seat at the table when it comes to the important and necessary conversations regarding reforms and improvements. They have unparalleled perspective from the literal front lines of daily battle and from thousands of rank and file interactions with both good and bad cops. They can offer critical insight that bureaucrats and activists cannot possibly comprehend. Ironically, good police officers have been asking for measures like the POST accreditation system for YEARS (the MA legislature was not willing to fully address that previously because of FUNDING, despite the LEO pleas).

>

> As we are tragically aware, on a deeply personal level, our dedicated police officers are willing to stand between us and a bullet. I will be unapologetic for my passion and unrelenting with my messaging on this particular topic. I have a deep desire and a responsibility to educate those who seek reforms but don't fully understand the consequences related to some of the proposed measures.

> I hope the House will also be persuaded to reject the Bill or fix it to remove the QI portion, so that we can get back to the important conversations that need to happen to make EVERYONE safer.

>

> Kind Regards,

>

> Lori Potter Boghdan

> Yarmouth Port, MA

From: Monika C <monika.chitre@gmail.com>

Sent: Thursday, July 16, 2020 12:56 PM

To: Testimony HWM Judiciary (HOU)

Subject: Writing in Support of S.2820

Hello House Committee on Ways and Means,

I am writing in support of S.2820 and want to see preservation of the Senate's reforms to qualified immunity, strengthened use of force standards, and a ban facial surveillance technology.

Best,

Monika Chitre
80 Adams Street
BOYLSTON, MA 01505
From: Todd Tigano <ttigano@verizon.net>
Sent: Thursday, July 16, 2020 12:55 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to Bill

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Todd Tigano and I live at 764 Norton Avenue, Taunton, MA 02780. I work at MCI-Cedar Junction as a Correctional Officer II. 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,
Todd Tigano

From: Fredericks, Colin <colin_fredericks@harvard.edu>
Sent: Thursday, July 16, 2020 12:53 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Testimony

In your review of the Reform - Shift - Build act, please preserve the vital reforms that are made 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.

I also ask you to go further than the Senate bill:

- * Strengthen use of force standards. Ban chokeholds and tear gas. Hold our police to the higher standards on use-of-force that already apply to our military.
- * Fully prohibit facial surveillance technology (rather than imposing just a one-year moratorium)
- * Lift the unnecessary cap on the Justice Reinvestment Fund

Thank you.

From: s.angelo0708@gmail.com

Sent: Thursday, July 16, 2020 12:52 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2800

I am so disappointed that the senate passed this bill without any input from we the people. Qualified Immunity should never be removed in any situation. Agree we need to make changes but our state is not like the rest of the country. We are strong, intelligent and very compassionate in Massachusetts. This state is from the beginning of this country and we can do better. Not put blame on one profession, our law enforcement. When we are in need of help the first thing we do is call 911. Stop and think do you really think someone will be there? I do not. Being a retired Registered Nurse who has stopped and save many addicts who have overdosed I cannot. I do not feel I am protect. Why are you protected, along with the Senate and Lt Governor and Governor? If you think this is so great then you should lose your Qualified Immunity.

I will always be on the side of Law Enforcement sad you are not.
Sheila Angelo

Sent from my iPhoneFrom: Dee Williams <deejmwilliams@gmail.com>
Sent: Thursday, July 16, 2020 12:51 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

I urge you not only to preserve but to expand upon the police reform measures outlined in this bill. Police are nothing more than ordinary citizens who carry a grave and sometimes dangerous responsibility, and they are capable of making mistakes and doing great harm, as well as falling prey to the biases that plague our society--whether or not the individual officers themselves are consciously prejudiced--and disproportionately inflicting harm upon marginalized groups. Many Black people in particular grow up and spend their whole lives frightened by police. A police officer has pulled a gun on my father, a Black man who was unarmed and not a threat, after pulling him over for going a few miles over the speed limit on the highway. Nobody should have to live in fear of the people who are tasked with protecting them.

I agree with all of the reforms outlined in the Senate bill. Limiting qualified immunity to allow justice in cases of egregious misconduct and easing expungement on juvenile records are particularly important to me--the latter will go a long way to restricting the school-to-prison pipeline that tears apart marginalized communities and keeps people trapped in generational poverty. I would also urge you to strengthen use of force standards by disallowing chokeholds and tear gas except as absolute last resorts, prohibiting the use of face-recognition technology (which has been shown in studies to carry a racial and gender bias, misidentifying women and people of color more often than white men) by police, and lifting the cap on the Justice Reinvestment Fund.

These are the ways we can reforge the broken relationship between communities and the police, reinvest in our communities, and create a better Massachusetts.

- Dee Williams, 222 River St, Cambridge MA

From: Max Goldstein <maxngoldstein@gmail.com>
Sent: Thursday, July 16, 2020 12:50 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Max Goldstein and I live at 44 Bel Air Road has n Hingham. I Am a police officer for the town of Hingham. 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,

Max Goldstein From: Eileen D'Amico <eileendamico1@gmail.com>

Sent: Thursday, July 16, 2020 12:48 PM

To: Testimony HWM Judiciary (HOU)

To the members of the Legislature,

My name is Eileen D'Amico and I am the mother of a Massachusetts State Police Trooper. Thank you for taking the time to read this and for having a public forum to discuss the topic of police reform unlike the Senate. I urge you not to accept the Senate bill, which was done without public input, and rushed. Members of the State Police are not against police reform and believe like any profession there is always room for improvement. Most concerning from the bill from the Senate is the eroding of qualified immunity. Every government official in Massachusetts is covered by qualified or absolute immunity. To take this away from those in policing would be cruel. They are forced to make split second decisions to protect themselves and others from violent criminals. They should not have to worry about their financial livelihood every time they go to work. Qualified immunity does not shield them from illegal acts. When someone in the police breaks the law, they are held accountable. It does protect them from frivolous lawsuits and provides peace of mind when performing a dangerous job. Those of you in the Legislature are protected by absolute immunity, a higher level of protection than police, for actions you take over the course of weeks and months. To strip protection from police for actions they are forced to make in seconds is wrong.

Furthermore, 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.

Again, thank you for taking the time to hear my voice and I trust that the Legislature will provide a more balanced and thoughtful bill than the one passed through the Senate.

Respectfully,

Eileen D'Amico

508-533-7824

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.

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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.

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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.

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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: Priscilla Giroux <pris1121@hotmail.com>
Sent: Thursday, July 16, 2020 12:47 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 I strongly oppose

To whom it may concern,

?In the light of recent events, nobody will argue there is need for police reform. I do however take issue with removing Qualified Immunity (QI) for our officers. QI never protected Police Officers from suits over excessive use of force or malicious prosecution. It protected Officers from lawsuits; even if a ticket or case was thrown out, as long as it was in good faith an officer could not be held liable.

This bill as written, without QI opens the door for lawsuits when an Officer writes a ticket for speeding and it's thrown out of court for first offense, or an Officer makes an arrest for a crime and it's dismissed for the victim not showing up to court, which an officer has no control over.

Overnight the State Senate passed the police reform bill, so now it will hit the House, then Governor Baker's desk. Then it is law. "Police Reform" seems to be the new catch phrase, but I wouldn't say this was a reform. This is Police Impairment. Require body cams at every call, go back to two officers at every call. That's reform.

I'm literally disgusted, the non support from some of our senators is appalling and frightening. It serves to undermine police authority, to hinder their ability to do their job. What will happen when officers stop traffic enforcement, community protection and other aspects of their job for fear of being sued by criminals? Anarchy is what will happen!

If this law passes the House as written, it will remove our Officers' QI, resulting in many frivolous lawsuits against police officers and municipalities. All Officers will be at risk of personal lawsuits, more so the proactive Officers. So an Officer who goes out and actively seeks out criminals will face a greater likelihood of suits, but all Officers, just from their regular day to day call responses will be at risk as well.

Retirements will increase, proactive patrol will decrease, and high quality candidates will be in low supply resulting in lower quality candidates getting the job. I know many that already are going to retire , and the ones that aren't yet at retirement age will make their side jobs their full time ones.

Many police and firefighters have side jobs. They have to, especially here in MA, with the cost of living so high. We should be paying them enough so they don't have to work two jobs. Now on top of it all, if this gets passed, they are going to have to risk losing their homes, their freedom, their families-for what?

While there is room for improvement and reform is needed in many areas, this bill as written is not the answer. We need to back our Officers. We need to demand respect for our Officers who put their lives on the line every dam day!

I'm all for holding trainings and education as well as required re-certification but as written this is an attack against our Police Officers and I'm absolutely disgusted. We as tax paying citizens should have been given a say. Our Police should have been given a say.

Put this to the voters of the Commonwealth. Let the majority of the people speak for what we want, and you will see that this law is NOT what is wanted.

We owe our dedicated Officers something more than this ill conceived and politically driven bill. It certainly does not unite us or show any support. In my opinion the bill's main goal and objective was to attack and discredit law enforcement to appease certain groups.

Please do whatever possible to encourage Governor Baker NOT sign this bill into law. We the people and our incredible Officers should be able to have a vote.

Thank you,
Priscilla Giroux
781-223-5030
Concerned Citizen

From: Gwen Pasch <gwen.pasch@gmail.com>
Sent: Thursday, July 16, 2020 12:51 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support of S2820

To Chair Aaron Michlewitz and Chair Claire Cronin:

I am writing to express my support for S2820: The Reform, Shift and Build Act. This reform is long overdue and I am pleased to see the Massachusetts Legislature take these steps. It is essential that we reduce the use of force by law-enforcement in Massachusetts and I believe this bill will help us take those steps. I am also excited to see that the bill will establish dedicated funding streams for more community based organizations and initiatives.

This is our chance to create important change. Let's not screw it up.

Best,
Gwen Pasch
Cell: 202-689-9417
From: Sonia Pereira <sonia0090@aol.com>
Sent: Thursday, July 16, 2020 12:44 PM
To: Testimony HWM Judiciary (HOU)
Subject: Concerns regarding police reform bill

To whom it may concern,

I respectfully ask that you Carefully examine and consider one but not all aspects of this bill. In its entirety, this bill is dangerous to the public. It allows the Small percentage of criminals to become increasingly Comfortable with furthering crime as police will have to question all actions with fear of lawsuits, placing police at a increased risk for their safety, lives, and families well being. If your job was to curb criminal acts however be placed at a great risk for a lawsuit, by a stranger to be able to possibly take away your livelihood that you and your family have worked hard for, would you? Furthermore, it's very

disappointing to see the lack of support for officers who place their lives on the line, each and every day. If this bill passes, many will shy away from becoming officers, many will retire, crimes will increase. Who will protect us then? Please consider no chokeholds but qualified immunity should continue to exist.

Thank you,
Sonia Pereira
Sonia0090@aol.com

Sent from my iPhone
From: Sheila Parks <dpandshe@gmail.com>
Sent: Thursday, July 16, 2020 12:43 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

To whom it may concern,

I am writing in support of the Police Reform bill. I have worked in education for years-- in K-6 education, special education and early childcare, often as a substitute teacher. Even as a substitute, I was required to have my Early Childcare Certification to work with young children. This required regular updates and ongoing training/continuing education. Why should police be any different? They are often working with our most vulnerable populations. They should be required to have regular training, specific to their job and certification or licensure should be required as well.

As a teacher, every accident small or large required documentation by the staff who witnessed the incident including any injuries and first aid given. Copies of these reports went to the child's parent and my supervisor. If there were questions regarding the incident, the director/principal or even DCF would be involved in investigating and speaking with the parties involved. I was expected to document injuries/incidents and of course give aid when necessary. I was held accountable for my actions by everyone involved. Why would police not be held to this same level of accountability?

I am no longer working in the education field, but am director of a library. Because myself and my staff interact with children and vulnerable populations, we have to be CORI checked. If we had any serious complaints or charges against us, it would be in our records and we could not work with the public. There should be a similar database for police officers. Disciplinary reports should be recorded and stay in their record regardless of changing jobs or duration of their tenure.

Obviously as a teacher, I could not do anything that physically endangered the children I worked with. Even when I worked with special needs children with serious (and sometimes violent) behaviors, I could only use de-escalation techniques and as a last resort, physical restraints which could protect staff in a way that would not injure the children in any way. We were trained regularly in safe physical restraints. Certainly choke holds were not part of our training. I realize police are dealing

with more dangerous situations, but increased training in de-escalation and non lethal restraints has to be the legal requirement.

Lastly, my daughter was assaulted by a Police officer last year. She was at a peaceful protest. She was not blocking a street or interacting with the police at all. Her friend was punched by a police officer (suffering a broken nose). My daughter shouted at the police officer (she yelled, "that's assault!") in defense of her friend and was shoved to the ground by the same officer. She suffered a concussion and leg injury. My daughter is 5'2" weighing 105 lbs. She was not a physical threat to the officer, but he knew he was a physical threat to her and used his size and authority to make that clear. Most of the police at this protest were good and hardworking people, doing their job. This police officer was a bully with a long history of disciplinary reports. I want police like this man to be held accountable and to be less powerful.

For my daughter and other victims of police brutality, and for all of the hardworking police who are just doing their job, please pass the Police Reform bill. They all deserve better.

Thank you,
Sheila Parks
Berkshire, MA 01224
From: Elijah Romulus <romulus.elijah@gmail.com>
Sent: Thursday, July 16, 2020 12:42 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support of s2820 Suggest one Ammendment

Name: Elijah Romulus
Organization: Hyde Park SDA Churh
Number: 774 274 9895

I am writing to applaud the senate on passing this bill and urge the house to do the same.

The one smendment I would make is to outright ban the use of tear gas. It is a chemical weapon of war. Those sworn to serve and protect should not be using weapons of war on civilians.

Thank you for your service and God bless you.

Best regards,
Elijah
From: Haley Rosenthal <haleyrosenthal22@gmail.com>
Sent: Thursday, July 16, 2020 12:40 PM
To: Testimony HWM Judiciary (HOU)
Subject: I Support the Reform, Shift, and Build Act

Dear Claire Cronin and Aaron Michlewitz,
My name is Haley Rosenthal and I'm a resident of Roxbury, MA.
I support the Reform, Shift, and Build Act (S.2800) and urge you you to accept this bill.
Thank you!
Best,

Haley Rosenthal
From: Adam Beck <gus1070@verizon.net>
Sent: Thursday, July 16, 2020 12:40 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony regarding Reform bill

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,
My name is Adam Beck and I live at 153 Grove Street in Waltham, MA. I work at MCI-Framingham and am a Sergeant. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

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

Sincerely,

Adam Beck

Sent from my iPhone

From: Kathy Sullivan <kathysullivan830@gmail.com>

Sent: Thursday, July 16, 2020 12:39 PM

To: Testimony HWM Judiciary (HOU)

Subject: Re: Testimony for S.2820

On Jul 16, 2020, at 11:54 AM, Kathy Sullivan <kathysullivan830@gmail.com> wrote:

Dear Judiciary Committee,

Please accept this email as my testimony for changes to the current Police Reform Bill. First, I would like to take this opportunity to identify my self. My name is Kathleen Sullivan Warnken and I have been a lifelong resident of Worcester, Massachusetts. My phone number is 774-239-3035.

I would like to address several amendments included in this bill:

1) The first amendment that I find concerning is the changes to Qualified Immunity. Qualified Immunity is necessary in order to protect all public servants from frivolous civil law suits. By making changes to qualified immunity we are freeing the criminals and putting handcuffs on the police officers. In my opinion, the general public who support these changes don't understand that Qualified Immunity doesn't protect law enforcement officers who are incompetent or those officers who knowingly violate the law. I'm in fear of what will happen in the cities and towns of Massachusetts if Qualified Immunity is changed. Please keep Qualified Immunity in tact for the reasons it was put in place to begin with.

2) The next Amendment that is concerning to me is recommended changes to due process and collective bargaining. This reads as an Anti-labor bill. This goes against the political landscape on the Left side who are supporting to eliminate Collective Bargaining & the right to Due Process for the police. The democratic platform has always been labor/union supporters. It appears to me that they are targeting the police who serve and protect us.

3) The POSAC board is also of great concern to me. This appears to be a voluntary committee and doesn't appear to include any frontline police officers. The amendment reads that it is an independent state entity comprised of a committee includes 7 civilians and 7 police officials. I think this needs to be changed to include frontline police officers from cities.

Thank you for taking the time to read my testimony. I hope you will take it into consideration during the hearing tomorrow.

Sincerely,

Kathleen Sullivan Warnken
58 Ridgewood Rd
Worcester, MA. 01606
774-239-3035

From: Mary Boeggeman <mboeggeman@beverlyschools.org>
Sent: Thursday, July 16, 2020 12:39 PM
To: Testimony HWM Judiciary (HOU)
Subject: police reform (?)

As a citizen of Massachusetts I object to the police reform bill as it stands. Foremost, the fact that it was passed under the cloak of darkness holds it up to scrutiny. It appears as if it was motivated by the social climate of today and the up-coming election. This is disappointing. It is an important conversation and I don't feel as if it was given the breadth of discussion it should have been given. Furthermore, it paints every police department with the same brush stroke. Isn't this what we are supposed to be guarding against? Stereotyping. I don't believe the statistics for most Massachusetts police departments warrant this all encompassing reaction. Police officers who abuse their power should be held accountable but for the public to be able to sue individual officers is a short sighted and dangerous solution. This appears to be a punitive and inappropriate reaction. These men and women put their lives in danger for us. Most of them are good people. They should not be put in the position, ever, to stop for a second to consider how their actions will look to an onlooker who does not have the whole picture. Money should be allocated for more education, training and efforts which would create mutual respect between the police and the public. This bill, as it stands, will further polarize people. For these reasons I do not support the police reform bill as it stands.

Mary Boeggeman
2 Lincoln Street
Beverly, Massachusetts
maryboeggeman@gmail.com

From: Marc <ex.marc@gmail.com>

Sent: Thursday, July 16, 2020 12:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Marc Exarhopoulos
978-618-1498
71 Bradley Ln, Stow, MA 01775

House Representatives,

I am writing in opposition of bill S.2820 (formally S.2800).

This bill that limits protection for all public employees sets a terrible precedent, and limits protections for qualified immunity, due process, and limits collective bargaining. The collateral damage that this bill will do for the public employees of Massachusetts will not help recruit good candidates within public service, and will indirectly cost lives.

The Democratic party supported protections such as qualified immunity, and has been a staple for labor movement protections, and is now being attacked by the same Democratic party that union employees, like myself, have supported for years. I am a fulltime firefighter, and my wife is a full time police officer. We do our jobs with honor, and in good faith. We chose these occupations to help people, and to serve our communities, Limiting qualified immunity does not protect bad employees, it hinders good employees, and promotes second guessing. In our line of work, second guessing decisions can cost lives, including our own.

Attacking qualified immunity also attacks due process, and collective bargaining. Due process was implemented to ELIMINATE discrimination. Due process protects employees from being fired BECAUSE of actions that encompass discrimination. Collective bargaining promotes EQUALITY for all employees, and has been a Democratic supported initiative for over 100 years. Now, democrats are attacking the idea.

Any amendment that limits workers rights needs to be taken off this bill completely.

Respectively,

Marc Exarhopoulos

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From: Corey Scafidi <cscaf10@gmail.com>
Sent: Thursday, July 16, 2020 12:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to S2800 / S2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Corey Scafidi and I live at 41 Hosmer Street in Watertown, Ma. I work currently as the Executive Secretary for MCOFU but I am also a Correction Officer on leave from MCI Concord while I work as a union executive. 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,

Corey Scafidi
Executive Secretary, MCOFU
From: Carden, Andrew (SEN) <Andrew.Carden@masenate.gov>
Sent: Thursday, July 16, 2020 12:36 PM
To: Testimony HWM Judiciary (HOU)
Subject: FW: Testimony from a constituent

Andrew Carden
Chief of Staff
Office of State Senator Diana DiZoglio
State House Room 416-B
(617) 722-1604

----- Forwarded message -----
From: paul white <pw07195@gmail.com>
Date: Thu, Jul 16, 2020 at 11:05 AM
Subject: Police Reform Bill
To: <Testimony.HVMJudiciary@mahou.gov>

The lack of a Public Hearing on this Bill is an affront to the citizens of the Commonwealth and an undisguised effort to deprive us of our voice.

The assault on qualified immunity legal protection for police and other public employees that shields them from civil lawsuits unless there was a clearly established violation of law is wrongheaded and insulting to people who put themselves and their lives in jeopardy. Without this protection who would want to be a Public Employee? What immunity do Senators have and why should they have any? It has always amused me that it is a crime for me to lie to Congress but ok for Congress to lie to me. Would you approve a Bill to deprive you of your immunity?

I support the ban on chokeholds and limits on the use of tear gas. I vehemently reject any requirement that police receive training in the history of racism. That, in itself, is blatantly racist and one more divisive element where there are already too many.

From: Barry Keezer <bkeezer33@gmail.com>
Sent: Thursday, July 16, 2020 12:34 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Barry Keezer and I live at 18 funston st Leominster 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 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,

Barry Keezer

From: Lauren Ciccica <laurenciccica@yahoo.com>
Sent: Thursday, July 16, 2020 12:32 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

Good Morning,

I am Lauren Ciccica and I am the fiancé of local Revere Police Officer. My fiancé and I have two children together and have been with one another for almost thirteen years. I didn't want to make this email solely about the politics of what is happening today. I wanted to make this email more personal. With everything going on in today's world my main purpose of this email, of course, is to politely request that the police department and all other public workers be protected by their amendments (#114, #134, and #137) to S.2800. It is VITAL to make this bill as just and fair as it can be. I am a full supporter of the black lives matter movement as is my fiancé and the rest of our family. We teach our children exactly what they're supposed to be taught which is every single person they come in contact with in life is to be treated the exact same. That is with honor and respect. The senate needs to take into consideration the vast majority of the police department that suit up every single day and honor their oath. The decision to take away qualified immunity is completely unjust and frivolous to the men and women who leave their families behind every day to protect the citizens and their families. Without qualified immunity you're leaving these officers second guessing themselves and putting them in harm's way. You will be leaving their hands tied and not allowing them to perform the duties and requirements of their job to the best of their abilities. I strongly suggest taking this bill into serious consideration for the only people protecting the general public as well as for the community itself. How will situations be handled correctly with officers second guessing themselves during every call? It is becoming more and more terrifying to raise our children in this world. Please be the person that makes the change in making this world a better place for these kids to become something. They can not become something if they do not have people in their corner protecting them.

Respectful regards,

Lauren Ciccica
857-201-1888

From: Stephen Germain <sg07248@gmail.com>
Sent: Thursday, July 16, 2020 12:32 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

?I am writing to request your assistance with the S.2820 (Formerly S.2800) Act to Reform Police Standards. I am a Worcester Police Officer and 15 year veteran of the United States Air Force. Since I was 18 years old, I made a decision to put on a uniform and serve my country. After I served my country, again I put on a uniform in order to serve my community. As a country we are facing unprecedented times in light of recent events, specifically in Minneapolis that has sparked controversy across the entire world. We are being fed a misleading national narrative by news media

outlets across the country about this idea of "systematic racism" that seems to only exist within law enforcement agencies. I am not denying the fact that racism doesn't exist nor that it is acceptable. What we must examine in the Commonwealth of Massachusetts is (1) does systematic racism exist, and (2) are the police within the Commonwealth engaged in it? I have heard this term being thrown around during the Senate hearings for this bill, but what I did not hear is one example or fact laid on the table from this state. Although what happened in Minneapolis is a tragedy, the good men and women who protect and serve the communities within the Commonwealth of Massachusetts should not be punished because of it. Massachusetts police and training standards are already far above that of the rest of the country, which is why we don't gain national attention. The police reforms sweeping the nation is what Massachusetts has had in place for years. Anything further is simply dismantling the police.

?The Senate Bill S.2820 is a toxic bill that effectively ties the hands of police officers across the state, which will result in an unjustified negative impact on the very communities we serve and protect. If this Bill passes, GOOD police officers will retire, GOOD police officers will walk off the job, GOOD police candidates will not take this job and we will be left with the very people this Bill is trying to prevent because there will be no choice but to hire anyone willing to work. This Bill was hastily thrown together without even consulting the community and aims to remove qualified immunity and Due Process from police officers who may make a mistake while acting in Good Faith. The Sixth Amendment to the Constitution of the United States grants all people the right to be judged by a jury of their peers. Bill S.2820 calls for police to be judged by a committee who have no experience in policing. If you needed emergency heart surgery, would you want it performed by a doctor who refuses and lets you die because he knows if he makes a mistake he will lose his house, retirement, savings, livelihood, or the doctor who knows even if he makes a mistake he will be covered and tries his hardest to save your life? Well the same holds true for police, why would we want to arrest any criminals when we know at any moment we can lose everything because of a split-second decision? Bill S.2820 is completely erasing United States Supreme Court case law such as *Tennessee v. Garner* and *Graham v. Connor*. Both cases are surrounding use of force by police and state that force shall be justified based on what a reasonable officer would do. How is a person that has never been a police officer, never made a split-second decision, never put their life on the line for another human being, supposed to know what a reasonable officer would do?

?I have never heard of an unarmed person in the Commonwealth of Massachusetts being killed by police, but when I read this reform bill the names Michael Chesna, Sean Gannon, and Ronald Tarentino come to mind. These are all police officers in Massachusetts that were shot and killed by violent criminals. If this Bill passes not only will the list of fallen police officers in the Commonwealth grow, but so will the list of citizens that die at the hands of violent criminals. If we look at the

number of murders across the nation and more specifically the Commonwealth of Massachusetts over the last month, they are up tenfold. The reason for this is because of Reform Bills like S.2820 that have handcuffed police. Police officers cannot and should not do anything other than the bare minimum because of the unnecessary dangers this Bill places them in. All of these Bills have been put together without consulting the community, specifically the minority community. Recently in New York City a Bill was passed that removed 1 Billion dollars from the budget, reduced the police force by 1,400 officers, canceled a police academy of 1,000 officers, and dismantled their Anti-Crime Unit (a unit designed to stop violent crimes and gun violence). All of this was done without consulting the community. Approximately, two weeks after getting rid of the Anti-Crime Unit murders and gun violence in the City is up 45% in just a matter of days. Leaders of the Black Community are now calling for Politicians to bring back the Anti-Crime Unit and stating they never asked for them to be dismantled to begin with. We have already had over 10 murders across the Commonwealth in the last two weeks so let's stop this before it's too late.

?We as police are not resistant to change and are open to make things safer for the communities we protect, but let's do it in a way that protects both the citizens and police in the Commonwealth. I am urging you to delay this Bill until we can work together as an entire community to come up with a plan that protects us all. We need to consult our communities and ask for their opinions, we need to consult our police and ask for their opinions, and most importantly we need to come up with a Bill that is reasonable for all. Please delay Bill S.2820 before crime in the Commonwealth of Massachusetts spirals out of control and cannot be stopped.

?Please feel free to reach out to me and discuss this matter further. Again, I thank you for time, dedication, and commitment to resolve the challenges we are facing in this extraordinary time.

Respectfully,

Stephen Germain

Worcester Police Department

(508) 612-9756 <tel:(508)%20612-9756>

Sg07248@gmail.com

Sent from my iPhone

From: Wendy Vaughan <mark@pandvhomeservices.com>

Sent: Thursday, July 16, 2020 12:30 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform bill

This legislation is the worst idea in the history of bad ideas.

How the hell many more people have to be subject to violent crimes or even worse!!!!??

It seems to most people as though our supposed leaders have an agenda and the public's safety is not part of it.

The police are not there to coddle idiotic protesters they are there to maintain the peace!!!

Before George Floyd lost his life due to the incompetence of ONE cop you would have all fallen over yourselves to praise our 1st responders.

Now, in the face of an angry mob with an agenda the police have been stabbed in the back by their so called leaders.

I'm disgusted.....

Let them do their job, it will only get worse otherwise.

Sincerely

Mark Pelland

From: Travis Perry <travisdperry@gmail.com>

Sent: Thursday, July 16, 2020 12:32 PM

To: Testimony HWM Judiciary (HOU)

Subject: Fwd: LE Legislation

My name is Travis Perry and I live in Sutton. 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 <x-apple-data-detectors://5> st <x-apple-data-detectors://5> . <x-apple-data-detectors://5>

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

Thank you for your consideration

Travis Perry

Putnam Hill Road

Sutton, Ma

From: Sam Haas <sam.charles.haas@gmail.com>
Sent: Thursday, July 16, 2020 12:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800: Please pass this bill!

Dear Ways & Means Committee Members,

I unequivocally support the Reform, Shift + Build Act (S.2800) and strongly urge my representatives and the House as a whole to ensure that it passes.

I am a resident of Brookline, MA who grew up in Massachusetts and went to school at Northeastern University. I have lived here my whole life and care very much about our state. 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, but which we now know to be correct, just, and necessary. This bill represents another chance to do just that.

I have always been proud of - and bragged about - MA being the first state to legalize gay marriage, to treat workers better in our own laws than federal law requires, to pass healthcare coverage laws before the country did as a whole. 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.

Please build on the work that our Senators have done to pass this bill over to you, and bring the Reform + Shift + Build Act to fruition. Doing so would continue the legacy of this state that makes me a proud resident and has kept me around for my whole life; failing to do so would be a huge disappointment out of character for who I know us to be as a state and as a people.

Thank you,
Sam

Sam Haas
99 Beals St.
Brookline, MA 02446
From: Diana Wells <dianarwells@gmail.com>
Sent: Thursday, July 16, 2020 12:28 PM
To: Testimony HWM Judiciary (HOU)

Dear Representative Michlewitz,

I am writing to you in regards to the proposed bill S2820, currently up for consideration in the house. This bill is dangerous for police officers across Massachusetts, and all municipal employees that will inadvertently be negatively impacted as well.

S2820 proposes dangerous changes for police departments across the state: particularly in the areas of qualified immunity and due process. It doesn't just impact police officers, but all municipal employees. How is anybody supposed to do their jobs with a constant threat of frivolous lawsuits? The truth is, we won't be able to. This bill will paralyze good police officers, dispatchers, firefighters, DPW workers, etc. in so many ways.

Qualified immunity does not protect anybody who is acting outside the law or violating someone's civil rights. People are still able to bring suit in those situations. Why are we taking away the ability to vet complaints before they result in a lawsuit? This bill is clearly a backdoor attempt to strip police officers' protections in support of the latest anti-police movement. The consequences will impact far more than just police officers. This bill is bad for everyone in MA.

Please fight for police officers, municipal employees, and for the voices of your constituents to be heard.

Thank you,

Diana Wells

From: Stacey Cronin <cronin.stacey@yahoo.com>

Sent: Thursday, July 16, 2020 12:27 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2800

Good Afternoon,

My name is Stacey Craven and I live in Reading <x-apple-data-detectors://0> . As your constituent, I write to you 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, one, in particular, stands out and demand immediate attention, modification and/or correction.

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.

The lawsuits resulting from this, whether they're won or not, will result in personal time away from the job to attend court hearings and money lost on legal fees. This would result in MANY officers leaving their positions.

I know it would not be totally eliminated under this bill, but the rephrasing leaves much room for interpretation. For example, if an officer were to do chest compressions on someone for CPR and accidentally break their rib, would they be protected? If someone was resisting arrest and they broke their wrist in the scuffle, would the police be protected? How does this distinguish between a smaller female officer feeling as though their life is being threatened or a larger male officer?

In a society where the media and politicians are clearly against GOOD officers who are doing their job well, many people have turned their backs on police. They would jump at the opportunity to file a lawsuit against the person who arrested them.

Why the rush to push this bill through so quickly? What about public forums? Why not find a way to rephrase this that wouldn't put so many of our police officers in harm's way? Massachusetts' police are the country's best, most educated officers. That doesn't mean they're not open to

reform, but it they do not deserve the treatment of this rushed, imperfect, and dangerous reform.

As a Democrat, I am extremely disappointed in my party that none of my representatives are stepping forward to voice their support in the good men and women who are serving as police officers in this state and country. Expressing gratitude toward police in a private email, while appreciated, is not public it will not help protect these innocent officers who are encountering growing hatred on the streets of the communities they serve. I strongly believe this is directly influencing many of the violent acts against police, including murders. When will someone speak up? Hopefully before it's too late.

My husband is a proud police officer. He puts his life on the line daily for people who are turning their backs on him and other men and women in blue. He's highly educated with a bachelors, a masters, and a second masters on the way. He is the type of officer you would want to protect and serve your community, but he puts our family first. He's ready to leave a job he's worked his whole life for because of this bill and the recent hateful actions against police. I'm sure many others will follow.

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. They're absorbing most of the blame for systematic racism of our entire society. While I would assume that it is already going to become more difficult to fill police jobs with educated, qualified individuals, instituting this rewrite on qualified immunity would make it nearly impossible to fill these positions.

Thank you,
Stacey Craven

From: JANET BROWN <janet.e.brown@comcast.net>
Sent: Thursday, July 16, 2020 12:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Janet E. Brown and I live at 163 Packard St, Lancaster, MA 01523. I work at MCI Concord and am a CO1. 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,
Janet E. Brown

From: John Annunziata <johnaannunziata@gmail.com>
Sent: Thursday, July 16, 2020 12:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2800

Dear Representative,

While I understand the events that have occurred in different parts of the nation are disgraceful, categorizing all law enforcement officers as the problem is not the solution. Frankly, it is a lazy way to deal with a larger issue. I cannot help but wonder why Massachusetts is never in the spotlight for these tragedies. I know it is due to the fact that the

training in Massachusetts is significantly superior than those in most of the other states. In Massachusetts you have Officer's that attend a 26 week academy. Academies in other parts of the country can be only 14 weeks.

Does racism play a role in law enforcement? You bet it does, but I am here to tell you that it is not with the patrol officer. It is with the Massachusetts General Law. Changing the minimum mandatory sentencing or statues is difficult. So it is certainly easier to blame it on the cop who gets called to the scene of a crime, makes an arrest, files the appropriate charges then hands it off to the court house. A police department receives a report of a suspicious person. The officer is dispatched and responds to find a minority person. The officer has an interaction with this person and clears it out as unfounded. Now people hear about this and automatically blame the officer accusing him of being a racist. Is the cop a racist, or was he doing his job? What if the officer never responded, do you think the reporting party would have stopped calling?

You see, the officer is not racist, society is. The law is. The patrol officer is not. Yet the patrol officer is the easiest target to blame. There is always room for additional training for officers. I am not naive to the fact that not every police officer serves with integrity. But to take away basic protections and rights for the officers is absurd. Officers are willing to sacrifice their lives, but now they are being asked to sacrifice their family's wellbeing, all in the name of political pressure?

If you take away qualified immunity, you know what you are going to get? Less qualified police officers. Police departments nationwide are already scraping the bottom of the barrel to hire because the benefits of the job don't outweigh the risk. When good, honest officers walk off the job because they are not willing to risk their family's livelihood, you are only going to get less qualified people to do the job. Does that sound like the solution?

How about putting money back into the police departments for training. Police Officers have become social workers, marriage counselors, psychologists, teachers, parents and the list goes on. You will not find a police officer in the commonwealth who would be upset about having social workers respond to non-police related calls instead of them. But leave the police officer's protection with qualified immunity alone. The police officers rely on qualified immunity for the same reasons clerk magistrates, prosecutors and judges do; mistakes happen. Not due to maliciousness but due to the facts at hand. I strongly urge you to consider your position and ask yourself, if the majority of good and honest police officers walk off the job, who will you be left with?

This in combination with the portion of the bill encouraging private citizens to interfere in police business if they feel it is excessive is reckless. Have you ever been in a fight? If you have, then you know it never looks good. Ever. Now you are giving private citizens who have no knowledge of the use of force continuum officers abide by and courts rule on, the authority to assist the arrestee? You want officers to accept

this? How do you think this will end? This is going to get people hurt and or killed. We ask too much of our officers and frankly, I could not blame them for wanting to walk away from their profession and show these extremists and reactionaries just how lawless society will be. I will again reiterate, if this passes, we will become a lawless society. Maybe that is what some people want, I do not. I do not want it for my young family, and I know the silent majority does not.

Many politicians believe if they do not support this, it will be political suicide. I am here to tell you the silent majority is disgusted by the events that have transpired since the Minneapolis tragedy. If you do support this, this will be political suicide. Once lawlessness takes over, people will remember who supported these bills and it will affect their voting. I urge you to consult with experts in this matter, and not just give into political pressure.

Respectfully,

John Annunziata

From: pennyseeker@aol.com
Sent: Thursday, July 16, 2020 12:20 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill number S2820 to defund the police.

To Chair Aaron Michiewicz and Chair Claire Cronin,

My name is Linda Harrington I live at 8 Esbjurn Drive, Rehoboth, Ma 02769 phone 774-203-3007.

I have concerns with a School Resouce officer answering to Superintendents. We had a terrible experience with our School District concerning our youngest daughter. Our case was brought to both the BSEA and Bristol County Probate Court. The District sent a signed Official Statement with Letterhead of all the Administrators names to the Probate Family Court to try to stop our daughter from obtaining a Protection Order against another student. We presented the Official letter signed by Judge Berman DOE contradicting what the District reported to Judge LaStaiti. We won both cases. Our family went through hell. My children were in that School District from 1980 with my first until our daughter was transferred to a private school by Judge Berman in 2006. Until then I was unaware of how difficult, expensive, and exhausting it can be when parents have a problem with a school tht has another agenda. I now know how often BSEA has to step in to correct these problems and that it's not uncommon to

find schools at fault. If you have any questions or would like to see paperwork on my case please contact me. I will be more than happy to provide you with anything you need. Below are my concerns when it comes to putting a School Resource Officer under the control of the District.

1 A good school resource officer does more to promote trust between young people and the police. 2. School Districts and School Unions do everything they can to protect the Districts reputation. I have great concerns with Superintendents overseeing the policing the School Districts when another School employee or a student they have reason to protect acts in an improper or illegal way?

Thank you,

Linda Harrington

From: Lillian Armstrong <armstrong.li@northeastern.edu>
Sent: Thursday, July 16, 2020 12:18 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support for Bill S2820

Good afternoon Chair Michlewitz and Chair Cronin,

My name is Lillian Armstrong. I am a recent graduate from Northeastern University, and I am writing today to express my support for the Reform, Shift and Build Act (S2820). There is an urgent need to reform policing in the commonwealth, and specifically to shift resources to communities of color that have disproportionately suffered at the hands of unjust police protocol. I hope that the House takes this opportunity to create a more equitable Massachusetts.

Best,
Lillian Armstrong
(423) 305-5680
From: Joseph Corazzini <jmcorazzini@gmail.com>
Sent: Thursday, July 16, 2020 12:18 PM

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

I write in support of the legislation. The requirements as set in the Senate bill establish fair regulations and oversight to ensure a system of checks and balances consistent with practices that we hold doctors to. Yet again Massachusetts is leading the way in terms of progressive policies that work to ensure fairness and equality.

Best,

--

Joseph Corazzini [He/Him/His]

"The first revolution is when you change your mind" Gil Scott-Heron
"What have you done today to make you feel proud?" Heather Small
From: RICHARD HANNA <richhann@comcast.net>
Sent: Thursday, July 16, 2020 12:16 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Hello

Just writing to tell you my concerns with getting rid of qualified immunity. I am concerned that this will turn away good, young men and women from applying for law enforcement jobs. I think if you take this out you will see more suits coming out of the woodwork suing our good law enforcement officers. Let's face it there is some responsibility for getting into these situations by the offenders, but everyone thinks they have the right to do illegal things and not get caught and arrested. Please reconsider this. If we continue on this path no one in this State will like the cops we will be left with.

Richard Hanna

143 Mill St.

Abington Ma. 02352

From: Theresa A Buonopane Buonopane <tandtbuono@gmail.com>
Sent: Thursday, July 16, 2020 12:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: Re: Police Reform Bill

Please find below my email to Speaker DeLeo with a copy to House Members outlining my concerns for the Police Reform Bill in its current state.

Mr. Speaker,

I am begging you to BE EVER SO THOUGHTFUL as you lead the house in a debate about the Police Reform Bill the Senate, I believe foolishly, passed in its current form. AND....I might add....STUCK IT TO FIREFIGHTERS AND NURSES by limiting and/or taking away their Qualified Immunity! OUR NURSES...?? REALLY....?? THE NURSES WHO SELFLESSLY MANNED

HOSPITAL EMERGENCY ROOMS, ICUs and COVID FLOORS during the COVID Pandemic.?? AND UNDER THE GUISE OF A POLICE REFORM BILL?

THIS IS A CLEAR MESSAGE THAT OUR ELECTED OFFICIALS TRULY HATE THEIR CONSTITUENTS!

Then why not take away Qualified Immunity from ALL who hold public office....senators, representatives, governors, mayors....?

One of the main reasons our country is unique and free is that at the very base of our freedoms is our Law and Order. IF WE LOSE OUR POLICE, WHICH WE WILL IF THIS BILL PASSES - POLICE OFFICERS WILL WALK OFF OF THE JOB (many have verbalized they will and many already have left). WE WILL HAVE NO LAW AND ORDER....WE WILL LIVE UNDER MOB RULE (criminals will be empowered)....WE WILL NOT HAVE A STATE or COUNTRY....

IS THIS WHAT YOU WANT FOR MASSACHUSETTS? IS THIS WHAT YOU WANT FOR OUR COUNTRY?

As I expressed to all Senate members before their final imposition of their overwhelming support of LAWLESSNESS onto the hard working, tax paying, law abiding Massachusetts citizens, my main concerns are as follows:

****DO NOT LIMIT OR TAKE AWAY QUALIFIED IMMUNITY FROM POLICE, FIREFIGHTERS AND NURSES! DOING SO WILL DIMINISH THEIR ABILITY TO DO THEIR JOB TO THE BEST OF THEIR ABILITY.**

****THIS BILL SUPPORTS ABOLISHING THE POLICE! IT WILL FORCE POLICE OFFICERS TO LEAVE THEIR PROFESSION; YOUNG PEOPLE WILL BE DETERRED FROM SEEKING THIS PROFESSION.**

We need our police to bridge the gap between our communities and law and order through relationship building, especially with our youth.

****CRIMINALS WILL BE EMPOWERED! THE PUBLIC WILL NOT BE SAFE! (especially the most vulnerable in low income communities)**

****WE NEED A PUBLIC HEARING! THERE ARE MANY STAKEHOLDERS WHO HAVE NOT BEEN INVOLVED IN THIS PROCESS!**

Supporting this Bill IS A STATEMENT IN SUPPORT OF LAWLESSNESS IN MASS AND IN THE UNITED STATES. Supporting this BILL TELLS THE hard working, tax paying, law abiding Massachusetts citizens OUR ELECTED OFFICIALS DO NOT CARE ABOUT US/OUR SAFETY AND SECURITY....SAFETY..Hmmm....Isn't this ONE REASON WHY WE PAY TAXES??

WE WILL NOT HAVE A STATE OR COUNTRY UNLESS WE HAVE LAW AND ORDER.

I AM BEGGING YOU....PLEASE DO NOT PASS THIS BILL....

EXTREMELY CONCERNED,
Massachusetts Voter

From: Andrea Couvee <apcouvee@gmail.com>
Sent: Thursday, July 16, 2020 12:14 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Dear Mr. Michlewitz and Ms. Cronin,

I am writing to ask you to vote no on the Police Reform bill. Although parts of this bill are good, there are some that are dangerous to our law enforcement and all public employees. I have many friends that are married to police officers. They are worried, scared and angry. We need to support the people that protect us as well as the citizens of our state.

We do not need to rush this reform bill. Please vote no.

Thank you,

Andrea Couvee

From: Stephanie Jung <slynjung@yahoo.com>
Sent: Thursday, July 16, 2020 12:12 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reform, Shift + Build Act

Hi, I am a resident of 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,

Stephanie

From: maggie rodriguez <mrodriguez61298@gmail.com>
Sent: Thursday, July 16, 2020 12:12 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reform, Shift + Build Act (S.2800)

Hi,

I am a resident of 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 - and bragged about - 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,

Maggie

From: Michael Kane <kane.michaelr@gmail.com>

Sent: Thursday, July 16, 2020 12:10 PM

To: Testimony HWM Judiciary (HOU)

Subject: Qualified immunity

Good afternoon,

I am a state trooper in the Commonwealth and I urge you to relook at multiple parts of the s2800 bill specifically qualified immunity. Getting rid of QI will make many retire seek and seek other employment while the rest will be terrified to do their jobs in order to safeguard there families. You will lower the pool of applicants and make the issues that we are facing now, much worse.

Thank you.

--

Michael R. Kane

From: walshrph@aol.com

Sent: Thursday, July 16, 2020 12:08 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform

Good morning Ladies and Gentlemen;

As a pharmacist and community activist, I feel an obligation to express my opinion. If and only if, police reform is needed, I would hope you all took the proper time to debate this issue. A bill of this magnitude should be carefully studied and many people way in on, such as a citizens petition or whatever you call that.. These legislations being discussed throughout the country is being done in haste.

I for one can tell you my experiences with the police. As a pharmacist who graduated from Massachusetts College of Pharmacy in 1968 and the victim of holdups and robberies for controlled medications such as oxycontin and sometime money, with out the police I'm sure I would not be alive today. Defunding police departments etc could be the most important piece of legislation you will vote on this year. Police just don't serve in criminal matters, when I suspect a family member is abusing an elderly, I call Bristol Elder Services and the police department. When I am dealing

with a mentally ill patient who has gone off of their medication or they are self medicating, I call their physician and the police, I hope you get my drift. If you would prefer, I would be happy to collect all my thoughts and travel to Boston to testify before your committee. For the sake of all citizens of the Commonwealth, I would hope you would postpone your vote tomorrow, in order for more data. I would think the members of the House of representatives would appreciate your studying issue further and not putting themselves in balancing house leadership and constituents.

Respectfully yours;

Thomas Pasternak R.Ph.

Cell phone 508-837-1373

From: Noa Dalzell <ndalzell@climate-xchange.org>

Sent: Thursday, July 16, 2020 12:07 PM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony in Favor of the Reform, Shift, and Build Act

Hi,

My name is Noa Dalzell and I strongly support this act, which will help reform our very broken policy system, end qualified immunity, and limit the use of force. As a climate advocate, I understand the importance of ending police brutality and this bill takes a critical first step in that direction.

Best,
Noa

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<https://docs.google.com/uc?export=download&id=1tJpx5w9QCFsg6wZAJ1lt95_06U7r27w-&revid=0B773atglQ6tsNzVDTHBrRWNXbGZhYTJQTm0wUXZhOVExc004PQ>

NOA DALZELL | MANAGER OF THE STATE CARBON PRICING NETWORK

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31 Saint James Ave, Boston MA 02114

857.472.2075 | Climate-XChange.org

NDalzell@Climate-XChange.org

From: Brian Guild <bguild@gmail.com>

Sent: Thursday, July 16, 2020 12:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to bill S2820

As a Massachusetts voter, I am opposed to Massachusetts Senate Bill 2820 (S.2820). This proposed legislation will hamper law enforcement efforts across the Commonwealth. S.2820 robs police officers of the very constitutional rights extended to citizens across the nation.

There is a scarcity of respect and protection extended to police officers in this proposed law. While there is always room for improvement in policing, S.2820 has far too many flaws. There are three concerns that stand out and demand immediate attention, modification, and/or correction.

Due process: Police officers deserve fair and equitable processes under the law. The appeal processes afforded to police officers have been in place for generations. Law enforcement deserves the right to appeal, the right given to all of our public servants.

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. Qualified immunity protects all public employees from frivolous lawsuits.

Police Officers Standards Accreditation (POSA) Committee: The composition of the POSA Committee must include rank-and-file police officers. In order to regulate law enforcement, up to and including termination, one must understand law enforcement. In the same way that doctors oversee doctors, law enforcement must oversee law enforcement.

Finally, those who protect and serve communities across Massachusetts are among the most highly trained law enforcement officials in the nation. In 2015, President Obama commended the Boston Police Department for its community policing.

I implore you to amend and correct Senate Bill 2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Brian Guild
Foxborough, MA
781.589.8656

From: Amy McCarron <lotteromccarron@hotmail.com>

Sent: Thursday, July 16, 2020 12:07 PM

To: Testimony HWM Judiciary (HOU); Arciero, James - Rep. (HOU); Ashe, Brian - Rep. (HOU); Ayers, Bruce - Rep. (HOU); Balser, Ruth - Rep. (HOU); Barber, Christine - Rep. (HOU); Barrett, John - Rep. (HOU); Barrows, F. Jay - Rep. (HOU); Berthiaume, Donald - Rep. (HOU); Biele, David - Rep. (HOU); Blais, Natalie - Rep. (HOU); Boldyga, Nicholas - Rep. (HOU); Cabral, Antonio - Rep. (HOU); Cahill, Daniel - Rep. (HOU); Campbell, Linda D. - Rep. (HOU); Capano, Peter - Rep. (HOU); Carey, Daniel - Rep. (HOU); Cassidy, Gerard - Rep. (HOU); Chan, Tackey - Rep. (HOU); Ciccolo, Michelle

- Rep. (HOU); Connolly, Mike - Rep. (HOU); Coppinger, Edward - Rep. (HOU); Crocker, William - Rep. (HOU); Cronin, Claire - Rep. (HOU); Cullinane, Daniel - Rep. (HOU); Cusack, Mark - Rep. (HOU); Cutler, Josh - Rep. (HOU); D'Emilia, Angelo - Rep. (HOU); Day, Michael - Rep. (HOU); Decker, Marjorie - Rep. (HOU); DeCoste, David - Rep. (HOU); DeLeo, Robert - Rep. (HOU); Devers, Marcos - Rep. (HOU); Doherty, Carol - Rep. (HOU); Domb, Mindy - Rep. (HOU); Donahue, Daniel - Rep. (HOU); Donato, Paul - Rep. (HOU); Dooley, Shawn - Rep. (HOU); Driscoll, William - Rep. (HOU); Dubois, Michelle - Rep. (HOU); Durant, Peter - Rep. (HOU); Dykema, Carolyn - Rep. (HOU); Ehrlich, Lori - Rep. (HOU); Elugardo, Nika - Rep. (HOU); Farley-Bouvier, Tricia - Rep. (HOU); Ferguson, Kimberly - Rep. (HOU); Fernandes, Dylan - Rep. (HOU); Ferrante, Ann-Margaret - Rep. (HOU); Finn, Michael - Rep. (HOU); Fiola, Carole - Rep. (HOU); Frost, Paul - Rep. (HOU); Galvin, William - Rep. (HOU); Garballey, Sean - Rep. (HOU); Garlick, Denise - Rep. (HOU); Garry, Colleen - Rep. (HOU); Gentile, Carmine - Rep. (HOU); Gifford, Susan - Rep. (HOU); Golden, Thomas - Rep. (HOU); Gonzalez, Carlos - Rep. (HOU); Gordon, Kenneth - Rep. (HOU); Gouveia, Tami - Rep. (HOU); Gregoire, Danielle - Rep. (HOU); Haddad, Patricia - Rep. (HOU); Haggerty, Richard - Rep. (HOU); Harrington, Sheila - Rep. (HOU); Hawkins, James - Rep. (HOU); Hay, Stephan - Rep. (HOU); Hecht, Jonathan - Rep. (HOU); Hendricks, Christopher - Rep. (HOU); Higgins, Natalie - Rep. (HOU); Hill, Brad - Rep. (HOU); Hogan, Kate - Rep. (HOU); Holmes, Russell - Rep. (HOU); Honan, Kevin - Rep. (HOU); Howitt, Steven - Rep. (HOU); Hunt, Daniel - Rep. (HOU); Hunt, Randy - Rep. (HOU); Jones, Bradley - Rep. (HOU); Kafka, Louis - Rep. (HOU); Kane, Hannah - Rep. (HOU); Kearney, Patrick - Rep. (HOU); Keefe, Mary - Rep. (HOU); Kelcourse, James - Rep. (HOU); Khan, Kay - Rep. (HOU); LaNatra, Kathleen - Rep. (HOU); Lawn, John - Rep. (HOU); LeBoeuf, David - Rep. (HOU); Lewis, Jack - Rep. (HOU); Linsky, David - Rep. (HOU); Lipper-Garabedian, Kate - Rep. (HOU); Livingstone, Jay - Rep. (HOU); Lombardo, Marc - Rep. (HOU); Madaro, Adrian - Rep. (HOU); Mahoney, John - Rep. (HOU); Malia, Liz - Rep. (HOU); Mariano, Ronald - Rep. (HOU); Mark, Paul - Rep. (HOU); Markey, Christopher - Rep. (HOU); McGonagle, Joseph - Rep. (HOU); McKenna, Joseph - Rep. (HOU); McMurtry, Paul - Rep. (HOU); Meschino, Joan - Rep. (HOU); Michlewitz, Aaron - Rep. (HWM); Minicucci, Christina (HOU); Miranda, Liz - Rep. (HOU); Mirra, Leonard - Rep. (HOU); Mom, Rady - Rep. (HOU); Moran, Frank - Rep. (HOU); Moran, Michael - Rep. (HOU); Muradian, David - Rep. (HOU); Muratore, Mathew - Rep. (HOU); Murphy, James - Rep. (HOU); Murray, Brian - Rep. (HOU); Nangle, David - Rep. (HOU); Naughton, Harold - Rep. (HOU); Nguyen, Tram - Rep. (HOU); O'Day, James - Rep. (HOU); Orrall, Norman - Rep. (HOU); Parisella, Jerald - Rep. (HOU); Peake, Sarah - Rep. (HOU); Peisch, Alice - Rep. (HOU); Petrolati, Thomas - Rep. (HOU); Pignatelli, Smitty - Rep. (HOU); Poirier, Elizabeth - Rep. (HOU); Provost, Denise - Rep. (HOU); Puppolo, Angelo - Rep. (HOU); Robertson, David - Rep. (HOU); Robinson, Maria - Rep. (HOU); Rogers, Dave - Rep. (HOU); Rogers, John - Rep. (HOU); Roy, Jeff - Rep. (HOU); Ryan, Dan - Rep. (HOU); Sabadosa, Lindsay - Rep. (HOU); Santiago, Jon - Rep. (HOU); Scaccia, Angelo - Rep. (HOU); Schmid, Paul - Rep. (HOU); Sena, Danillo - Rep. (HOU); Silvia, Alan - Rep. (HOU); Smola, Todd - Rep. (HOU); Soter, Michael - Rep. (HOU); Speliotis, Theodore - Rep. (HOU); Stanley, Thomas - Rep. (HOU); Straus, William - Rep. (HOU); Sullivan, Alyson - Rep. (HOU); Tosado, Jose - Rep. (HOU); Tucker, Paul - Rep. (HOU); Tyler, Chynah - Rep. (HOU); Ultrino, Steven - Rep. (HOU); Vargas, Andy X. - Rep. (HOU); Vega, Aaron - Rep. (HOU); Vieira, David - Rep. (HOU); Vincent, RoseLee - Rep. (HOU); Vitolo, Tommy - Rep. (HOU);

Wagner, Joseph - Rep. (HOU); Walsh, Thomas - Rep. (HOU); Whelan, Timothy - Rep. (HOU); Whipps, Susannah - Rep. (HOU); Williams, Bud - Rep. (HOU); Wong, Donald - Rep. (HOU); Zlotnik, Jon - Rep. (HOU)
Subject: please preserve qualified immunity

Dear House members,

I'm writing regarding the Senate's approval of Bill S.2800, specifically the part about qualified immunity. I understand you'll be taking this issue up next.

The removal of qualified immunity would not have prevented the murder of George Floyd. Currently, qualified immunity does not protect anyone against criminal prosecution, therefore, in its current state, it also won't prevent George Floyd's murderers from going to jail, where they should be.

Since the George Floyd tragedy is the catalyst to this bill, I assume those supporting it believe police officers, as a whole, are racist and therefore believe this bill will take significant steps toward stopping this racism. But if the intention is to stop racism, I ask how ending qualified immunity will do this? The racism allegedly occurs long before qualified immunity comes into play. Ending or curtailing qualified immunity will only open up the possibility of civil prosecution AFTER the racist act is committed.

Ironically those voting on this bill are protected by the very thing that's potentially being taken away from your fellow public servants. In addition to putting teachers, local selectmen and many other families at risk, removing qualified immunity will do nothing more than make a police officer fearful of doing his or her job due to the threat of frivolous litigation, which will create hesitation, similar to what killed Officer Chesna of Weymouth. It will decrease safety in the Commonwealth and make one of the most stressful jobs in the nation even more stressful. Officers will have to worry that something as simple as a traffic stop could now be cause for law suits and legal fees that could put them out of their home.

Did you ever arrive to work to have to direct traffic around remains of a human body left on a highway? Do you have doctors call you, asking for help in controlling their patient? When you go to work, do people scream in your face, nose-to-nose, calling you a racist pig? Do you strap on a bullet proof vest and chase someone down a street, who you know is armed and has just killed another human? Do people think you're a racist just because of your profession?

If you answered no to any of the questions above, I implore you to have deep conversations with someone in law enforcement before thinking that ending qualified immunity will do anything other than to increase frivolous litigation against - and the stress levels of - law enforcement officers. These men and women act in good faith with only split seconds to make decisions on how he or she may be able to save someone's life, perhaps even their own.

I'm the proud wife of a sergeant on the MA State Police. Prior to serving the state, my husband served on the Belmont Police Department, where we both grew up. My husband has dedicated his life to protecting you, the citizens of the Commonwealth, but if you chip away at qualified immunity, you'll be turning your back on protecting him, me and our three kids.

Every day, my husband and I teach our kids racism is a behavior, not a profession. We teach them to have compassion, love and caring for all skin colors, religions, political beliefs and professions. And now I'm asking you to do the same. Please consider focusing your bill on how to prevent the racist acts of a few before they occur. We will not stop racism by just redirecting hate - and ending qualified immunity for law enforcement is doing just that.

Thank you for your consideration.

Wishing you good health and safety,
Amy McCarron
2 Lawrence Rd.
Wellesley, MA 02482

From: KAREN FURTADO <pastelebony@comcast.net>
Sent: Thursday, July 16, 2020 12:07 PM
To: Testimony HWM Judiciary (HOU)
Cc: Karen Furtado
Subject: Police Reform

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,
My name is Karen Furtado and I live at 301 High St, Somerset, MA. I work at MCI-Cedar Junction and I am a Sgt. 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

Karen Furtado

From: Nikki Pollard, LICSW <pollardnikki@gmail.com>
Sent: Thursday, July 16, 2020 12:05 PM
To: DiDomenico, Sal (SEN); Decker, Marjorie - Rep. (HOU); Testimony HWM Judiciary (HOU); DeLeo, Robert - Rep. (HOU); Ron.Mariano@housema.gov; Gonzalez, Carlos - Rep. (HOU)
Subject: Supporting Police Reform

Attention:

Claire Cronin, Chair, House Judiciary Committee
Aaron Michlewiz, Chair, House Ways and Means Committee

cc: Robert A DeLeo, Ron Marian, Carlos Gonzalez, Sal DiDomenico and Marjorie Decker

I grew up in Cambridge, MA and I have witnessed violent acts against people of color by police on numerous occasions over many decades. I am writing as a long-term resident and a member of the NAACP to ask that you

1. Pass a criminal justice bill that puts humanity first and protects Black lives.

2. Listen to the people who have marched in the street declaring Black Lives Matter! This is a human rights issue and Black lives are dehumanized by the current laws and policies.

We support the Massachusetts Black and Latino Legislative Caucus position and priorities.

Kindest Regards,

Nikki Pollard, LICSW
she/her/hers

From: Crystal Brooks <crystal1411@hotmail.com>
Sent: Thursday, July 16, 2020 12:05 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony regarding reform bill

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Crystal Beck and I live at 153 Grove St Waltham Ma 02453. I work at The Waltham 911 Center and am a 911 Telecommunicator/ Dispatcher. 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,
Crystal Beck

Sent from my iPhone From: Patsnation <patsnation@aol.com>
Sent: Thursday, July 16, 2020 12:05 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill & qualified immunity

To whom it may concern,

Although I do agree that police reform is needed I feel that the current police reform bill gets one thing wrong which will undoubtedly make the public at large and first responders far less safe. Qualified immunity must not be taken away from any first responder. Bad police officers that break the law are not ultimately protected by qualified immunity if they knowingly break the law. That should continue to be the case. Removing qualified immunity from police officers & first responders that do their job in a professional and moral manner must continue to be protected at least until they have had an opportunity to have their day in court. This is what the constitution allows for any private citizen and this right should certainly not be taken away from any first responder. Doing so will fundamentally change policing as we know it. Every city and town will lose quality police officers and first responders as they will no longer feel any form of protection for doing their job correctly. It will give more power to potential and current criminals as they will be able to frivolously sue police officers and first responders. Not only will good police officers and first responders leave employment but future hires will be far less qualified choices of hire. I implore you not to let this happen. We have already seen a scary uptick in violence in major cities like New York City, Seattle and St Louis. Defunding the police and removing qualified immunity will lead to more of this and make the public far less safe. Passing this bill as is will have long term ramifications that will ultimately cost the Commonwealth of Massachusetts far too many innocent lives.

Thank you,

John Crowley

Sent from my iPhone
From: Sarah Lamodi <slamodi6@gmail.com>
Sent: Thursday, July 16, 2020 12:04 PM
To: Testimony HWM Judiciary (HOU)

Subject: In Support of the Reform, Shift + Build Act (S.2800)

To whom it may concern,

I would like to express my full support of the Reform, Shift + Build Act (S.2800). As we have seen time and time again in this country, the force meant to protect and serve has not been held accountable when they abuse their power. The police force as we know it is – quite ironically – above the law; it is time that the country begins to combat this problem, and I have faith that the state of Massachusetts will spearhead this movement through S.2800.

All of the bill's components are of great importance to me, but the most important may be its provisions restricting qualified immunity for police, as well as its inclusion of reallocating state funds to communities disproportionately affected by the criminal justice system. We should not live in a society where those who enforce the law are not held to it, especially not while certain communities are consistently negatively impacted by their actions.

It is my sincere hope that the Massachusetts House of Representatives will move forward with this bill. Doing so would be a move toward justice and making the state of Massachusetts safer for its minorities.

Sincerely,

Sarah Lamodi

slamodi6@gmail.com

Northeastern University From: rurys4boys <rurys4boys@comcast.net>

Sent: Thursday, July 16, 2020 11:59 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform bill

Ruth Cronk

Public

7743812702

I disagree with this bill. Please dont pass it. Keep our officers safe.

Sent from my Verizon, Samsung Galaxy smartphone

From: Dave <davebotelho@comcast.net>

Sent: Thursday, July 16, 2020 11:58 AM

To: Testimony HWM Judiciary (HOU)

Subject: Senate Bill 2020

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

From: Tim Herr <t.h1996@yahoo.com>

Sent: Thursday, July 16, 2020 11:57 AM

To: Testimony HWM Judiciary (HOU)

Subject: House bill 2820 / Senate Bill 2800

Greetings House Representatives:

This morning, I would like to take a moment to address future concerns of Massachusetts regarding Police Reform.

Speaking for myself, I agree with change and support the Police reform bill. Though, the qualified immunity & due process portion needs to be revisited.

It will make it hard for Police & Fire to response & aid domestic violence & child abuse calls of service with 100% heart & soul to help victims & arrest the abuser with the bill written currently.

I truly believe, law-enforcement & first responder individuals will think twice & continue to second-guess themselves which could lead to injury to themselves or members of the public.

For the most part, the Commonwealth is safe to walk and enjoy. My concern is in the years to follow, will Police & Fire be less likely to be proactive resulting in rise in crime affecting young families.

For example, in the last five or six years, I have heard & witnessed "I'm Police off duty, call 911" then observed Police Officers provide medical care to a child hit by a car, another occasion an elderly man robbed and knocked over, the off duty officer stood by him providing comfort until EMS arrived. Sadly, those type of "good deed" actions will probably go away if we continue to treat the Police & Fire in the manner we are today. Public servants will be more concerned about getting sued in court than helping the public.

Side note: Surprisingly, there is nothing related to body worn cameras for police officers listed in this reform bill. Not another day should pass until all Police Officers are wearing body cameras documenting their behavior & members of the Public.

I would like to end with this nobody likes a dirty cop, but to punish all the good cops is wrong & will result in poor results for communities it's happening two states over.

NYC news this morning perfect example. CNN: Several boroughs of New York requesting for NYPD to bring back Non-uniform officers to their communities due to rise in crime. Please don't let Massachusetts turn into New York City.

Sincerely,

Timothy Harrington
19 Lancelot Drive,
Paxton, MA
01612

From: Kathryn Nutile <kathryn.nutile@gmail.com>
Sent: Thursday, July 16, 2020 11:55 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

I am writing to you as a concerned citizen in regard to the unintended consequences that may arise from the passing of the police reform bill, S.2820. Massachusetts has always been a state where it's citizens and first responders have worked together in order to combat threats to our health and safety. This bill would strain the relationship between our police officers and the community. In the last several weeks to months, we have seen violence and crime increase in our city and across the country. Now is not the time to impose new laws and regulations without doing the proper due diligence, especially when the event that caused this debate was in a location very different from the state we all love.

Our police officers in the state of Massachusetts are some of the highest trained in the country. They need the support of their state and local government in order to perform their job duties to the highest degree possible. If this bill passes, I fear that many excellent police officers will retire early, or leave the profession altogether, which would have catastrophic consequences. This bill could drastically reduce the number of individuals who enter into professions of public service, not only police officers, but other essential public workers as well.

I agree that there are issues in our society such as systemic racism that need to be addressed. However, this bill will not help this issue and will most likely make it worse. I urge you to think about the unintended consequences of this bill and bring all involved parties to the table to discuss how to handle this issue such that it is done in a productive and positive manner. We need people to come together during this trying and stressful time and not divide our community more than it already has been.

Sincerely,

Kathryn Nutile

617-529-5642

47 Richardson Street

Winchester MA, 01890

From: DAWN STRAZZULLO <orca1431@aol.com>
Sent: Thursday, July 16, 2020 11:55 AM

To: Testimony HWM Judiciary (HOU)
Subject: Reform opposition

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Dawn Strazzullo and I live at 4 Meadow Lane Waltham, MA. 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,
Dawn Strazzullo

Sent from my iPhone
From: Kathy Sullivan <kathysullivan830@gmail.com>
Sent: Thursday, July 16, 2020 11:54 AM

To: Testimony HWM Judiciary (HOU)
Subject: Testimony for S.2820

Please accept this email as my testimony for changes to the current Police Reform Bill. First, I would like to take this opportunity to identify myself. My name is Kathleen Sullivan Warnken and I have been a lifelong resident of Worcester, Massachusetts. My phone number is 774-239-3035. I would like to address several amendments included in this bill.

1) The first amendment that I find concerning is the changes to Qualified Immunity. I think it is necessary to keep qualified immunity in tact in order to protect all public servants from frivolous law suits. By making a changes to qualified immunity you are freeing the criminals and putting handcuffs on the police officers.

From: Sean Pero <sean.pero@pd.boston.gov>
Sent: Thursday, July 16, 2020 11:54 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill s2800

My name is Sean Pero and I am writing to you about this police reform bill that is being brought before you. I've been a Boston police officer for about 15 years now and after reading this bill, it is scary. The senators that jammed this bill through at 4am, just to appease a few, should be ashamed. This bill doesn't only affect police officers, but also the people living in the neighborhoods. This bill was hastily thrown together to please "the mob". This is a large bill and the public has a right to see what's in it before deciding if they are for it or not. We all believe that real change is needed, this is not real change. We need to stop this bill now, so that WE all can sit down and affect change the right way. Thank you for your time on this matter.

Sent from my iPhone
From: DHDB 97 <dhd97@gmail.com>
Sent: Thursday, July 16, 2020 11:52 AM
To: Testimony HWM Judiciary (HOU)

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,
My name is Daniel P Nagle and I live at 16 Deborah Dr, Walpole 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 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,

Daniel P Nagle
Walpole, MA

From: Ellen Burnett <eburnett1@comcast.net>
Sent: Thursday, July 16, 2020 11:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

I am opposed to the language in this bill which is designed to punish the men and women of police departments who risk their lives every day for the citizens of MA. This is simply a too-fast knee jerk reaction to the BLM movement and needs to be much more carefully crafted.

Ellen Burnett
Onset, MA

From: walshrph@aol.com
Sent: Thursday, July 16, 2020 11:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: test

test
From: Brandon Motta <bmotta2006@yahoo.com>
Sent: Thursday, July 16, 2020 11:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,
My name is Brandon Motta and I live at 3531 Acushnet ave New Bedford, MA.
I work at Bristol County Sheriff's Office 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,
Brandon Motta

Sent from my iPhone
From: Joseph Duca <joeysdukes25@gmail.com>
Sent: Thursday, July 16, 2020 11:46 AM
To: Testimony HWM Judiciary (HOU)
Subject: Stop The Madness

To All,

My name is Joseph Duca. I am a police officer in this fine state. You need to know that this has been the biggest knee jerk reaction by our legislators, of all time. Bill S.2800 needs to be thought through. It CANNOT pass as it stands. This is not something that can be rushed. It is going to affect more professionals than just police officers. I agree there needs to be reform, but we need to take a deep breath and think this through. This bill has the potential to be detrimental to our society and may very well be the biggest mistake ever made by our legislators. I ask that you please slow down, ask questions, and get facts before making any rash decisions. The senate screwed up BIG TIME!! THE HOUSE NEEDS TO DO THE RIGHT THING!

Vote YES on:

Amendment # 114
representation on POSAC

Amendment # 134
Opportunity for appeal

Amendment # 137
Qualified immunity

Lets be smart about this. I will be PAYING ATTENTION to the votes!

Regards,

Joe

From: James Loynd <jamesloynd@gmail.com>
Sent: Thursday, July 16, 2020 11:44 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony regarding S.2820

Dear Chairs Michelewitz and Cronin,

Thank you for your efforts to solicit public testimony as you work towards developing language for this critical piece of legislation that is before you. I am employed as a police officer but am writing this more as a concerned citizen of the Commonwealth.

The citizens of our Commonwealth are, and rightfully should be protected against unreasonable seizures by the Fourth Amendment of the U.S. Constitution as well as the Massachusetts Civil Rights Act (M.G.L. ch.12, §§ 11H, 11I). Qualified Immunity ("QI"), as it is currently applied DOES NOT protect illegal actions committed by public servants. Rather, QI protects individual public servants from being found personally liable for a violation of civil rights unless the public servant was aware that the committed act violated "clearly established." law. The protections of QI rely on the reasonableness standard, which is determined by "whether a reasonable official could have believed his actions were lawful in light of clearly established law and the information that the official possessed at the time of his allegedly unlawful conduct." It is important to note that this does not refer to the subjective beliefs of that particular official at the time of the alleged wrongdoing, but of the objective belief of a reasonable officer.

In support of QI, the Supreme Court has stated that "by defining the limits of qualified immunity in objective terms, we provide no license to lawless conduct. Based on the current application of QI, if public servants are found to have committed lawless acts, they should be held accountable and face sanctions that are commensurate with the severity of that illegal act. I don't know of anyone who disputes that.

QI, as it is currently applied in the Commonwealth, is an effective balance between preventing police misconduct and frivolous lawsuits brought against those officers who act appropriately in the function of their duties. If this legislation intends to reduce acts of misconduct committed by public servants, diluting QI will not serve that end. Instead, legislation should focus on increases in education and training of public servants, greater transparency at all levels of government, and through the increased deployment of both body-worn and cruiser cameras by police.

I appreciate the efforts and best intentions of those who worked to craft the language found in this current legislation, S.2800 and now S.2820. But like many, I fear that the bill as written will have several unintended negative consequences including, but not limited to our already burdened state courts being overwhelmed with a flood of litigation brought forth by plaintiffs seeking an advantage, extreme fiscal burdens being placed on municipalities that will be forced to defend the actions of indemnified public officials, state courts being required to interpret new QI language without the aid of case law, and the impact that new QI language will have on all public employees (firefighters, EMS personnel, teachers, police and corrections officers, etc.).

I am all for any legislation that holds bad public servants accountable. But good legislation that will stand the test of time cannot be rushed. I respectfully request that no action be taken at this time to change the doctrine of Qualified Immunity. I request that special commission, comprised of stakeholders be formed, and be given ample time to give thoughtful consideration to what changes, if any are needed to the doctrine of Qualified Immunity, and to the potential effect those changes will have on the safety and welfare of the citizens of the Commonwealth.

Respectfully submitted,

James A. Loynd

413-522-3769

From: Mar <mcf1122@verizon.net>
Sent: Thursday, July 16, 2020 11:42 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

Hello,
There is absolutely nothing about this bill that is necessary.
It is reactionary and was pushed through to pacify activists
who do not represent the majority law abiding citizens.

If only other public safety bills like Melissa's Law was passed in
such break neck speed.

Maryann Flaherty
22 Eddie St
Quincy MA 02160
857-526-3193
From: Boss, Kari <Kari.Boss@carverma.gov>
Sent: Thursday, July 16, 2020 11:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: DO NOT PASS S2820

Hello,

I am writing you with major concerns for myself as an employee of a municipality in the Commonwealth, my fellow co-workers, and all police officers and Municipal workers. This bill cannot pass as written without bringing major detrimental consequences to the entire infrastructure of our statewide governmental operations and the personnel that provide those services. This bill puts all of us in a position for legal ramifications while performing our duties as civil servants. The current laws do not allow for anyone that breaks the law to get away with anything without consequences. The bill as proposed exposes all of us to frivolous lawsuits from anyone that chooses to bring a case against someone for their own

personal gains. Passing this bill only gives more leverage to citizens that already have the proper tools to legally pursue any injustice that they may have incurred.

Once again I urge and plead with you to NOT PASS this bill.

Thank you for your time and consideration.

Kari Boss

Town of Carver

Operations & Maintenance

108 Main Street

Carver, MA 02330

Kari.boss@carverma.gov

Public Records Disclaimer: All electronic mail messages which are sent to or received by this account are subject to Public Records Law and may be disclosed to third parties.

From: Cassidy Hart <cassidyhart4@gmail.com>

Sent: Thursday, July 16, 2020 11:38 AM

To: Testimony HWM Judiciary (HOU)

Subject: Support the Reform, Shift + Build Act

Hi,

I am a resident of Roxbury, MA and I support the Reform, Shift + Build Act (S.2800). I hope to see Massachusetts 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,
Cassidy

From: JASON MOSLEY <JASONMOSLEY@bpsma.org>

Sent: Thursday, July 16, 2020 11:36 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform bill

Good morning my name is Jason Mosley I'm a 46-year-old black Father of three. As a child I have experience racism growing up going to a Catholic school including my is going to college I want to school that was predominantly white College so I have experience racism

I find that this bill does not solve the problem of systematic racism do I believe that there should be some type of police reform yes I do but this is done hasty in without conversation with the other side it puts a lot of police officers in jeopardy of losing their homes and putting their lives in jeopardy because they have to second-guess whether or not they're going to get sued yes police should be held accountable for taking away qualified immunity is not a way of making please being accountable

I believe there should be some type of committee to oversee the police officer being held accountable for police officer see that another officer may be violating someone's constitutional right but as a police officer working for 20 years I can say That 90% probably even 95% of the police officers in the Commonwealth do a great job protecting those who can't protect themselves and those people that are making up this bill to take those and make sure that they can sleep In peace at night.

By passing this bill within a year you got to see a rise in violent crime is going to have a lot of peace officers retire in five years has a huge drop in people want to become police officers which means you have less police on the road you won't have to worry about the funding I really would hope that you would take the time to speak to the other side the police unions the minority police unions people like myself

I've been a defensive tactics instructor for eight years and I have taught the program aNd trained police officers not to use excessive force We are probably on the best train states in United States as far as police training yes if there's was more funding for training We would be better police officers we don't have a problem that a lot of the other states are having .Because we have such a good friend but by passing this bill you're going to take away the ability for police officers to police protect people that put you in office

I'm disappointed that this input was put in by a bunch of white liberal legislators did not take any consideration or ask or spoke to any people of color but his bill was made up by some liberal out westWho's not even a person of color I strongly suggest that you take in consideration this letter that I'm writing and do some due diligence and talking to the other side what you were talking to police Officers that work on the job enough color

Sent from my iPhone

From: Wayne Thornhill <thornhill.wayne@yahoo.com>

Sent: Thursday, July 16, 2020 11:36 AM

To: Testimony HWM Judiciary (HOU)

Cc: Hawkins, James - Rep. (HOU)

Subject: Testimony Bill S2820

To the members of the House of Representatives.

My name is Wayne Thornhill. I am a citizen, veteran and police officer in the Commonwealth. I am twenty nine years old and have dedicated my life to serving and protecting this country and our communities. As a citizen I am deeply concerned with the process that occurred in the Massachusetts Senate early this week. However, I am grateful and hopeful that I can reach some of you during this time.

Let me be clear that as a police officer I along with my colleagues agree that change and reform is good and needed for the justice system as a whole. What happened in Minneapolis to Mr Floyd is an outrage and has been condemned by every law enforcement officer near and far. That being said how can a former officer now incarcerated inmate dictate how policing is conducted in Massachusetts 1400 miles away. In what other profession do we punish the many for the sins of a few ? Certainly not your profession, or any others I can think of.

Law enforcement officers in Massachusetts are not asking for any favors. We agree that accountability, transparency and trust are crucial elements in our profession. All we are asking for is for a seat at the table and a fair representation. To be involved in the solutions and not treated as an enemy of the people.

There has been a real hatred for law enforcement the past few years and simply put we are tired. Tired of being abused, physically assaulted, dragged through the mud and yes even murdered. This week two years ago we were mourning a murdered officer. Sergeant Michael Chesna of Weymouth PD. And three months prior to that Sergeant Sean Gannon of Yarmouth PD. How quickly people forget it seems. Below are some of the important issues in this bill that need to be addressed. These issues not only affect police officers but all labor unions and public employees. I'd also expect to see your own profession in the mix as well if these amendments are not fixed.

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

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

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

I firmly believe that Massachusetts has the best law enforcement officers in the nation. The highest educated, trained, hard working and honest professionals. Law enforcement is a tough profession and it takes a special person to work in this field. We see the good, great and horrific sides of humanity. We are called into situations most of the time chaotic and expected to solve an issue we may not have the answers for. We don't ask what race, gender, ethnicity or beliefs you are before we show up and give 100 percent to help you.

We are begging to be part of the solution not against it. What we need is support from our communities not division. We need more quality training and funding that allows us to provide the highest of professional service to our communities. We want our communities to be engaged with us. We want accountability but we also deserve to be respected and protected when doing the right thing without fear of losing everything.

I fear that if these above amendments are not discussed and debated then the citizens of the Commonwealth will suffer. To put it simply no one will want this job. Good, educated, kind hearted professionals will retire, leave for other state's, and other jobs. The type of applicant you will get will not be of the same caliber. Policing is a melting pot of society. Officers from all walks of life, races, ethnicities, genders, and religions. We are and should be an image of our communities. I am proud to be a police officer. I am proud to continue to serve this country and its

diverse communities. "The police are the public, and the public are the police"- Sir Robert Peel. Thank you for your consideration.

Respectfully,

Wayne R Thornhill Jr.

Attleboro MA

508-223-7082

Police Officer, Commonwealth of Massachusetts

"Blessed are the peacekeepers, for they shall be called the children of God" -Matthew 5:9

Sent from my iPhone

From: Francesca Brecha <francescabrecha@gmail.com>

Sent: Thursday, July 16, 2020 11:35 AM

To: Testimony HWM Judiciary (HOU)

Subject: Supporting Reform, Shift + Build Act

Dear Members of the House,

My name is Francesca Brecha and I am a resident of Mission Hill in Boston (02120) and former City of Boston employee. I am writing to you today to express my support for the Reform, Shift + Build Act (S2820).

When I read about the introduction of this bill by the State Senate, I felt incredibly proud to be a member of the second state in this country which will make progress toward ending qualified immunity and meaningful change to the way that policing works in this country. Of special significance to me is the "Shift" aspect of the bill, in which funding is reallocated from an over-militarized police force to communities that have long been in need. As a person who has volunteered in many different capacities in underserved Boston communities, I have seen firsthand the need for an increase in the financial resources going toward programs to help give hope to the next generation of Bostonians.

As I'm sure you are being overwhelmed with email testimonies I will keep this one brief, but I just want to mention again that this bill has given me and many others hope for the future of our state and country. Let Massachusetts pave the way for the country, and become an example of a

strong and meaningful response to the current uprising for Black lives and communities.

All the best,

Francesca

From: Lynn Romano <lcarroll17@yahoo.com>

Sent: Thursday, July 16, 2020 11:32 AM

To: Testimony HWM Judiciary (HOU)

Subject: S2800

Please see the letter that I emailed to Speaker DeLeo's office yesterday.

Dear Speaker DeLeo,

I'm writing as a concerned citizen of the Commonwealth regarding the Policing Reform Bill.

First and foremost, the way in which this bill passed the Senate was disgraceful. I trust that the House, under your leadership, will have a much more open process so that the public will be aware of everything that is in this bill.

I find the bill as a whole to be irresponsible. As a resident of the Commonwealth I am concerned with the consequences of police officers, firefighters and nurses losing qualified immunity. We are expecting our front line workers to come to work every day knowing that they can be personally sued for performing their job? Recently there was a story on the news about an officer who saved an infant's life by giving her CPR. It's all caught on his dash cam. It's a great story, but had something tragically gone wrong the officer could be sued without qualified immunity. (It's not a MA case, but the same would apply).

Under this bill, how are police officers expected to arrest someone who doesn't want to be arrested? Police are being asked to subdue violent criminals without using any force whatsoever. How will they defend themselves and us?

I'm not opposed to a review board for police but I am opposed to it being made up entirely by civilians and feel very strongly that police should

have a seat at the table. I also think that any civilian on this board should be required to take the same use of force training that the police officers in the Commonwealth are required to take. Police officers, or any profession for that matter, being put under a microscope by people that have no idea what the job involves seem ludicrous to me.

Thank you for your time and I look forward to watching this bill as it makes its way through the House process.

Respectfully,

Lynn Romano

7 Hollywood Road

West Roxbury, MA 02132

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From: Dave Siedentopf <dsiedentopf@carverma.org>
Sent: Thursday, July 16, 2020 11:34 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Good morning,

As a municipal worker myself and on behalf of all Commonwealth Police Officers and Municipal workers I plead with you DO NOT PASS this bill. There are laws already in place to hold individuals accountable of any wrong doing in their professions. This bill if passed will expose all municipal workers to frivolous lawsuits endangering the loss of everything they have worked for their entire careers. This Bill will harm the Commonwealth of Massachusetts!

David B. Siedentopf, CFA
Director of Operations & Maintenance
Town of Carver
Town Hall - 108 Main St.
Carver MA 02330
P: 508-465-9030
Email: dsiedentopf@carverma.gov

From: Erin Woods <embaratta@aol.com>
Sent: Thursday, July 16, 2020 11:33 AM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified Immunity

To whom it may concern:

As a resident of Massachusetts, I am against removing the qualified immunity defense from public employees. The language in section 7(a) already allows for an exemption from protection if the employees' action is intentional or willful misconduct. ("except that any such person shall not be protected from suit or liability for any damage, loss, injury or liability caused by the intentional or willful and wanton misconduct of any such person").

Please consider expanding the language to include a more definite exemption, but do not remove protections for public employees acting and performing their jobs in good faith.

Thank you,
Erin Woods

Sent from my iPhone
From: John Nunes <jfnunes1734@yahoo.com>
Sent: Thursday, July 16, 2020 11:33 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2800

To whom it may concern,

My name is John Nunes, I am a citizen of the town of Berkley. I have read the bill you've passed and I find it disgraceful. It is a symbolic spit in face to every honest hard-working tax payer and law enforcement officer in the Commonwealth. Before I continue I know that not all of you have disdain and disrespect for the police. I know many of you are on the side of common sense and what is fair and just and I have no doubt you are as disgusted with your colleagues as I am.

You are going to destroy law and order and you will wonder why Police Officers refuse to do their jobs or why good, educated people will not

take the job. You are going to see young, educated people leave this job and in case you didn't know this, we kind of need them to stay. You are going to drive them out! We will be left with people who are only looking for a paycheck and don't belong on the job. Leaving all of us unsafe and wondering who to call-when we actually need the police.

It is interesting that many of you are attorneys and what your doing is offensive to the United States Constitution, the Massachusetts Declaration of Rights, common sense, fair play and what's right. What are you going to do when Law and Order falls apart in the Commonwealth and the crime rate explodes like it is in New York City? Police Officers there are falling over each other to retire, and if you think it will not happen here, you are sadly mistaken.

I do not support this Bill in any way shape or form.

John Nunes
Berkley, MA 02779

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=VL0bYVbOWZfqJNp6GlXG3trCRiC_tW-yj-iWS32vXT4&s=YN02Q6ZN-JtdEWDtoRwGo4Uj2qX8p_nQZ73FamnwtXQ&e=>>

From: Pat Donnelly <pdonnelly106@gmail.com>
Sent: Thursday, July 16, 2020 11:31 AM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to S.2800

Dear Representatives of the House,

My name is Patrick Donnelly and I am a proud citizen of Quincy Massachusetts. 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. These are the men and women who put their lives on the line for us. We don't call on police officers when we are enjoying a day at the beach, we call on them when we are in our darkest times. It's time that our leaders stand up for what is right, not what is easy. We need to protect the men and women who dedicate their lives to protecting us. 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,

Patrick Donnelly

Sent from my iPhone
From: Nolan Griffiths <nolan.griffiths@gmail.com>
Sent: Thursday, July 16, 2020 10:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: S2820 - Police Reform Package

Chair Michlewitz and Chair Cronin,

I am writing to express my opposition to Senate Bill 2820. This legislation will be detrimental to public and personal safety of all Massachusetts residents, and will undermine some of the best residents the Commonwealth has, its police, fire, and other public employees. As a

constituent I rely on the Senate and House to work to further enhance the safety and protection for my family and myself, not diminish. Passing this bill as currently drafted, would surely diminish and make it nearly impossible for public safety to perform their critical jobs in our society. We must also as a civilized society not turn our back on the Mothers, Fathers, Sisters, Brothers, Sons, and Daughters that don a uniform before every work day, and leave with the knowledge that if called upon they will sacrifice their own lives if needed to protect that public which they serve.

Qualified Immunity: Qualified immunity does not protect Officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who acted within the scope of their training and statutory authority. Furthermore, in its current draft form these protections would be eliminated from all public employees' (Public Health Nurses, Police, Fire, DPW Workers, School Teachers, Crossing Guards, etc.). This would open up the flood gates for frivolous lawsuits against our public workers.

Less than Lethal Tools: Use of force protocols as taught in Massachusetts begin with an Officer's Uniform Appearance and Presence, and continue through deadly force. The existence of these steps is critical, as with a subject's action the officer can scale up reasonably and appropriately. Taking away steps in this hierarchy of response will lead to MORE death, not less. You cannot take tools away from our Officers and expect better outcomes. If anything the focus should be on adding tactics or techniques to avoid lethal encounters.

Civilian Oversight: Law Enforcement and Corrections are currently held to a higher standard than almost any other profession. The nature of the job makes it one of the unique workplaces in America. To expect someone inexperienced with Law Enforcement and the job they perform every day to make judgment calls ("Monday Morning Quarterback") is ridiculous. Adding to this is the selection of a convicted felon to service on the committee. That is both insulting and dangerous. There also does not seem to be the right for due process, or clearly lined out appeal process.

Training: Why is the focus of this bill dismantling policing as we know it, and not enhancing training? Our state's Law Enforcement Officers have one of the most complex jobs in the world and need to make potentially life and death decisions in a moment's notice. The fact that they receive a majority of their training at the beginning of their careers, and they are fortunate if they have in-service training throughout their careers is ridiculous. I would like to see 20% of their career spent on training and equipping them with the tools to be able to make these life or death decisions. Instead of defunding police, further fund police training. This training needs to be focused on tactics, de-escalation, identifying co-worker stress/ in crisis, and operation.

It has never been more important to take a pause, not pass a bill solely to be one of the first in the country to do so, and enhance the public's safety. You are in a position to ensure the safety of your constituents. Few politicians have had such a tremendous task in front of them, but you do. Conversely, you could make a headline one time as a legislative body,

and propel the state into one of our darkest periods of crimes and loss of lives.

Please do the right thing, not the trending on Twitter thing.

Nolan Griffiths
108 Indian Run Road
Blackstone, MA 01504
(c) 857-222-4506

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-Nolan Griffiths
(c) 857-222-4506

From: Heathermcobrien <hobrien617@gmail.com>
Sent: Thursday, July 16, 2020 11:29 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Support to End Qualified Immunity

Sent from my iPhone

Begin forwarded message:

From: Heathermcobrien <hobrien617@gmail.com>
Date: July 16, 2020 at 11:19:40 AM EDT
To: Testimony.HEMJudiciary@mahouse.gov
Subject: Fwd: Support to End Qualified Immunity

?

Sent from my iPhone

Begin forwarded message:

From: Heathermcobrien <hobrien617@gmail.com>
Date: July 16, 2020 at 11:07:11 AM EDT
To: Testimony.HEMJudiciary@mahouse.gov
Subject: Support to End Qualified Immunity

?

Dear Esteemed Members -

I am asking for your support to End Qualified Immunity for law enforcement personnel. As a society we need to hold our peace keepers and police to the highest level of excellence and hold each member accountable for their behavior.

Please take this step toward
A better was to police .

Respectfully-

Heather OBrien
Boston MA
02128
Sent from my iPhone

From: Ava Nordling <avanordling@gmail.com>
Sent: Thursday, July 16, 2020 11:27 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support Bill s2820- BLACK LIVES MATTER

Honorable Chair Claire Cronin and Chair Aaron Michlewitz,

I am emailing in support of the passage of the Reform, Shift, Build + Act and urge you to ensure the qualified immunity and Redirection of funding language remain in the Reform. I cannot emphasize enough the critical opportunity here for MA to be a leading national example in action to end Police violence.

As a resident of Boston, I see the abuse of over-funded police force acting out racist and inhumane, over-militarized policy every day. Policy which can improve to Save lives with the passage of this bill.

From harrasment and racial profiling of young Black students trying to go to class, to ignoring CDC regulations and not wearing masks while standing less than 3 feet away from each other (I have photos), this is the Boston Police conduct I see. This ingrained Police apathy for Public Health and Community Care is the rule not the exception and is just the beginning of why Reform, Shift, Build + Act Bill must be passed for the immediate and urgent Health and Safety of your MA constituents, most urgently your Black community. I must call you to defend Black lives today and pass this Bill.

Thank you very much,

Ava Nordling (she.her.hers)
Shah Family Foundation
ava@shahfoundation.org
Northeastern University

avanordling.com <https://urldefense.proofpoint.com/v2/url?u=http-3A__avanordling.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=plZdnfG8dSG-

LhE4k_Myahq8m0solSAFTyxLQgux3aM&s=hLJk6hD4ZrahOyaHfugtkqhyNRyD3imBR95Cxrib
dP0&e=>

From: Mike Barry <michaeljbarry@verizon.net>
Sent: Thursday, July 16, 2020 11:27 AM
To: Testimony HWM Judiciary (HOU)
Subject: RE: Bill S2820

My Name is Michael Barry (781-241-2339) I am retired and live in Lynn. I also have NO political party affiliations
I am writing to urge you to vote NO on the above bill (S2820) as it would be a disaster for Massachusetts Law Enforcement. I take great exception to the term used "shift resources" as it means nothing more the Defund the police. Cities and States across our great nation that are currently or have already done this are seeing nothing but disastrous effects for their decision. The BLM movement is NOT what it has been made out to be in the media, it is an apparent Anarchist group that has seized the moment with the Covad-19 Pandemic to further their cause WORLDWIDE . Evidence to this being riots in every country they have infiltrated.

If you look outside the state house right now you will see BLM groups demanding our state flag be changed and school mascots be changed. This proves if they are given an inch it will never stop. I will mention that Don Lemon of CNN has publicly stated (on air) the BLM ONLY concerns police brutality. Events of the last month or so have proven this to be true. All the innocent children and young adults that have been murdered by black on black crime has meant nothing to this group or it's alleged agenda. The unfortunate death of Mr Floyd and the covid-19 pandemic gave this group the perfect storm (so to speak) to cause as much havoc and insurrection as possible.

Massachusetts has the best, well trained and diverse police forces in the nation we need to stand by them at this critical moment in history NOT turn our backs on them and feed them to the wolves (as it were) for something that happened in a different state than ours.

Thank you for your time and again PLEASE support our brave men and women of Law Enforcement and defeat this bill.

Michael J. Barry

<x-apple-data-detectors://1/1> 26 Apple Street <x-apple-data-detectors://1/1>

Lynn, Ma <x-apple-data-detectors://1/1>

sent via I-Pad

From: Norah Dooley <norah.dooley@gmail.com>
Sent: Thursday, July 16, 2020 11:31 AM
To: Testimony HWM Judiciary (HOU)
Cc: Vitolo, Tommy - Rep. (HOU)
Subject: Reform, Shift + Build Act (S.2800)

Dear Chair Aaron Michlewitz & Chair Claire Cronin and
Rep Tommy Vitolo:

Re: Reform, Shift + Build Act (S.2800)

This bill and an end to Qualified Immunity are key to a truly equitable and just policing of our communities. As a teacher and a mother I stand in complete solidarity with the move to demand police accountability and getting rid of QI.

My neighbors, friends and students of color will have no peace of mind until we address, once and for all, the issue of police brutality. It is not fair that my friends should fear for the well-being and lives of their children and grandchildren as they go about their daily lives.

The problem of police brutality is deeply embedded in department's culture. In 2016 this report showed that <https://www.pbs.org/newshour/nation/fbi-white-supremacists-in-law-enforcement> <[On June 8th, 2020 John Oliver documented police training that focused on police having a kill or be killed instinct and are exhorted to become predators or "... find another job". <https://www.youtube.com/watch?v=Wf4cea5oObY> <\[Detective Marie Clark and Sgt. Charmin Leon are on the Cleveland Police Department's public safety recruitment team. They say 40% of police officers are sociopaths compared to 8% in the general population. "Offending officers rarely get fired, even as the city pays millions to settle lawsuits related to police misconduct \\[sic - murder and mayhem\\] ...diversity is mostly symbolic, and has little effect on reducing a police department's use-of-force...The goal, therefore, is to recruit the types of officers who are less likely to be aggressive." Sgt. Charmin Leon, Cleveland Police Reform Recruitment to Build Community Connections - <https://www.cleveland.com/crime/2020/06/clevelands-police-force-has-a-diversity-problem-rooted-in-historic-mistrust-of-police-by-black-americans.html> <\\[Qualified Immunity is what made it possible for Derek Chauvin to still wear his uniform after facing 17 complaints one of which was a fatal shooting. It is eventually what allowed Derek to brutally murder George Floyd in broad daylight and remain free until the world started demanding\\]\\(https://urldefense.proofpoint.com/v2/url?u=https-3A__www.cleveland.com_crime_2020_06_clevelands-2Dpolice-2Dforce-2Dhas-2Da-2Ddiversity-2Dproblem-2Drooted-2Din-2Dhistoric-2Dmistrust-2Dof-2Dpolice-2Dby-2Dblack-2Damericans.html&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=x7n8lq_Jt68npUyVlZERX42krEvvBhZ_kZrOR-XPrr0&s=HD05YxDrwuAxo3aJZY1FjFF4VyrC8zKaZAa_KQINl0I&e=></p></div><div data-bbox=\\)\]\(https://urldefense.proofpoint.com/v2/url?u=https-3A__www.youtube.com_watch-3Fv-3DWf4cea5oObY&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=x7n8lq_Jt68npUyVlZERX42krEvvBhZ_kZrOR-XPrr0&s=TPoeaRx2fOnP8k9knGHusF8XpiJAS8uquEpbvbxfeVug&e=></p></div><div data-bbox=\)](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.pbs.org_newshour_nation_fbi-2Dwhite-2Dsupremacists-2Din-2Dlaw-2Denforcement&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=x7n8lq_Jt68npUyVlZERX42krEvvBhZ_kZrOR-XPrr0&s=5jtpSfbsYsf6Mx9z0VAE7503G-_eDsU7B8BwFCNy3Hg&e=> white supremacists are infiltrating police forces everywhere.</p></div><div data-bbox=)

justice. It is what prevents victims and their families from having a day in court. It is what shields the racist officers and allows them to violate the civil liberty of Black and Brown lives. We cannot talk about dismantling systemic racism in policing without ending QI.

Police accountability starts with getting rid of QI and mitigates the deeper problems we still need to grapple with.

We have a real problem and Reform, Shift + Build Act (S.2800) is simply a good and necessary start. Please pass it without delay.

Sincerely,
Norah Dooley
4 Dwight Street
Brookline MA
02446

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<https://www.wbur.org/news/2020/07/14/massachusetts-senate-police-reform-bill-passes-qualified-immunity>
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Senior Lecturer, Storytelling
Lesley University, GSOE
Steward, SEIU 509
Pronouns: she/her/hers

617.460.3544 <tel:(617)%20460-3544>
norah.dooley@gmail.com
ndooley@lesley.edu

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From: Christopher DeCarlo <cdecarlo@town.lynnfield.ma.us>
Sent: Thursday, July 16, 2020 11:22 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Representative Michlewitz and Representative Cronin,

My name is Christopher DeCarlo. I am a Sergeant for the Lynnfield Police Department and am proud to say I am approaching my 10th year as a police officer. In that time, I have graduated law school, became a member of the Massachusetts Bar, become a certified MPTC instructor in legal updates/education and have earned a promotion.

During my time as a law enforcement officer, student and educator; I have learned the value in keeping an open and objective mindset when approaching an issue. This is required when one is looking to reach a positive and productive outcome.

As the bill stands right now, it is evident that people in the Senate have failed in being open and objective when approaching the issue of Law Enforcement Reform. The importance of Due Process, adequate representation on the POSA Committee and the need to maintain Qualified Immunity were lost on the majority of senators when voting on this bill.

I spoke to senators who admittedly did not know or understand what Qualified Immunity is, which is troubling. How can one make an educated decision on a subject that he or she does not have an understanding of? Still, the amendment asking for an independent study on Qualified Immunity was voted down almost unanimously.

If the making of this bill continues on its current path, the outcome will not be a positive one. Instead, you will leave Officers unprotected and unable to do their job. You will see good officers walk away and make it difficult if not impossible to hire quality candidates. The costs to the state and municipalities will be tremendous.

As it stands, this bill does not accomplish the goal of positive reform, but is instead an attack on Law Enforcement and only hurts the profession. I hope you can understand this and I hope you can be open and objective, listen to the voices of Law Enforcement Officers and come to a positive and productive solution.

Sincerely,

--

Chris DeCarlo
Sergeant
Lynnfield Police Department
55 Summer Street
Lynnfield MA 01940

Ph: 781-334-3131
Dir: 781-463-1212

From: B.A. McGonagle <edbernadette@msn.com>
Sent: Thursday, July 16, 2020 11:21 AM
To: Testimony HWM Judiciary (HOU)
Subject: Policing S.2820

As a resident of the State of MA I implore you to leave policing alone. I realize there are lots of things going on in the Country which are of great concern. I believe in the State of MA -Police organizations are doing an outstanding job in difficult situations. We can't have a knee jerk reaction to a horrible situation that occurred in another state.

Please allow Cities, Towns and Police leaders the ability to handle their departments as they have been doing so well.

We can't possibly legislate everything in this world. Please allow the training and procedures put in place by Police Departments to continue and and to manage their staff as they see fit.

Respectfully,

Bernadette McGonagle
Arlington, MA

From: Yara Akkeh <akkehara9@gmail.com>
Sent: Thursday, July 16, 2020 11:19 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reform, Shift + Build Act (S.2800)

Hello,
I am a resident of Belmont, 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 - and bragged about - 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,

Yara
From: Jonathan Ferris <jonathandavidferris@gmail.com>
Sent: Thursday, July 16, 2020 11:18 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on the Reform, Shift, and Build Act

Hi! I am a constituent in Boston MA.

I am emailing to encourage you not to take anything out of the bill. If
you were to make changes, I encourage you to expand on it. Qualified
Immunity has got to go. If we don't pass this bill now, it may never
happen.

Thank you!

- Jon Ferris
From: Carol Jolly <ljollycarol@gmail.com>
Sent: Thursday, July 16, 2020 11:18 AM
To: Testimony HWM Judiciary (HOU)
Cc: Wallace, Lily N. (HOU)
Subject: S. 2820 -- Police Reform

Dear Chair Michlewitz and Chair Cronin:

I am writing to urge you in the strongest possible terms to have your
Committees and the full House adopt 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.

It is long overdue for Massachusetts to recognize the inequalities that pervade our criminal justice system, and improving police practices and accountability are essential steps towards remedying that situation. One major component of such reform is ensuring there are consequences for abuse by police; that is why it is imperative that the House bill ensure that police are accountable to the public in part by modifying qualified immunity. The already adopted Senate bill does not eliminate qualified immunity. It provides that qualified immunity cannot be applied in civil matters where the public official behaved in a way that they should know is unlawful. This equates roughly to not having qualified immunity when "a reasonable defendant would believe that such conduct would violate the law." This construct is extremely close to existing doctrine – it still would allow early dismissal upon a showing of objective reasonableness.

I understand there is strong pressure on the House to weaken or even decline to act on this measure, but I would consider it unconscionable in light of all the evidence of inappropriate and criminal activity by police == frequently resulting in the death of persons of color -- if the House gives in to this pressure.

Please act swiftly and decisively to ensure Massachusetts residents can be proud of and confident in our police forces by adopting S 2820.

Thank you for considering my views.

Sincerely,

Carol Jolly

330 Main Road

Chesterfield, MA 01012

413-296-4254

From: Siedentopf, Maureen <siedentopf@carver.org>
Sent: Thursday, July 16, 2020 11:15 AM
To: Testimony HWM Judiciary (HOU)
Subject: Do not pass

I urge you to not pass Bill No. S2820

Thank you.

--

Maureen Siedentopf
Director of Transportation

Carver Public Schools
508.866.9627 phone
508.866.1143 fax
From: cooktd78@comcast.net
Sent: Thursday, July 16, 2020 11:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reforming Police Standards

Good morning -

I am writing in order to submit testimony on the proposed reform of police standards.

I am a life-long resident of Massachusetts, and I am presently employed as a police officer.

I would like to register my concerns about any proposal which would infringe on the well-established doctrine of qualified immunity.

Qualified immunity does NOT protect "bad cops". Qualified immunity protects police officers, and other government employees, from being held personally liable for suits which are brought against them for performing their duties.

Qualified immunity does NOT protect police officers that act outside of the scope of their duties and training.

I believe that any infringement on qualified immunity will result in disastrous consequences, not only for the police profession, but for the citizens of the Commonwealth.

Without qualified immunity, police officers will have to take on personal liability every time they make a decision on the street, interact with anyone, take enforcement actions, etc. This second-guessing is going to result in police officers being less pro-active, and thereby becoming completely reactionary.

Pro-active policing and community interaction have been proven to reduce crime and fear of crime in communities. Without qualified immunity, police officers may view pro-active policing as too much of a liability, and criminals will be emboldened, as they will recognize that the police will not actively seek to pursue them.

Furthermore, the removal of qualified immunity will result in a decrease of quality candidates for the law enforcement profession. As it is, the number of qualified candidates has been in steady decline over the past several years. Quality candidates will likely not be attracted to this profession if it continues to be vilified. Candidates will likely not be attracted to this profession if it requires them to take on personal liability for enforcing laws.

Conversely, the removal of qualified immunity will result in a mass exodus of currently employed, seasoned police officers. If faced with the prospect of assuming personal liability for the most mundane decisions and actions one makes in the course of their duties, a significant number of veteran officers can be expected to leave the profession. This will result in staffing shortages, inept supervision, and ultimately create a less effective and less efficient police force.

I recognize that as a free society, we should be continuously seeking to improve how we police ourselves. Removing qualified immunity and making police officers, and other governmental employees, personally liable for grievances which arise as a result of enforcing laws or policies of the Commonwealth is NOT the way to improve policing.

Thank you for your time and consideration.

Respectfully,
Timothy Cook, Jr.
19 Woodbine St.
South Attleboro, MA
From: Jim Staples <jim.b.staples@gmail.com>
Sent: Thursday, July 16, 2020 11:04 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

Good afternoon
I am writing in regards to S2820 Reforming Police Standards
Please insure the Police are properly represented in any decisions and
Qualified Immunity remains in place to protect the men and women of Law
Enforcement

Jim Staples
Winthrop

Sent from my iPadFrom: Joyce <vinojoyceh@gmail.com>
Sent: Thursday, July 16, 2020 11:02 AM
To: Testimony HWM Judiciary (HOU)
Cc: DeLeo, Robert - Rep. (HOU); ron.mariano@mahouse.gov; Gonzalez, Carlos - Rep. (HOU); ron.mariano@housema.gov; Representative Seth Moulton
Subject: Police Reform

To Claire Cronin,

I am a 60 year old white woman living in Amesbury MA.

I am writing to express my support to reform the behaviors allowed by the MA police in a way that limits the damage they can do to the health and well being of potential arrestees, particularly minorities.

I have a friend whose African American son goes to college in Boston. He suffered an incident in his dorm room that I prefer not to detail, but the result was a trip to the ER and multiple contusions. He was intoxicated, but in no way dangerous or belligerent. I realize this was not a Boston cop, but the message remains the same. If this had been a white kid, it never would have happened.

Please consider reforming the way police are trained to respond to incidents. Attitudes must change.

Thank you,

JOYCE HULMFrom: Ryan Duran <dodgedurango54@gmail.com>

Sent: Thursday, July 16, 2020 11:01 AM

To: Testimony HWM Judiciary (HOU)

Subject: Opposition to S2800

Hello,

Thank you for the opportunity to have our voices heard. I am in staunch opposition of this bill as it is written. I am a Police Officer in Bourne and have served the public as an EMT since I was 18 years old. I believe there are some good points relayed such as more training for police officers and different ways in which to recruit good candidates for the position, and best of all having social workers and other professionals work with police during mental health emergencies. On the Cape we are lucky enough to have an agency that has psych clinicians and social workers that will come to the scene and assist us. Having worked on an ambulance and in an Emergency Room, I know not all the people we interact with that are having psychiatric or substance abuse issues need to go to the hospital. Unfortunately the way our ENTIRE system works, we are limited in our options to keep these people safe and often wind up transferring them to a hospital.

This hastily crafted and sneaky bill shows that it is clear that many politicians are out of touch with what the public wants and how police are trained. Massachusetts does not teach choke holds in the academy and they would be out of the scope in which we are trained (open for civil suit). The public in general is not familiar with the way the police operate and why they operate in certain ways. I don't expect them to, but to Monday morning quarterback an officers split second decision with absolutely no basis of knowledge is dangerous, and as Sgt. Chesna showed, deadly. Officers can not do their jobs when they will be crucified immediately after. It is as almost becoming better to be killed in the line of duty and having your family benefit from it then do the right thing and still lose everything you own. There will be no proactive policing which will lead to more violence and an essential open air drug market which will lead to even more violence and overdoses. I am scared for our future.

Getting rid of qualified immunity will immediately destroy this State. Policing will be at the forefront of this because they are called to things that no one else can or wants to deal with. Soon, police will not want to deal with it either and will give the minimum amount of effort for every call. That is assuming anyone will ever want to be a police officer again. Most that can retire, will. Well qualified officers will quit (which includes me) and actually make money in the private sector. That leaves few people to do this job and I can guarantee the candidates that do, will not be what your looking for in a public servant. Removing qualified immunity also will place every other public employee, such a fire fighters, paramedics, nurses, doctors, and teachers in danger to lose everything they own to frivolous law suits. These people, who are your constituents, have chosen to dedicate their lives to others and to stab them in the back is pathetic and an affront to the oath you took when taking office.

I could give hundreds of examples of how life in the Commonwealth would change for the worst, and very few, if any, examples of how it would change for the better. But if this bill passes you will see how bad this bill was in real life and you will wish you made the correct decision when you voted.

Thank you for your time and please do not let this bill pass.

Ryan Duran

From: Wendy Haskell <haskellwendy@gmail.com>

Sent: Thursday, July 16, 2020 11:00 AM

To: Testimony HWM Judiciary (HOU)

Subject: Re: Bill no. S2820

I am writing to strongly support the passage of the Act to Reform Police Standards and Shift Resources toward equitable, fair and just valuing of communities of color! It is WAY past the time to look at the appropriate police tasks, skills and job descriptions - which DO NOT train or equip them to helpfully address the mental health needs of our communities of color. These needs so often get criminalized and the police get overburdened with issues they are not trained to handle. Social services, social community supports, education needs, health access and services -- these areas are where more funding is desperately needed !!! -- to build strong, emotionally and physically healthy families and communities that don't live in fear or in survival mode.

Wendy Haskell, PH.D. LICSW

Riverside Community Care

Newton, Ma.

617-633-8700

From: KWVAPND <kvamane@aol.com>

Sent: Thursday, July 16, 2020 10:57 AM

To: Testimony HWM Judiciary (HOU); Rep.CarloBasile@Hou.State.MA.US;

Rep.JohnRogers@Hou.State.MA.US

Cc: testimony.HWMJudiciary@ma.house.gov

I , Jeffrey J. Brodeur, of Hyannis Ma formerly Brookline and West Roxbury , am against Bill S2820. The main issue I have with the bill is its limited immunity of our police and first responders.

I also believe bill has excessive oversight of the police and will prevent them to properly to keep the citizens of Massachusetts safe.

I do believe several issues in the bill are needed :

- 1) Getting rid of no knock warrants.
- 2) No choke holds.
- 3) Any officer who witnesses another officer committing abuse must intervene.

There should be complete immunity of police. Otherwise a house of cards will happen.

- 1) No one will want to be in law enforcement.

- 2) Police will second guess whether the next arrest they conduct will cost them their lives , jobs or homes.

- 3) As a citizen of Massachusetts, after watching what has happened in other cities such as chaos , lawlessness and disrespect of law enforcement, there is a chance that citizens of Massachusetts would move out if they felt it was not safe to live in the state.

- 4) As a leader in the Veterans community locally and nationally , I would think twice about bringing members and their families to any Conventions if their safety would be compromised.

I am a US Army Veteran who served in the Pacific and Asia, worked in downtown Boston, born in Boston, and graduate of UMass- Boston. I am presently the National President of the Korean War Veterans Association. We have members of all races including Tuskegee Airman, Native Americans and Hispanic Veterans. Many of these Veterans serve on the National Board of Directors with me. We all respect and care for each other.

I don't know one law enforcement officer that wakes up everyday looking to harm citizens of color. There are some who are bad apples and must be weeded out. There must be some reforms but don't tie the hands of police behind their back . That is exactly what this bill would do.

Finally , I will give you a history lesson on race from the Korean War. Massachusetts own Tom Hudner , Medal of Honor recipient during the battle of Chosin Reservoir was over North Korea with his wing man Jesse Brown providing air support for US ground troops . Jesse's plane was hit and Tom purposely ditched his plane to save his brother Jesse. Surrounded by enemy forces and trying to extract Jesse from the cockpit with the night creeping in, Tom stayed with Jesse until he died. Even though he risked being killed or captured, Tom Hudner stayed with his brother Jesse until the end.

Jesse was black and Tom was white.

I guarantee color was a non factor in these two brothers who risked their lives for each other and America over 70 years ago.

We need to emulate these two heroes today in society and not divide each other.

Freedom is not Free,

Jeffrey J. Brodeur

Hyannis Ma

617-997-3148

From: Marie Matarese <marie.matarese@icloud.com>

Sent: Thursday, July 16, 2020 10:55 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform

I believe we need policing or we will

Once again turn into the Wild West despite there being a few bad apples in the police department does not speak for the entire force. Respectfully
Marie Matarese

Sent from my iPhoneFrom: kevinteves@comcast.net

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

To: Testimony HWM Judiciary (HOU)

Subject: police reform bill

Honorable members of the House Judiciary Committee,

Please accept this email as testimony regarding the police reform bill you are considering with regard to the issue of "qualified immunity". My brother in-law is a police officer it is concerning that he could potentially be sued for just trying to do his job. Being a police officer; in today's society is hard enough (many think it is the toughest job in the country). These officers chose a tough profession and the majority perform their duties admirably every day. They take an oath to protect and serve us. The Massachusetts Police Academies are among the best in the Country. This measure of weakening or eliminating the protections granted to Police Officers under "qualified immunity" seems to me will only make the job even more difficult. After 911 occurred the Country for many years held police in such high regard and in just a few months because of the actions of a cop in Minnesota the whole profession is being demonized. I think you will agree that most police officers are good people who want serve their community.

I that as the House takes up police reform that you consider the issue of "qualified immunity" and how this will have a negative impact on police officers. I believe that police officers truly wants to serve his community and help people.

Thank you

Kevin Teves

37 Oakland St

Fall River, MA 02720

From: Sam Gugliemotto <sam.rh.gug@gmail.com>
Sent: Thursday, July 16, 2020 10:52 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Hello,

I am writing to encourage the Commonwealth of Massachusetts to pass Bill S2820: Reform, Shift + Build.

The past few weeks have made it clear to me what has been know you Black and minority populations across the state. Policing is violent; a tool used to enforce discriminatory systems. Dramatic change is necessary to save lives and improve our communities. That change begins with Bill S2820.

Qualified immunity and oversight needs reform.

Community based crisis response teams need to be funded and that comes form shifting resources away form a militarized police force.

There's needs to be tools to examine Black lives in Massachusetts. We need to build these tools together.

Please help bring change.

Sam Gugliemotto

From: Laurie Elliott <miklyn34@yahoo.com>
Sent: Thursday, July 16, 2020 10:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Dear Honorable Committee Chairs:

I am a resident of Lowell, MA and I oppose the Senate bill that was passed with regard to police reforms. It is not a reform bill it is a dismantling of law enforcement in our communities. It will make places like Lowell unsafe.

Unfortunately the vast majority of our judges and elected DA's act more like criminal advocates than part of the criminal justice system. There is no telling how damaging or far reaching this legislation could be. Below are some issues to consider related to actual Law Enforcement issues. Bills like this will result in more violence, lower quality policing, and greater divide between police and the community.

BILL:

Allows a person to institute and prosecute a civil action for injunctive and other appropriate relief for infringement upon their rights by a person acting under color of law.

Specifies that qualified immunity shall not apply to claims of monetary damages under the Massachusetts Civil Rights Act unless no reasonable defendant could have had reason to believe that such conduct would violate the law.

Consequence:

The consequences of this portion of the bill reach beyond our streets and into the court rooms. When someone envisions a civil rights violation they picture Rodney King being arrested in the street. They don't think of a gang member stopped for a legitimate reason. Having his vehicle towed because the registration is expired. Then subsequently being charged with the illegal large capacity firearm located under his seat during a motor vehicle inventory prior to towing.

Unfortunately when a judge decides that the towing of the vehicle may have violated department tow policy for some reason the inventory is invalid or dismissed. Now the firearm, which is still very real, is lost and the charge disappears. It used to end there....cops lose in court, the defendant is not punished, and the gun is off the street.

Under this new Bill however, it appears the Officer may be "per-se" guilty of a civil rights violation for search and seizure. That individual officer, back-up officer, or supervisor may now be liable for "appropriate relief" all because a judge disagrees with the towing of a vehicle. Further cops will now push ADA's for enhanced prosecution of formerly "dismissable" violations. Charges like resisting arrest, disorderly conduct, and A&B on a police officer were all likely to be dismissed based on the severity of the act or resulting injury. Now it is unlikely any officer will agree to have charges dismissed, especially when force was used, and potentially expose themselves to financial liability.

Unfortunately this will likely affect those members of the community this bill seeks to protect at a much higher rate.

BILL:

*Clarifies that a person may petition for expungement of more than 1 record pertaining to certain charges or cases that occurred before the person's twenty-first birthday.

- Allows a person to re-file a petition for expungement if such petition was denied before the effective date of this act solely because the petitioner had more than 1 record as an adjudicated delinquent or adjudicated youthful offender or of a conviction.

But.....

- Requires the Police Officer Standards and Accreditation Committee to maintain a publicly available searchable database containing information about a law enforcement officer's appointing authority and certification status.

- Requires the Police Officer Standards and Accreditation Committee to maintain a publicly available searchable database containing de-identified information about complaints filed against individual law enforcement officers.

Consequence:

This is simply the concealment of criminal records and exposure of non-criminal complaints against officers. Cops are criminals and Criminals are

not. This is also a nice response to the likely outcome of the previously discussed portion of the bill. While now more likely to be charged with crimes those individuals can also have them expunged from their record. All it means is more court/overtime/waste and fundraising for the criminal justice system. All on the backs of minority communities. In addition if there is a database the likelihood of bad actors and paid activists to assert a complaint against individual police officers will skyrocket in an attempt to remove as many of them from serving the public as possible in this climate of defund the police. It is a back door way to accomplish that goal.

BILL :

- Requires law enforcement officers to record statistical data whenever a person is stopped and frisked or searched.
- Requires a law enforcement officer to provide a receipt after a stop of a vehicle or pedestrian that did not result in a citation.
- Requires a police department to do a quarterly review of each officer's stop and search documentation and the entire department's stop and search data.

Consequence:

Any legislation regarding motor-vehicle stops has a direct effect on proactive policing and the seizure of Drugs and Guns. Restrict or hamstring police in the use of interdiction stops and you will see an immediate rise of gun violence and violence specifically related to gangs and drugs. Increased liability and rumored "per-se" civil rights violations, if seizures/searches are dismissed in court, will destroy violent gang suppression and VICE Narcotic units.

For politicians and wealthy communities this rise in violence will only be seen on TV. For those, largely minority black/hispanic communities, the

violence will be in their neighborhoods taking their children. This is seemingly a simple concept but not the only unintended consequence for poor minority communities.

The legislature has also sought to eliminate the "verbal warning" from the tool belt of Officers. As the assault on officer discretion continues this is another element of the bill that is completely ill conceived.

-Minority Black/Hispanic communities account for some of the poorest areas in our State. Poor people drive older model vehicles.

-Those vehicles are more likely to have a broken windshield or rear view mirror, no blinker, headlight taillight out, no blue tooth capability. The people living in those communities are also struggling to pay for vehicle registration, inspection stickers, and license fees. All are reasons for potential stops.

-Now those stops under new legislation will require detailed paperwork and a receipt. The recourse for officers, to protect themselves from unfounded complaints, will be to issue a citation and allow the operator to fight it in court.

-As tickets pile up on drivers from poor communities they see their licenses suspended and are now subject to arrest while simply driving to work to pay their tickets.

How is this helping? It is a nice fundraiser for the state and Courts though.

You're seeing the direct effects of this in New York City as the city spirals into chaos, infants and children in minority neighborhoods shot and killed, all to further a political agenda. Now we're seeing leaders of the Black community asking for those units disbanded by the Mayor of NYC be reinstated so halt the bloodshed. Is that what we want for Massachusetts? I know it's not what I want to see as someone who resides in one of the poorer communities in Massachusetts.

Who will want to be a police officer if our lawmakers continually make them the scapegoats and villains? I have many friends who are officers and family members. They want out and they're the good ones. They're going to bide their time, avoid making any arrests, and retire or find a new career. Enough is enough. Every person with an ax to grind and those with political motives will sue cops indiscriminately.

If you pass this, which I plead you not to, include a database of those individuals that sue every police officer so that the officers know what they're dealing with. If you don't I can assure you one will be created by the officers themselves since these are personal civil lawsuits. I guarantee you it will be the same names over and over. This will also open up the ability of officers to sue the people they arrest if they are injured as well. It's a double edged sword.

Officers are acting on behalf of their communities i.e. "the state". They can't afford to pay for "malpractice" insurance like a doctor who can add it into the cost of doing business and pass that on to insurance companies. Officers do not make a lot of money. This bill also takes qualified immunity away from firefighters, EMT's and nurses. What a way to treat those individuals on the front lines of a pandemic. It's so disheartening.

I've lived in the City of Lowell my entire life and I love my community. But I'm very strongly considering moving to New Hampshire if this is the path we're heading down. I've heard this same sentiment from a number of friends and family members.

I ask that you reject this ill conceived bill and maintain qualified immunity for our police, fire, EMT's, nurses and all of those folks that are serving our community and trying to make it a better place to live for everyone.

Sincerely,
Laurie A. Elliott
978-937-8165
Lowell, MA

From: dmack65@aol.com
Sent: Thursday, July 16, 2020 10:48 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

I am truly at a loss for words with this bill that is handcuffing police officers. 4:30am meeting to screw the police and people of Massachusetts!

You are not making this commonwealth a better place. You are actually becoming part of the problem. Less than 1% of police officers do something wrong while trying to handle a situation that has a response time of less than seconds!

Break it down.

Police officers retire and or quit. You don't care Ivory tower!

Crime escalates and why not NO COPS

Why are you protecting the criminals!! You don't care Ivory tower with private security!

Next you take our guns because why not this is the end game in a communistic state! Again, you don't care Ivory tower! You make the rules!

As it is Food and other commodities are being rationed due to this "pandemic"! Less than a 1% chance of death. When does it end Nov 4th if the other side (left) wins? Amazing right.

You do not care about this country, you do not care about it's people and you do not care about the safety of anyone! I have so much more to say and share on how ridiculous this is but as I type I know that this email will not be read by anyone in any position of authority.

Thanks for helping turn the Commonwealth of Massachusetts into the Socialistic Communistic State of Leftist Looneys.

From: Jeff Gilmore <jgilly39@yahoo.com>
Sent: Thursday, July 16, 2020 10:48 AM
To: Testimony HWM Judiciary (HOU); McGonagle, Joseph - Rep. (HOU)
Subject: Opposition letter S.2820

Sent from Yahoo Mail for iPhone
<https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMCAQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=iE7EpNFG36BUiaF57EwxXIVbz621nZ1SB0wU5iTRp3k&s=IYR018-d9tyK4nfNCG3bE-_iDJ2ECgtwWAbdO3wJHUw&e=>>

From: Katherine Parks <k.i.parks.1998@gmail.com>
Sent: Thursday, July 16, 2020 10:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Dear MA Representatives,
I'm writing to provide testimony to voice my support of the MA Police Reform Bill that passed the MA Senate recently. I am a 22 year old student who has lived in Massachusetts all my life and currently resides in Boston. I have witnessed instances of police misconduct at many many protests I have been a part of and also heard reports from friends and strangers alike of these sort of incidents. In August of 2019, I was brutally assaulted and maced by Boston Police while protesting the

"Straight Pride March", along with a lot of my fellow activists. Despite our best efforts, no officers were held accountable for the injuries they dealt us (I was out of school for a week with a concussion) and no acknowledgement of these events was ever given by Boston Police or Boston leadership. Nearly a year later, Boston Police indiscriminately tear gassed protestors and bystanders alike in downtown crossing during the Georgy Floyd protests. Massachusetts, though a "liberal" state, is not immune to police brutality or issues of racial profiling. According to metro data, 69% of stops conducted by Boston Police are of Black people despite Boston being only about one quarter Black. We need reform and accountability immediately as well as an end to qualified immunity and this bill is an important step in that direction.

Thank you for your time.

Katherine Parks

Northeastern University

From: Dan McDonald <danmcd@kebe.com>

Sent: Thursday, July 16, 2020 10:45 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform

To the Judiciary Committee,

I'm going to quote the ACLU of Massachusetts here because they have it down better than I can do on short notice.

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,

Daniel L. McDonald
29 Shakespeare St.
Tyngsboro

From: marionk1027@verizon.net
Sent: Thursday, July 16, 2020 10:42 AM
To: Testimony HWM Judiciary (HOU)
Subject: Massachusetts Police Reform Bill

Good morning:

My name is Marion Kaskiewicz and I am a resident of Scituate, MA. I can be reached at 781-545-6414.

I wanted to express the absolute horror I feel towards our elected officials for rushing this bill. The Governor should be ashamed of himself as well.....Have we learned nothing from that nightmare public records law that was rushed through???? You know, the sweeping reforms written in a manner that now requires municipalities to spend more of their precious tax dollars on lawyers just to figure out what the law says? It also allows for taxpayers to have to bear the brunt of the expenses associated with unscrupulous lawyers and reporters who seem to think that our tax dollars should be spent to pay the public servants who are now having to fend off these bottom feeders who will harass and browbeat public records employees to get what they want. By the way, the lawyers at Galvin's office who are supposed to help people decipher these poorly written laws are straight up useless. They will do nothing to help, but consider themselves worthy of passing judgement. Waste of public money if you ask me. This is the result of rushing through bills just to beat a deadline. We the public will be paying for that for years....so not necessary, and I would rather see that money re-directed to social programs that help people.

RUSHING THIS POLICE REFORM BILL IS A VERY BAD DECISION!!!!!! DO NOT DO THIS! There are more sensible ways to deal with bad cops instead of humiliating and spitting on all of the good ones, while simultaneously passing more "unfunded state mandates" on to the local taxpayers....We have had enough of this! The good cops FAR outweigh the bad, and you are going to make things much worse for law abiding citizens by pushing this through. You will be raiding our wallets, and providing us less protection from criminals....

I, as a survivor of domestic violence, demand that the Officers in Scituate be allowed to do what they need to do to keep my community safe. In no way do I want you to rush through this without fully realizing all of the implications. You are once again considering something that sounds like a good plan without discussing it with those who have an actual stake in the game. I fear that your plan is going to backfire, and you will be doing nothing but putting law abiding citizens at risk by pushing all of

the decent men and women who have dedicated their lives to public safety out the door, leaving only those who join the profession for the wrong reason.....A hard-working honest cop should not be dissected on a daily basis because of the bad ones.....DO SOMETHING TO PREVENT THE WRONG PEOPLE FROM DONNING THE TIGHTS TO BEGIN WITH.

More State oversight is NOT the answer. As a matter of fact, I believe that abolishing the State Civil Service Division would be the best place to start in improving policing standards. How foolish is it that Cities and Towns are only allowed to interview or promote potential police candidates based on test scores, seniority and state rules....Wouldn't it make more sense to allow those in charge of hiring the opportunity to offer authority and a gun to people who pass the "Integrity and hard work" test instead???? Wouldn't that save millions of tax payer dollars by preventing those in charge from having to answer to nonsense appeals that are filed by people who are by-passed simply because they don't think they have to actually earn the privileges or are entitled solely based on seniority???? Why not let the Chiefs of Police and the elected authorities in each city and town be in charge of hiring and promoting police officers. They are the people who are held accountable to their residents. The Civil Service Division accepts no responsibility for the actions of those that they insist on pushing onto cities and towns, and I find that problematic.

Additionally, NOTHING happens to those who file false or frivolous claims through Civil Service and MCAD.....BIG issue if you ask me. Let's do something about that. Maybe a HUGE prohibitive fine for those who seem to think these Boards are in place to exact revenge....put that money into social programs to assist all people in need. I bet it would make a big difference.

Let me close by saying that I do believe that bad, abusive, morally bankrupt cops need to be dealt with, and nobody but criminals should live in fear of a police officer, but in no way do I see a one size fits all rushed law as being the answer.

Thank you.

From: Derek LaFleur <derekhlaflleur92@gmail.com>
Sent: Thursday, July 16, 2020 10:42 AM
To: Testimony HWM Judiciary (HOU)
Subject: Re: Police Reform Bill

On Thu, Jul 16, 2020 at 10:29 AM Derek LaFleur <derekhlaflleur92@gmail.com> wrote:

Good morning, I am submitting this email regarding the police reform bill that the House of Representatives is discussing. There are major flaws with the current version of the bill.

My question is where is the due process for police officers? I feel that the current version of the bill opens up the door for frivolous lawsuits against them. I also don't understand the concept of non law enforcement civilians reviewing incidents and uses of force. Are they screened before being selected and how are they appointed. This would be equivalent of having me review a case of medical malpractice when I have no education, training or experience in the medical field.

I also don't understand why non lethal tools are being regulated by this legislation. The passage of this legislation will make it near impossible to do the job for Law Enforcement. It will also up the chances of more harm being done to a suspect or officer.

Former Officer Derek Chavin does not represent the 99 percent of law enforcement officers who do an incredible job in their community or behind the prison walls. This legislation in its current format is nothing but a "feel good" bill that would create numerous issues. Law enforcement officials should have a seat at the table with their legislators to craft a more efficient piece of legislation that could accomplish the objectives of this bill while also being practical and protect officers who act in good faith while performing their job duties.

Respectfully submitted,
Derek Harrison LaFleur
3122 Sharps Lot Road
Swansea, MA, 02777
(Cell Phone) 508 642 4437