

From: Macaskill Ptl Leo <lmacaskill@reverepolice.org>
Sent: Thursday, July 16, 2020 10:39 AM
To: Testimony HWM Judiciary (HOU)
Subject: Law enforcement standards

If this bill passes you will see a mass exodus from law enforcement.
Officer Mac Askill rpd.

Sent from my iPhoneFrom: Michael SR Barry <ltmjb@comcast.net>
Sent: Thursday, July 16, 2020 10:39 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Legislation-Punitive if left as written

Representatives,

I am writing to you to respectfully ask you to vote NO on the so called police reform bill. I know you are quite busy so I will try to keep this brief and please forgive my informality.

I am not sending you a form letter.

I am writing from my heart.

I have spent over thirty years serving in local, state and federal law enforcement. I have lived and served on the south shore and south coast my entire life with my family and extended family of over thirty of your constituents.

Many of these constituents have served or presently are in public safety and law enforcement.

I am a former Massachusetts State Police Major and retired in 2010. I have been awarded the Trooper George Hanna Medal of Honor, the American Legion Medal of Valor and the State Police Medal of Merit. I was chosen as Commissioned Officer Of The Year as well. I also served as a local police officer, a patrol Trooper, a homicide and narcotics detective, one of the State Police Air Wing helicopter pilots for 10 years and performed many other assignments.

I was nearly killed early on in my career in a gun battle with a wanted murderer who was armed with a rifle and had to use my duty firearm to save my life and the lives of others.

I do know what split second decisions are all about. I wish I did not, but I do.

I was fortunate that both I and my assailant lived. I say this because the narrative that police officers want to harm or kill anyone is just plain outrageous and untrue. The emotional burden of taking another life, no matter what the circumstances, is a lifelong one that no human being ever gets over. The outrageous and untrue characterizations of our Massachusetts Officers being wildly thrown about today are simply not true and frankly a disgrace. The very worst kind of labeling and broad brush slander one can imagine.

I also do hold a degree in Criminal Justice from the University of Massachusetts. It is worth noting that Massachusetts has some of the most highly educated police officers in the nation.

I only say all of this to relate to you my basis of knowledge and veracity to speak to this issue (and I rarely if ever get involved in anything political...but this bill is an unwarranted attack I can not ignore).

Lastly, and perhaps most importantly, I am a simple family man, a father to five children and I am worried more than ever about their future.

I do not write for myself and my benefit.

I do write to support the men and women who followed me into taking the on risks of public service and who took the brave step to serve, despite the ingratitude and danger because they believe in their calling and their vocation; so much so they are willing to put their ballistic vest on every day to leave their loved ones and protect and serve.

Representatives, this bill is more punitive than productive for a situation that occurred nowhere near here.

It is a knee jerk reaction to satisfy activists who are myopic and are blind to the risks and concerns of police officers and their loved ones.

We all have barely begun to heal (some never will) from the brutal murders of Sergeant Michael Chesna, Vera Williams and Sergeant Sean Gannon and we now face this? Here? A full pivot from wide based public support to a full blown attack on Massachusetts Law Enforcement Officers who have done nothing wrong.

I ask you; what if Sergeant Chesna (a resident of my home town) did not hesitate? What if he did have the full confidence that he could defend himself without being the next poster child excoriated in the court of public opinion?

Might he be with us today?

Might his killer's second victim Vera Williams be alive as well?

Are police officers now to wait until they are shot or disarmed by a mob or beaten unconscious to defend themselves for their very lives? The implications of this bill are chilling in this regard.

These are valid questions and it bears noting that Sergeant Chesna's brutal murder came in the wake and climate of the false narrative Ferguson/Michael Brown matter.

Representatives, I respectfully ask you to carefully listen to the professionals who administer the police departments in your district and actually do the work daily you ask of them in our communities both day and night 24/7 and 365.

Please do not simply fold in the moment and approve this short sighted, reactionary, unnecessary in Massachusetts piece of legislation. We are your voters. We will stand by you in the face of criticism. Your courage in the face of a mob mentality is required now more than ever.

The unintended consequences of this bill are wide spread and grave. The downstream effects of passage will not help. They will harm.

Please, do no harm.

I and my family and my entire extended family and many many friends of all walks of life are counting on you to stand for law and order, for public safety and security in our communities and for the true greater good. No one is against any positive progression...but take a lot of time to examine the consequences of this pending legislation as written.

I cannot stress this enough. This bill is punitive in its present form. Do you want to be part of punitive action branding an entire profession as doing wrong for something they had nothing to do with?

If you feel you must do something as a result of a far away tragedy that has and had nothing to do with Massachusetts...then please do not allow the ripping of qualified immunity from police officers (only).

There will be 1000 law suits filed daily on just about every interaction, call and arrest. Again, imagine the effects of this for victims of crime, general safety and security, on recruiting on resignations and on retirements en masse. Imagine less experienced and educated officers taking the jobs. I know with just a little thought you can envision what will happen if this disaster piece of legislation passes.

This bill is so directed and bald faced in its discriminatory intent. Imagine if you were subject to personal law suits every time you did your job.

The unintended consequences (emphasis added) of this bill must be considered very very carefully. We are counting on you to carefully craft a meaningful law...not a punitive and dangerous one one.

Please vote NO.

I would be happy to speak with you or your staff at any time about this matter.

Thank you for your time Representatives, If I may help you in any way to further understand the potential downstream and unintended consequences of the bill as written, please do not hesitate to contact me.

Respectfully,

Michael Barry
180 Pine Tree Drive
Hanover, Ma 02339
781-589-1433

Ltmjb@comcast.net

From: Gail Garinger <gail.garinger@gmail.com>

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

To: Testimony HWM Judiciary (HOU)

Subject: Support Amendments #1 and #17 to S.2820 – Raise the Age

Support Amendments #1 and #17 to S.2820 – Raise the Age

Testimony of Hon. Gail Garinger (ret.)

To the Members of the Joint Ways & Means and Judiciary Committee

I write to urge you to support Amendments #1 and #17 to S.2820 that would raise the age of juvenile court jurisdiction.

I have spent my entire career focusing on the issues affecting youth in the Commonwealth. I served as a juvenile court judge for 13 years, the state's Child Advocate for seven years, and the Director of the Attorney General's Child & Youth Protection Unit for two years. In all of these roles, I regularly came in contact with young people who had experienced far too many childhood traumas: abuse or neglect, poverty, exposure to domestic or community violence, mental health issues, foster care and school failures. Any one of these early adverse life experiences could have proved overwhelming and predictive of an inability to succeed in life; yet, I often witnessed first-hand the capacity of youth to achieve great change if given the right opportunities. Based on my experience, as well as recent research in adolescent brain science and adolescent psychology, I am convinced that extending the jurisdiction of the juvenile courts in Massachusetts to include 18 to 20 year-olds makes good sense.

Committing older adolescents to the adult criminal system ignores that they are not adults in any meaningful developmental sense, and it ignores their capacity for change. The juvenile courts and the Department of Youth Services (DYS) are far better equipped than the adult criminal system to understand and tailor their assessments and programs to address this age group. Juvenile Court judges and probation officers, juvenile court clinicians, and DHS staff know best how to address the myriad issues that have led to youths' negative involvement with law enforcement and how to help them avoid further involvement and become productive citizens.

In 2011, 76 percent of 18 to 24-year-olds released from county jails and adult prisons were brought back to court within three years, the highest recidivism rate <

rate for young people incarcerated in youth facilities was 26 percent, as opposed to 55 percent when they are jailed in adult facilities.

The juvenile justice system has the capacity: Case filings for all types of juvenile court cases have decreased by 56 percent since 2009. Since Massachusetts ended the automatic prosecution of 17-year-olds as adults in 2013, juvenile arraignments have dropped by 57 percent.??

Raising the age of juvenile court jurisdiction makes sense based on everything we know about youths' potential for change, recidivism rates and economics.? It's sound public policy; it's the right thing to do; and it's doable.?

I urge you to support Amendments #1 and #17 to S.2820 and raise the age of juvenile court jurisdiction.

Respectfully submitted,
Hon. Gail Garinger (ret.)

July 16, 2020

From: Brenna Sorkin <brenna.sorkin@gmail.com>
Sent: Thursday, July 16, 2020 10:37 AM
To: Testimony HWM Judiciary (HOU)
Subject: I unequivocally support the Reform, Shift + Build Act (S.2800)

Hi,

I am a resident of Cambridge, 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,
Brenna

--

<<https://docs.google.com/uc?export=download&id=1Ywm1-wwmiIMFfHapUqNsVJ4Y-xAAf2Ar&revid=0B4zWVwqg7BSBOExMSXJiM2xYTnc3b0FDWkxNLzJNRDJ6OWhBPQ>>
From: Henry Gridley <henry.gridley@gmail.com>
Sent: Thursday, July 16, 2020 10:35 AM
To: Testimony HWM Judiciary (HOU)
Subject: The Reform, Shift + Build Act (S2820)

Dear Representatives,

The Reform, Shift + Build Act is currently on the House floor and it needs to be passed. This bill is the first step on the way towards the major changes that need to be made at every level of our government to protect everyone in our community. It is especially imperative for the Black and Brown members of our community who are disproportionately affected by police brutality and systemic oppression. None of us are safe until we're all safe, and it is time we hold our police officers accountable and time we invest in our communities.

Please ensure this bill gets passed because while it is only the first step, if we cannot lay the groundwork we have already begun to fail those who need it most.

Sincerely,

Henry Gridley
(316) 648-2373
62 Hillside St.
Boston, MA 02120
From: pthalloran@charter.net
Sent: Thursday, July 16, 2020 10:35 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on Bill S.2820

Dear Honorable members of the House Ways and Means,

I am writing to ask that the Honorable members of the MA State Legislator take their time at reviewing the contents of Bill S.2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color. I believe the purpose of this Bill is important and long overdue, but the process that it puts forth appears extreme.

As the State has done in its response to the Covid-19 crisis, we should let the numbers (science) dictate the courser of action. Massachusetts is not Minnesota and the Legislator should look at the numbers within our state of police complains as a proportion of police interactions with the public. I believe the numbers will show that our police forces have a greater than 99.9% positive (no complaint) track record. I understand that the goal should always be 100%, but we know that is unachievable in any profession.

We need to ensure that the level of risk that that our police officers are under conducting their jobs is not so overly elevated by adding the risk of litigation and burdensome oversight that this Bill contains.

Best Regards,

Paul Halloran

508-832-2031

From: JAMES DALY <kimjimdaly@comcast.net>
Sent: Thursday, July 16, 2020 10:35 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

To whom it may concern,

We are completely against the part of the the police reform bill regarding getting rid of qualified immunity for police and all public employees in civil suits.

Sincerely,

Kimberly and James Daly

64 Westglow Street

Dorchester, MA 02122

From: Ryan McCollum <ryan@rmc-strategies.com>

Sent: Thursday, July 16, 2020 10:29 AM

To: Testimony HWM Judiciary (HOU)

Cc: Gonzalez, Carlos - Rep. (HOU); Ashe, Brian - Rep. (HOU); Lesser, Eric (SEN)

Subject: Funding

H&W Committee:

Short and sweet; there MUST be real money connected to any mandates around new training and it must be enough to cover it completely. The Gateway Cities that need the training the most cannot bear to make even more difficult choices in their local budget and use this new mandated training as a scapegoat to make cuts in other places.

Please research and ask organizations like The Healing Racism Institute of Pioneer Valley out here in Springfield what costs would be so that you know.

The trainings are very necessary and you putting the dollars behind it would show that you believe so as well. Also be clear on what trainings

are and what simple education is. Learning the history of the plight of African Americans is not training. Training yourself to recognize implicit biases and how to react when those biases manifest themselves is much different.

-Ryan McCollum, Longmeadow, MA

--

Ryan McCollum

Principal, RMC Strategies

Marketing Consultant, Get Set Marketing

(413) 313-1475

ryan@rmc-strategies.com

www.rmc-strategies.com <https://urldefense.proofpoint.com/v2/url?u=http-3A__www.rmc-2Dstrategies.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=-4JZmDN-M-fSIoAVhIUSqSi_47SwqEAN7lkucNwBaSk&s=lawchzRdz1XCmPjXQgefW74r-ykc_jrDlGo8-hz8_9I&e=>

www.getsetmarketing.com <https://urldefense.proofpoint.com/v2/url?u=http-3A__www.getsetmarketing.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=-4JZmDN-M-fSIoAVhIUSqSi_47SwqEAN7lkucNwBaSk&s=q5M7-Ksc2WHUUhYgOJoE5ufs3GUSqAFOWnPN0lQ3qQNM&e=>

<https://urldefense.proofpoint.com/v2/url?u=http-3A__www.rmc-2Dstrategies.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=-4JZmDN-M-fSIoAVhIUSqSi_47SwqEAN7lkucNwBaSk&s=lawchzRdz1XCmPjXQgefW74r-ykc_jrDlGo8-hz8_9I&e=>

From: Karen Singer <crushford@comcast.net>

Sent: Thursday, July 16, 2020 10:29 AM

To: Testimony HWM Judiciary (HOU)

Subject: Bill S2820

Chair Aaron Michlewitz and Chair Claire Cronin

My name is Karen Singer , a registered Democrat living in Marblehead, MA, phone number is 781- 820-1353.

I believe police reform is needed but I do not believe that Bill S2800 that passed in the Senate is the right answer.

I strongly feel that the ending of qualified immunity is a mistake with serious consequences .

I believe the fear of being sued will cause good police to second guess their actions which will lead to more police deaths. This reversal hurts police families that may lose their loved ones, their homes , or their hard earned savings .

I ask you to please vote against this bill as it stands.

Sincerely ,
Karen Singer

Sent from my iPad

From: R J Hanson <puckoach@gmail.com>
Sent: Thursday, July 16, 2020 10:28 AM
To: Testimony HWM Judiciary (HOU)
Subject: s.2800

Name: R J Hanson

Organization: None

781-680-5174

As a life long resident, and now senior citizen of Massachusetts, I am appalled by the rush to judgement, and knee jerk reaction to the protests of a few.

I agree that some changes are necessary.

But, careful thought and input from many sources, is the key to effective legislation and change.

I was active with coaching young men for many decades. While a few are legislators, there are probably a hundred serving careers in various law enforcement positions.

The people serving in these uniforms are mothers, fathers, and have responsibility to their families and children.

They serve in a very tough job. One I certainly never wanted.

Please stop reacting to the minority, screaming in the streets and a media that is always seeking attention.

Please, take the time to find the correct solutions, that those serving, and those that want to be protected, will also agree to.

Be assured, this is a subject, the silent majority is watching.

Slow down, listen, get it right. Two days to comment is absurd.

Take it up next session.

From: Ted Delano <fedthree@gmail.com>
Sent: Thursday, July 16, 2020 10:15 AM

To: Testimony HWM Judiciary (HOU); Ehrlich, Lori - Rep. (HOU)
Subject: From a Swampscott Detective

The Massachusetts Senate hastily passed a bill on police reform without doing their due diligence, having hearings and educating themselves to what the serious consequences will be to their actions.

Under Senate Bill 2800 (2820 final version), the elected officials have effectively tied the hands of not only the police but all public officials. This bill removed qualified immunity from all public employees (except themselves of course).

What does that mean? That means that even if myself or my brothers and sisters in blue and red act in good faith under rule/color of law we will now be responsible and open to civil lawsuits. This also opens the municipalities we work for up to frivolous lawsuits for anything, costing you the taxpayers even more.

An example of this is we respond to a medical call where you have a loved one who requires CPR, we arrive on scene do everything we can within the scope of our training and department policies for your loved one but they unfortunately don't make it, we are now open to civil lawsuits for damages.

This is just one major issue with this hastily drafted and passed bill.

It is also important to know that the elected officials who sold us a bill of goods and promises of things they would do or stand behind are nothing but wimps who succumb to the bullying of higher ranking elected officials to ensure they keep their positions on appointed committees. I know this is probably no great shock to some but this is the stuff that needs to get out to the masses!!

People are calling for police reform for systemic racism and other injustices that occur. Well reform needs to and should start from the top. If our elected officials are so influenced by bullying and pressure from higher ranking elected officials then maybe the reform needs to start with our elected officials and work its way down. Our representatives, at least in the State senate don't give a crap about the people who they serve and the people who voted them into those positions. What they also don't realize is how easily it is for them to lose the support of their constituents and be voted out next election.

I have been a officer for 30 years. I do not understand how something can be filed and passed that is so erroneous. We are told that TRUST is the backbone for rising above a problem. How does Law Enforcement TRUST that the politicians have our best interest? We put the uniform on to help. If we are open to lawsuits for helping, what do you think will happen. Why are so many police chiefs retiring? They know the road we are going down is full of problems. TRUST me.

Respectfully

Det Ted Delano

Swampscott PD

From: Liz Diamond <lrdiamond@comcast.net>
Sent: Thursday, July 16, 2020 10:23 AM
To: Testimony HWM Judiciary (HOU)
Cc: Vincent, RoseLee - Rep. (HOU); DiDomenico, Sal (SEN)
Subject: Wholehearted support for the Reform-Shift-Build Act

Dear HWM Judiary/Chair Aaron Michlewitz and Chair Claire Cronin:

I am writing to voice my wholehearted support for the Reform-Shift-Build Act. As a 32-year resident and condo owner in Chelsea, 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. 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 Chelsea 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 myself and my neighbors, for Chelsea, 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,

Lizabeth R. Diamond (32-year Chelsea resident/condo owner)

74 Springvale Ave, #18
Chelsea MA 02150
lrdiamond@comcast.net

617-835-3615

From: Lynn Holbein <lynnholbein@gmail.com>
Sent: Thursday, July 16, 2020 10:22 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass the strongest possible bill to hold police accountable

We urge the overwhelming passage of the strongest possible bill to hold police accountable for their actions, and improve their training so that racism can be avoided.

Lynn Holbein, Social Action Co-Chair,
on behalf of the 500 members from all over the Boston area of the
First Unitarian Universalist Society in Newton
From: Marcia Manong <marcia.manong@gmail.com>
Sent: Thursday, July 16, 2020 10:19 AM
To: Testimony HWM Judiciary (HOU)
Cc: Madaro, Adrian - Rep. (HOU); Gingras, Steven (HOU); Ultrino, Steven - Rep. (HOU); Rivas, Gloribel (HOU)
Subject: Reform, Shift + Build Act (S.2800)

Chair Aron Michlewitz & Chair Claire Cronin;

Please know as a citizen of Massachusetts and a BIPOC I support this bill and appeal to you to support it passing into law as well. The time is now for us to make significant change to hold our police services accountable for their actions. The qualified immunity aspect of the bill is most crucial and will return transparency, accountability, dignity and respect to the law enforcement agency of the Commonwealth.

Thank you,
Marcia Manong
From: Rosemarie DeStefano <tiredmal@comcast.net>
Sent: Thursday, July 16, 2020 10:16 AM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified immunity

I am against the Qualified immunity bill

Thank you,

Sent from my iPhone
From: Matthew Cregor <mcregor@mhlac.org>
Sent: Thursday, July 16, 2020 10:16 AM
To: Testimony HWM Judiciary (HOU)
Subject: RE: Testimony on school policing and S. 2800

To note it, we wish to submit the same testimony with additional signatories on Friday morning. If that presents any complications, please contact me at 857-488-5185.

My thanks and best,

Matt

Matthew Cregor

Staff Attorney

Mental Health Legal Advisors Committee

24 School St., 8th Floor

Boston, MA 02108

617-338-2345, ext. 133; mcregor@mhlac.org <mailto:mcregor@mhlac.org>

www.mhlac.org <https://urldefense.proofpoint.com/v2/url?u=http-3A__www.mhlac.org_&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=r_-ogMubyHRmPpgaEbgaluxpgj2WNLJU5LrYpRlwnD8&s=hqz_UQKxatDclysmMAbLuWoNrZrHqG4ovNbcaoihhqo&e=> <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_www.mhlac.org-3Fref-3Daymt-5Fhomepage-5Fpanel&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=r_-ogMubyHRmPpgaEbgaluxpgj2WNLJU5LrYpRlwnD8&s=5xtDQzoRFgJa5CmzKai-q9szGDfUvV7aXxr0f-14-14&e=>

Go green. Consider the environment before printing this email

This electronic message contains a communication from a law office, which is strictly confidential and intended solely for the use of the addressee. The communication may be privileged under the attorney-client and/or the attorney work product privileges. Any non-addressee is prohibited from reading, disseminating, distributing, or copying the communication contained herein. If you are in possession of the communication in error, please immediately notify the sender via electronic mail excluding the original communication. Thank you.

From: Matthew Cregor
Sent: Thursday, July 16, 2020 9:59 AM
To: Testimony.HWMJudiciary@mahouse.gov
Subject: Testimony on school policing and S. 2800

Thank you for the opportunity to submit written testimony. The attached is testimony on school policing on behalf of the Coalition for Smart Responses to Student Behavior and the following signatories, contact information below:

ACLU of Massachusetts

ADL New England

Boston Student Advisory Council (BSAC)

Center for Public Representation

Citizens for Juvenile Justice

Citizens for Public Schools

Committee for Public Counsel Services

CORI & Reentry Project of Greater Boston Legal Services

Disability Law Center

Framingham Families for Racial Equity in Education

Freitas & Freitas

Massachusetts Advocates for Children

Massachusetts Appleseed Center for Law & Justice

Massachusetts Attorneys for Special Education Rights (MASER)

Mental Health Advocacy Program for Kids at Health Law Advocates Mental Health Legal Advisors Committee

Parent/Professional Advocacy League (PPAL)

Power of Self-Education (POSE) Inc.

Strategies for Youth

Worcester Interfaith

Youth on Board

Honorable Jay D. Blitzman (Ret.)

Daniel J. Losen, Center for Civil Rights Remedies at UCLA's Civil Rights Project (Mass. resident, organization listed for affiliation purposes only)

Denise Wolk, Education Consultant

Thank you,

Matt Cregor, Mental Health Legal Advisors Committee

857-488-5185, mcregor@mhlac.org <mailto:mcregor@mhlac.org>

Dan French, Citizens for Public Schools

617-216-4154, danvfrench@gmail.com
<mailto:danvfrench@gmail.com>

Lisa Hewitt, Committee for Public Counsel Services

617-512-1248, lhewitt@publiccounsel.net
<mailto:lhewitt@publiccounsel.net>

Leon Smith, Citizens for Juvenile Justice

617-817-1488, leonsmith@cfjj.org <mailto:leonsmith@cfjj.org>

Lisa Thureau, Strategies for Youth

617-513-8366, lht@strategiesforyouth.org
<mailto:lht@strategiesforyouth.org>

Matthew Cregor

Staff Attorney

Mental Health Legal Advisors Committee

24 School St., 8th Floor

Boston, MA 02108

617-338-2345, ext. 133; mcregor@mhlac.org

www.mhlac.org <https://urldefense.proofpoint.com/v2/url?u=http-
3A__www.mhlac.org_&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-
fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk
13zIs16rchf_GkGDD&m=r_-
ogMubyHRmPpgaEbgaluxpgj2WNLJU5LrYpR1wnD8&s=hqz_UQKxatDclysmMAbLuWoNrZrHqG4
ovNbcaoihhqo&e=> <https://urldefense.proofpoint.com/v2/url?u=https-
3A__www.facebook.com_www.mhlac.org-3Fref-3Daymt-5Fhomepage-
5Fpanel&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-
fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk
13zIs16rchf_GkGDD&m=r_-
ogMubyHRmPpgaEbgaluxpgj2WNLJU5LrYpR1wnD8&s=5xtDQzoRFgJa5CmzKai-
q9szGDfUvV7aXxr0f-14-14&e=>

Go green. Consider the environment before printing this email

This electronic message contains a communication from a law office, which is strictly confidential and intended solely for the use of the addressee. The communication may be privileged under the attorney-client and/or the attorney work product privileges. Any non-addressee is prohibited from reading, disseminating, distributing, or copying the communication contained herein. If you are in possession of the communication in error, please immediately notify the sender via electronic mail excluding the original communication. Thank you.

From: Robert Swartz <rswartz335@yahoo.com>
Sent: Thursday, July 16, 2020 10:16 AM
To: Testimony HWM Judiciary (HOU)
Subject: Public Testimony on Section 28 House Bill 2820 Peer Support
and Critical Incident Stress Management

07/16/2020

Robert A. Swartz

91 Pickens Street

Lakeville, MA 02347

(508) 962-5720

Massachusetts House of Representatives

Chairman of the Ways and Means Committee

Chairman of the Judiciary Committee

Dear Sir / Madam,

My name is Robert Swartz and I am a resident of Lakeville, Massachusetts. I am in my 31st year working in law enforcement. I have served as a patrolman, a K-9 handler, and currently am a Detective with the Taunton Police Department and the Director of the Southeastern Massachusetts Law Enforcement Councils (SEMLEC) Critical Incident Stress Management (CISM) / Peer Support Team. I am writing to you today to request your support of Section 78 of House Bill #2820 Critical Incident Stress Management and Peer Support Programs. To be transparent, I do not support this bill in its entirety, and have already seen the increasing stress it has caused on Law Enforcement. However, I do commend the Senate for introducing the topic of Police Stress Management as a vital part of reform and support for officers. The implementation of Critical Incident Stress Management and Peer Support Programs is very personal to me.

Eight years ago, I was involved in a shooting, while at work. I was forced to discharge my weapon in defense of my own life and the lives of my community members. Though I had been through countless tactical and professional training's on how to protect my life and others, nothing prepared me for the aftermath and impact this incident would have on me or my family. That day was life changing. Most, unless they too have been through an officer involved shooting, cannot comprehend the overwhelming stress and physiological changes your body and mind go through. I myself had not been prepared for what the days and weeks following would be like. Unfortunately, there was no Police Critical Incident Support Team in my area at that time, after all, officer involved shootings are not a daily event in our region. Fortunately, with the guidance of a fellow officer I was put in touch with the Boston Police Peer Support Unit. Within days I was connected to a group of Peers and Clinicians who helped me, my wife, and my children weed through our emotions and cope with our new norm. Have you ever had to explain to your child that you took another person's life? Or explain to your family your need to go back to work after nearly being killed yourself? Peer Support was instrumental in providing us the tools we needed to communicate effectively with our children, teach us how to navigate our emotions, and provide a stable environment both at home and at school to lessen the impact this would have on our lives.

Since that time it became important to me, along with the support of the Southeastern Massachusetts Law Enforcement Council, we establish a Critical Incident Peer Support Unit. Over the last few years our team has conducted over 115 one-on-one peer support sessions, debriefed 30 critical incidents, diffused 32 critical incidents, made 18 trips to mental health facilities that offer programs specific to law enforcement officers, and provided support at 3 officer suicide and 1 line of duty death funerals, as well as sponsored a 2 day wellness symposium attended by over 300 officers. Local agencies already have individual and regional Peer Support and Critical Incident Stress Management Units. The Massachusetts State Peer Support Network oversees several multi-discipline teams, Boston Police have an established Peer Support Unit, Massachusetts State Police have a Stress Unit and several of the Law Enforcement Councils (Southeastern Massachusetts Law Enforcement Council, Metro Law Enforcement Council...) have well established regional teams. These team members are officers from throughout the region and are well versed in assisting officers with mental wellness. And it is still not enough! Currently, there are departments not participating and therefore, their officers are not receiving services.

I feel it is important to get in front of these incidents in Law Enforcement by ensuring Mental Wellness Practices become part of the daily training's of officers. Training, that is not currently mandatory, should become a requirement. The National Institute of Justice states that an officer, on average nationwide, will be subjected to three traumatic events every six months. Put into perspective that just one critical incident could spiral a person into a lifetime of depression, substance

abuse and struggle, yet Police Officers deal with these traumas routinely. To illustrate the point, a police officer with marital problems and financial struggles, whose family stress is compounded by shift work and lack of ability to be present at home or assist in child care. The officer now copes with this real-life situation by drinking and isolating himself. One can see how the combination of all these stressors can significantly affect how an officer responds or behaves. Without a proper outlet, awareness, education, healthy coping mechanisms, and training to relieve the stress and grow through life events, the likelihood of a negative outcome with the community is inevitable.

In closing, I respectfully request that you recognize the importance of, and support support Section 78 of House Bill #2820 Critical Incident Stress Management and Peer Support Teams. Please feel free to reach out to me if I can be of any assistance.

Sincerely,

Robert A. Swartz

Robert A. Swartz

From: Jennifer Pederson <jpederson@masswaterworks.org>
Sent: Thursday, July 16, 2020 10:16 AM
To: Testimony HWM Judiciary (HOU)
Subject: Written testimony - Senate Bill 2800

Chair Cronin and Members of the Committee:

I am writing on behalf of Massachusetts Water Works Association, a nonprofit membership organization representing public water supply professionals in Massachusetts. On behalf of our 1,300 members, I am submitting this written testimony to ask the House to preserve qualified immunity for municipal employees under Chapter 258 of the Massachusetts General Laws.

Our members are licensed drinking water operators who work hard to protect public health each and every day. The provision of drinking water is highly regulated and quite complex. Federal law, under the Safe Drinking Water Act, requires our members to provide safe drinking water to all customers served by the Public Water System.

Unfortunately, despite the best procedures and protocols to ensure safe delivery of water, accidents can occur. Qualified immunity is an important law that our municipal drinking water operators work under; they

need this important protection to ensure they are not held personally liable if a Civil suit were brought against them for incidents occurring in the course of carrying out their duties.

We respectfully ask you to ensure that the police reform legislation that you pass, not remove qualified immunity for other municipal workers.

Thank you,

Jennifer Pederson
Executive Director
Massachusetts Water Works Association
PO Box 1064
Acton, MA 01720
978-844-2294
jpederson@masswaterworks.org
From: Liz Diamond <lrdiamond@comcast.net>
Sent: Thursday, July 16, 2020 10:16 AM
To: Testimony HWM Judiciary (HOU)
Subject: Wholehearted support for the Reform-Shift-Build Act

Dear HWM Judiciary,

Representative Vincent has asked me to direct my concerns to you directly, rather than her office:

I am writing to voice my wholehearted support for the Reform-Shift-Build Act. As a 32-year resident and condo owner in Chelsea, 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. 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 Chelsea 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 myself and my neighbors, for Chelsea, 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,

Liz Diamond (32-year Chelsea resident/condo owner)

74 Springvale Ave, #18
Chelsea MA 02150
lrdiamond@comcast.net

From: James Conway Jr <j2conway@yahoo.com>
Sent: Thursday, July 16, 2020 10:15 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Good Morning,

My names is James Conway and I am writing this today with the hopes that the House of Representatives will reject the recently passed Senate Police Reform Bill/Anti Labor Bill S2820, formally S2800. I would like to start off by saying that I have read all pages of this bill and I am very familiar with its language.

I write this as an 8 year Police Officer who served with both the West Boylston and Boylston Police Departments and currently with the Worcester Police Department. This job is all I have ever want and worked extremely hard to get; I am proud to be a Cop. But, the recent Police Reform Bill will unfortunately make me and many other good Police Officers seriously consider walking away from the job we love, a job our families are proud of.

I will start by saying that recently I have to continuously hear how cops are racist. This truly infuriates me. I, along with every other Police Officer leave my house everyday, everyday not knowing if I will return to my wife and two daughters. Why? Because I am willing to place my life on the line to help others, no matter their race, sex or religion. I have to continuously hear that we, the Police kill unarmed black people. I have never hear of a Police Officer in the Commonwealth unjustifiably killing anyone in the last 30 years I have been alive. This is due to our excellent training on deescalation and use of force. What I have seen in my career this far is 3 police Officers from the Commonwealth and hundreds more across the country murdered for doing their job.

As you know, this bill was seriously rushed with no public hearing. This is due to the recent event that has happened in Minnesota and now legislators are making sweeping Police Reform across the country. I will tell you that Massachusetts is not Minnesota and that every Police Officer is disgusted with what happened to George Floyd. But, the actions of a former Minnesota Police Officer should not speak for the hard work of the Police Officers, including myself here in the Commonwealth.

This bill would take away qualified immunity. This leave us open to frivolous lawsuits, even if we do what we were trained to do, following policy and procedure. Not one of the thousands of good Police Officers agree with violating civil rights or excessive use of force but we need protection for doing our jobs. I cannot risk my families lively hood for do my job the right way. This will not only hurt us but the general public as well due to the fact that Police Officers will be afraid to do their job. I respectfully request that we keep Qualified Immunity.

This bill would also take away our due process and leave the outcome of the job we worked very hard for in the hands of people that have never been Police Officers. I, as a Police Officer would never be on a medical review board. This is because I have zero knowledge or training in the medical field. Why is it ok for us to be judged and possibly fired by people that have zero training or experience in Police Work? Why am I not entitled to the same due processes rights as a criminal that we arrest? I respectfully request that we are allowed to keep our due process which includes our Civil Service protection.

This bill would also take away our collective bargaining rights. On average, every three years Police Unions get together and negotiate with their City or Town on a contract. This contract includes many things such as pay increase, equipment purchase to better protect both us and the general public and a number of other things. If you were to get rid of collective bargaining this would make us all employees at will, practically robots, with no say on anything within the work place. I respectfully request we are allowed our collective bargaining and our Union can continue to have a legitimate purpose.

In closing I will say this "Courage is not the absence of fear, but rather the judgement that something is more important than fear". Outside of my family, nothing is more important to me than coming to work and protecting all citizens No matter my fears. I love this job and will continue to work tirelessly to be a symbol for great Police work. Please seriously consider rejecting this bill and do not fear repercussions from the minority of people who wish to pass this bill. It will not only hurt the Police but also the general public, this is important.

Respectfully,
James Conway
508-335-2943

From: Mark McKeown <umass95@hotmail.com>
Sent: Thursday, July 16, 2020 10:05 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

To whom it may concern,

As a resident of Massachusetts I am vehemently against this bill. It is completely misguided and will make policing virtually impossible. You will hurt the communities it is supposed to help the most. Policing will become completely reactive. Proactive policing will become a thing of the past.

You will have officers retire in droves and no one to replace them. Why take a job where you can be sued civilly for just doing your job?

This bill will make a tough job all that much more difficult if not impossible.

I am a police officer as well. This bill has given me serious thoughts of retiring early and moving away from Massachusetts. The effects of this bill will be devastating and living in a society with those effect is frightening.

Sincerely,
Mark McKeown
19 Burrwood Rd
West Roxbury MA 02132

From: curt nifsprotects.com <curt@nifsprotects.com>
Sent: Thursday, July 16, 2020 10:01 AM
To: Testimony HWM Judiciary (HOU)
Cc: Fiola, Carole - Rep. (HOU); Haddad, Patricia - Rep. (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". As the father of a police officer it is concerning that my son 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 men and woman choose 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. Massachusetts Police Officers are well trained and are among the most professional officers in the Nation. 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 and has the very real possibility of making them and the citizens they serve less safe. It's ironic that 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 one bad 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. Further; according to a recent Boston Herald article "the state's largest police union singled out that provision as one that would leave police officers second-guessing themselves on the job".

I ask 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. The law abiding citizens of the Commonwealth need our elected officials to support our police officers rather than enacting legislation that has the potential to put their futures in jeopardy. My son has chosen law enforcement for his career. He truly wants to serve his community and help people. He's just starting out his career and he shouldn't have serve the community for the next 30 years or so with the extreme uncertainty of what weakening or eliminating "qualified immunity" would put on him and his colleagues.

I hope that you agree with me that weakening or eliminating "qualified immunity" with regard to police reform is not a good thing and should not be part of any police reform bill.

Thank you for your time and consideration.

Curtis Nelson

Concerned Citizen

99 Lucille Lane

Fall River, MA 02720

I would like to weigh in on the bill that is currently in the House, S. 2820. I believe that the Senate did a disservice to the citizens AND police community of Massachusetts by keeping police officers wide open for frivolous law suits by eliminating QUALIFIED IMMUNITY. Unlike the absolute immunity that you enjoy, qualified immunity is given to police officers who do their job the right way. It allows them to do their job without concerning themselves with how some detail of an arrest or traffic stop might play out in some future litigation. Qualified Immunity DOES NOT protect rogue officers who break the law. This bill contains language that will knee-cap the police community. I urge you not to pass this bill, but if you must, I ask you to keep QUALIFIED IMMUNITY.

DUE PROCESS is another ball dropped by the Senate. This is something that is rightfully given to all citizens of the commonwealth and this great country. Essentially, by eliminating due process in their bill, the Senate has deemed all police officers second class citizens. It seems immoral (if not illegal) for a political body in our country to strip a person of their livelihood without allowing that person the ability to defend themselves.

I ask that you do not pass this bill, but if you must, i ask that you keep DUE PROCESS.

Please do no be anti police.

Please do not open all cops in the commonwealth to the burden of undue litigation.

Please listen to the voices of your constituents and protect those that protect us.

Thank you.

Stephen Fitzgerald
24 Richview Street
Dorchester, MA 02124
Dear Legislators,

I thank you for allowing me to voice my opinion on the proposed Senate Police Reform Bill. I think this bill was rushed and did not give the public time to give input.

I have been a volunteer most of my adult life in my suburban town. I have worked closely with our Town Administrator and all departments including Police and Fire. I have the utmost respect for the individuals who protect and serve our community. Having said that I know our suburban departments are not nearly as pressed with violent crime as the departments that protect and serve the urban areas/neighborhoods. I feel our Community Policing programs in Massachusetts have been effective and the unjustified horrible deaths by the hands of police in other areas of the USA have not and will not happen here. In my opinion racism is not a product of the police departments. Racism is a product of our society and I would argue it is mostly a financial and educational problem.

I feel that with the current proposed Senate bill you would be constraining police departments' ability to hire and retain the highly educated qualified police officers like those we currently employ. By allowing a perpetrator to civilly sue a police officer you would be taking away the officers' protection from erroneous accusations and create hesitation to perform their job to the best of their abilities in a violent situation. These are situations that take split second decisions with minimal background information. These are situations where the police officers are doing their jobs to protect the public.

I also worry that this is the tip of the iceberg. As a volunteer Town Councillor I was protected by the same Tort that currently protects the police officers, fire personal and EMT's. I hope you take my words in serious consideration and thank you.

Deb Bartlett, Franklin

>
>

I support strengthening the police reform bill with respect to use of force standards, banning use of facial recognition technology and removing the cap on the Justice Reinvestment Fund. Fred Wolf, 1724 Washington Street.

From: Debra Falzoi <dfalzoi2@gmail.com>
Sent: Friday, July 17, 2020 11:39 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support S2820

I'm writing in support of S2820. We cannot squander the chance to fix systemic inequities, and the Legislature is the only group that can do it in Massachusetts.

Blacks lives deserve SO MUCH better than what's happening.

Deb Falzoi
53 Morse St.
Westboro, MA. 01581
From: Tina Mazzie <kfroiomazzie@yahoo.com>
Sent: Friday, July 17, 2020 11:38 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Representative Michlewitz & Representative Cronin,

I hope my email finds you both well during these unsettling times.

I have been a proud member of law enforcement in Massachusetts for over 24 years. I have lived in the Commonwealth for over 50 years receiving a Bachelors Degree in Criminal Justice at Northeastern University and a Masters Degree in Criminal Justice from Boston University. I became a police officer because I wanted to help people. I wanted to make a difference. When I attended the academy 24+ years ago I had no idea my career would take me down its current path. Most of the last 12 years of my career have been focused on protecting children from predators. I have helped people and I have made a difference. The men and women I work with have dedicated themselves as well to this noble cause. As you know, we in law enforcement have been demonized recently because of the actions of a very few in other parts of the country. Frankly, I find it beyond insulting to be targeted in this manner. I strongly believe there has been a rush to judgement on policing in Massachusetts. Policing is a local issue and each department has it's own leadership, demographics, culture, community norms and so much more. I believe it's a disservice to the people of Massachusetts to pass legislation based on the actions of a few in the Midwest.

I have personally observed and been part of the great work of the women and men (federal, state & local) I serve with on a daily basis. I believe some of the best policing in America happens right here in Massachusetts. The number with regards to use of force particularly deadly force are very low from the homework I have done. I ask that you take the time to learn more, ask questions and not rush to judgement.

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

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

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

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees

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

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

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

Thank you,

Katrina Froio-Mazzie

32 Rowley Road
Boxford, MA 01921
617-590-9303

From: frank farrow <frankfarrow@yahoo.com>

Sent: Friday, July 17, 2020 11:38 AM

To: Cronin, Claire - Rep. (HOU); Michlewitz, Aaron - Rep. (HWM);

Testimony HWM Judiciary (HOU)

Subject: Testimony on Reforming Police Standards and Racial Justice

?

Thank you Chairwoman Cronin, Chairman Michlewitz and the Honorable Members of the Committees on Judiciary and Ways and Means for the opportunity to submit testimony ok Reforming Police Standards and Racial Justice.

My name is Frank Farrow. I am testifying in support of the following priority recommendations.

1. Establish a Commission to Study and Develop Reparation Proposals for African Americans

2. H.4024- An Act Establishing a Commission on the Social Status of Black Men and Boys

3. H.581- An Act Concerning Education in Honor of Byron Rushing (Black History)

4. H.2142- An Act establishing a Massachusetts corrections oversight commission

5. H.2792- An Act relative to equity in public workforce

6. H.3721- An Act relative to the expungement of records of marijuana arrests?

7. H.3751-An Act to eliminate workplace drug testing for marijuana

Thank you for being progressive about addressing racial injustice and uplifting Black Lives in Massachusetts. It's essential that an economic empowerment plan for African Americans is prioritized and that the voices of Black Americans are at the forefront of every policy recommendation.

I respectfully urge that the above listed priority recommendations be included in the legislation put forth by this body to Reform Police Standards and Racial Justice.

Thanks,

Frank Farrow

From: Amie Tracia Geary <amie.t.geary@gmail.com>
Sent: Friday, July 17, 2020 11:38 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Undeliverable: Police Reform Bill

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Amie Geary and I live at 16 Candlewood Road, Lynnfield, MA 01940. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong. I am so sad that I even have to write this email.

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

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

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

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

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

Sincerely,

Amie Geary

--

Amie T. Geary
(617) 529-7401

--

Amie T. Geary
(617) 529-7401

From: FRANK FARROW <elevatebostonfoundation@gmail.com>

Sent: Friday, July 17, 2020 11:36 AM

To: Cronin, Claire - Rep. (HOU); Michlewitz, Aaron - Rep. (HWM);

Testimony HWM Judiciary (HOU)

Subject: Testimony on Reforming Police Standards and Racial Justice

Thank you Chairwoman Cronin, Chairman Michlewitz and the Honorable Members of the Committees on Judiciary and Ways and Means for the opportunity to submit testimony on Reforming Police Standards and Racial Justice.

My name is Frank Farrow. I am testifying on behalf of Elevate Boston, a Black led community based non profit in support of our priority recommendations.

1. Establish a Commission to Study and Develop Reparation Proposals for African Americans

2. H.4024- An Act Establishing a Commission on the Social Status of Black Men and Boys

3. H.581- An Act Concerning Education in Honor of Byron Rushing (Black History)

4. H.2142- An Act establishing a Massachusetts corrections oversight commission

5. H.2792- An Act relative to equity in public workforce

6. H.3721- An Act relative to the expungement of records of marijuana arrests?

7. H.3751- An Act to eliminate workplace drug testing for marijuana

Thank you for being progressive about addressing racial injustice and uplifting Black Lives in Massachusetts. It's essential that an economic empowerment plan for African Americans is prioritized and that the voices of Black Americans are at the forefront of every policy recommendation.

Elevate Boston and our community partners respectfully urge that our priority recommendations be included in the legislation put forth by this body to Reform Police Standards and Racial Justice.

Thanks,

Frank Farrow

From: Carolyn Cronin <ccronin5@gmail.com>
Sent: Friday, July 17, 2020 11:34 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: An act to Save Black Lives

Good day

i support S 2820 , an act to Save Black Lives. and urge the House to quickly pass an equally strong or stronger bill.
in particular, i support;
1. the banning of most violent police actions.
2. strict liimits on qualified immunity
3. a ban on use of facial recognition technology.

thank you
Carolyn Cronin
22 Greenwood St
Melrose, MA 02176
978-397-9453
From: Aaron Butler <orlando351143@yahoo.com>
Sent: Friday, July 17, 2020 11:34 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fairness

To whom this may concern,

My name is Aaron O. Butler, I am a black Police Lieutenant in the City of Springfield and I am assigned to the Internal Investigations Unit. I read the bill your trying to pass and I find it disgraceful and a symbolic spit in my face and the faces of every honest hard-working Police Officer in the Commonwealth. Before I continue I know that not all of you have

disdain and disrespect for us, 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.

The idea that a person does not get due process in the United States before being deprived of their liberty and hard work is an absolute shame and is offensive to the principles that this country was founded on and what the court system is based on, being treated fairly and with respect, it's obvious some of you do not care about these things for the people who risk their lives to keep your cities and towns safe.

You obviously have a feverish need to do "something" because of this silly idea that black men are being hunted down by racist white cops. Nothing is further from the truth, you feel this need to do "something", only the something is disgraceful. I do not have any problem with a POST system, no Police Officer I have spoken to does it's the lack of common sense and fairness in the bill that we a problem with. And what happened to George Floyd, which obviously prompted this has nothing to do with any Police Officer in the Commonwealth, stop punishing us for what some filthy excuse for humans did on the other side of the country.

Let me tell you what is going to happen, first no Police Officer will do anything other than what is absolutely necessary because our supposed leaders have stabbed us in the back over pressure to do "something" even the something is reckless and disgusting, which I am sure is the reason why some of you tried to sneak this bill through when no one was looking.

I suspect a vast majority of Police Officers who can retire, will, others with less time will just quit and the ones who have to stay will be disgruntled and will not engage in any type of activity unless they get a call and they absolutely have to do something. At some point when the ranks gets drastically low, the only people foolish enough to take this miserable and thank less job will be the people you don't want and who had tried in the past to get on the job but were rejected. Chiefs will have no choice but to hire them because someone has to the job.

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. I have spoken to a few of the younger Officers who are

confused and very angry and have asked me what to do, I told them to get out now, why the hell would anyone do this job with political leaders stabbing them in the back. You are going to see young, educated people leave this job and in case you did not know this, we need them to stay and you are going to drive them out and like I said we will be left with people who are only looking for a paycheck and don't belong on the job.

It's clear that a lot of you have no idea what qualified immunity is, you seem to think cops just run around punching people, like the liars in the DOJ and the AG's office think of Springfield Police. It is far from that. It simply means without being too complicated that if a Police Officer is doing the right thing you cannot sue him/her. Which makes perfect sense, how are Police Officers supposed to do their job if they are getting sued every time they turn their head.

Maybe the flood gates should be open to sue Politicians for laws that are passed where someone gets falsely accused, you would not like that, would you? You need to ask yourselves why anyone would want to do this job with no protection. This bill is the exact type of discrimination you are complaining about, you want to penalize Police Officers, unjustly for what a few, and yes, a few bad apples have done, that are being dealt with. And please stop listening to NAACP, they have not been a civil rights organization in years, they are just a political action committee.

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, sadly mistaken.

Aaron O. Butler

Springfield, Ma

Sent from Yahoo Mail for iPhone

<https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=XCv-8DKPcBnPx0RkUJaxFGsNOP-jw3-QiWh8QFs7zVc&s=dxVCdAJA_FgDGs4tw6vKNQs4rjRqA6jDmpJWJTNYV-4&e=>

From: Angela <angelaz1023@comcast.net>
Sent: Friday, July 17, 2020 11:34 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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

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

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

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

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

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

Thank you,

Angela Zielinski

9 Angelica Dr, Westfield, MA 01085

Angelaz1023@comcast.net

413-454-5940

Sent from my iPhone

From: Tyler Dow <tdow@provincetown-ma.gov>

Sent: Friday, July 17, 2020 11:30 AM

To: Testimony HWM Judiciary (HOU)

Subject: Bill S.2820

? To the Chair,

My name is Tyler Dow. I am a resident of Harwich, MA and a police officer for the Town of Provincetown. I worked for the town in a part time capacity from 2012-2015, and in 2015 I was hired as a full time police officer. Along with my role as a patrol officer, I am also a Use of Force/Defensive Tactics instructor in the State of MA. I am also a Taser instructor and Field Training Officer for my department and am involved with planning and carrying out various trainings several times a year. One of my passions is training new recruits and fellow officers, as I believe keeping the public, as well as police officers safe is of utmost importance. The new bill which was made public this week and will be voted on shortly, produces concerns as a police officer and person of the commonwealth. While I do not claim to be an expert in the fields I mentioned, I wanted to write to you before this bill was voted on to voice some of these concerns. I understand there needs to be change in order to offer the best possible services for our communities, but I feel as though there needs to be further discussion with more law enforcement or criminal justice representatives.

The first portion of the proposed bill refers to a Police Officer Standards and Accreditation Committee which I can understand the rational behind. However, if law enforcement is going to be regulated by a committee such as this, it should be done by more people who have a criminal justice background. I am not suggesting all members of the committee need to be active or retired law enforcement, however there are other professions or positions people hold which would offer a better understanding of law enforcement. If this committee is to be responsible for investigating complaints and possible revocation of officer's certifications, there needs to be a complete understanding of law enforcement, and the make up of the committee does not appear to lend itself to that. One of the concerns regarding investigations of complaints is one person could have a vendetta against a police officer, and make several complaints about the same officer directly to the committee. Even if these complaints were frivolous and unwarranted, the committee would now be directly investigating these complaints if they so choose, separate from the internal department investigation. The committee could now sustain complaints made against an officer and revoke said officer's certification regardless of department action (even though it could be taken into consideration). As proposed, the committee has been handed great power concerning an officer's livelihood and I feel as though there needs to be more refining to the actions the committee could take as well as the actual make up of the committee. The due process for an officer needs to remain in place for police just as there is due process for a civilian.

In regards to the use of force aspect of the proposed bill, I have an immense fear that if passed, this bill will get more police officers hurt, as well as civilians. The language currently used in training when it comes to use of force is based off the "reasonableness standard" which is directly from "Graham v Connor 490 U.S. 386 (1989)". This standard gives police officers the right the use force that is objectively reasonable, not "proportionate" given the facts and circumstances at the time. It also recognizes police officer need to make split second decisions in circumstances which are tense, uncertain and rapidly evolving. The language in the use of force chapter in the bill regarding "imminent harm" is alarming. By the definition of "imminent harm" provided, officers would need to believe they would suffer "serious physical injury or death". With this language, it presents as though I would need to be nearly rendered incapacitated by an assault in order to use force. Force is defined as physical effort used to compel, repel, or restrain. Therefore there are times when police officers need to use "force" in order to restrain someone who is trying to break from our control. They may not be trying to hurt us, but it could be dangerous for that person to be out of our control but I would not be able to restrain this person properly by the "imminent harm" definition. There are times when trying to speak with someone and de-escalate a situation just simply isn't feasible and the person needs to be restrained so they don't hurt themselves or others. There is a difference between serious physical injury and physical injury, which I teach through my trainings. Officers cannot predict whether a punch or push might result in serious physical injury or not. A punch could leave a simple red mark, or it could cause me to be unconscious and have my firearm or other items exposed to the subject. Also if officers cannot use force based on anything but an "immediate" assault resulting in serious physical injury, it could be too late for the officer to take measures to stay safe.

Officers needing to wait until there is an immediate threat of serious physical harm will cause a greater amount of force to be used on a person in all cases. Instead of being able to restrain a person the way we have been trained, officers will only be able to use force in the most dangerous circumstances where a higher level of force will be reasonable. As an example, if I am trying to escort someone to an area to speak with them, and they begin to pull away from me or push away from me, I would not be able to properly restrain that person using a reasonable amount of force. Now say that person is carrying a weapon on them and that is the reason he/she is pulling away from me, so I don't find it. Now because I can't use any force to restrain them, they access that weapon and use it against me. Force in this situation would not dictate me delivering any sort of strikes against the person, there are control tactics police can use in these situations which are still technically "force" by definition. Now that I fear "imminent harm", I will need to use a great amount of force, possibly resulting in that person's death. This could have been avoided with levels of force that are immensely lower, where the likelihood of injury is no where near as high as a lethal threat.

Another item which will result in officers or the public being injured is in section Of use of force, where it states "any person in the commonwealth shall have a right to the intervention of officers in the circumstances described in this section." In Commonwealth v Adams 416 MA

at. 565, it describes police officers having a duty to intervene when excessive force is being used. This is appropriate because other officers will have a better understanding of what is excessive and what is not excessive. The average citizen does not perceive actions, language or situations in the same way a police officer does during their course of duty, therefore there could be a justified use of force happening. However, if a citizen deems the officer's actions excessive, with their lack of law enforcement knowledge, they can intervene in a dangerous manner. A person may be walking by a scene in which an officer is on the ground with a subject trying to restrain them because the officer knows the subject has a weapon. The person walking would likely not know this and could legally intervene and stop the officer from restraining a dangerous person under this bill which puts everyone there at risk. The totality of circumstances begins from the time of the radio call to an officer and police officers are reacting to subjects on a split second basis, a person seeing an incident taking place may not see some subtle dangerous moves made by the subject leading to a use of force.

One of the most dangerous aspect of this bill is eliminating qualified immunity for police officers. Qualified immunity is a doctrine that shields police officers and all public employees (and other governmental officials) from personal liability in civil lawsuits unless they violate "clearly established" legal principles. In cases claiming excessive force, an officer's use of force must be reasonable under the Fourth Amendment in order to avoid liability. In cases alleging false arrest, an officer must have arguable probable cause for the arrest in order to escape liability. It is these police officers who are protected by qualified immunity. Qualified immunity is in place when officers act lawfully and in good faith, not when an intentional unlawful act was carried out. Being able to file actionable complaints against an officer is understandable, but to be able to file civil lawsuits against an officer for performing lawful duties will likely cause officers to hesitate in situations when action should be taken. If an officer arrives at a house for a report of someone screaming inside, glass breaking and there is a history of violence in the house, and there is no answer when the officer tries to contact someone inside, that officer may need to break a door or window to gain access and make sure everyone inside is ok. If the officer does so, and the screaming/breaking glass wasn't because of anything criminal, the people in the house may now want to sue that officer for property damage or whatever else they could think of, even though the officer was acting in good faith and lawfully there to stop a possible violent crime. Qualified immunity is not and should not be there to protect unlawful acts committed by officers, but when a decision is made to act lawfully and in good faith, officers don't want to worry about their home or livelihood taken from them time and time again.

Police officers are held accountable if there is misconduct. Police officers are routinely, and often times successfully, sued for their on-duty conduct. The City of Boston has paid millions of dollars to settle lawsuits and jury verdicts against police officers. The Chicago Tribune reported that in 2018, the City of Chicago paid \$97.9 million in settlements and judgments in cases involving police misconduct. In most cases, a municipality or a municipality's insurance company will bear the expense of settling a lawsuit against an officer or

paying a jury verdict against an officer. If the law is changed to make officers personally liable for wrongful conduct, this will likely result in some situations the person who was injured by an officer's wrongful conduct will not be able to recover if the officer is the one who has to personally pay.

I understand there needs to be changes in some of the language with which police operate regarding policies and procedures. In the commonwealth, our standards for use of force are not like other states and I strongly believe MA is ahead of the curve in use of force and policing as a whole. To radically make so many changes to law enforcement through this bill will not generate the reform people are seeking. We do need to get any and all people out of this profession who should not be, we do need more training, and we do need to have more discussions with leaders in the State, but passing this bill will be detrimental to public safety. I know we all want change for the better, so before this bill is passed, I feel there needs to be further discussion with law enforcement representatives so our stand point can be shown to those who might not understand yet. I want to thank you for your time and your dedication to this State.

Best regards,

Officer Tyler Dow

Provincetown Police Department

<x-apple-data-detectors://2/1> 26 Shankpainter Road <x-apple-data-detectors://1/1>

Provincetown, MA 02657 <x-apple-data-detectors://1/1>

(508) 487-1212 <tel:(508)%20487-1212>

Important Information

To help manage the spread of the Coronavirus, and as a precautionary measure, the Town of Provincetown has closed all Town buildings to public traffic, with the exception of the Police Department. Staff will continue to work regular business hours and are available by phone and email. If you need to drop off anything for a department, please use the drop boxes located outside Town buildings. We will continue to hold necessary public board and committee meetings virtually. Please see public notices for call-in information. For up-to-date information, visit our webpage <https://www.provincetown-ma.gov>
<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.provincetown-2Dma.gov&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=ZJgOlMVbTDktW7838oG2w_DsWrBvbQwwxoRRY4L1LaQ&s=KQb01qhTFguRYgcgGcVPWFrReBxPhV8zI-9tsnu_Cz8&e=>> . If you have not already signed up for the Alert System, please do so at <https://alerts.provincetown-ma.gov> <https://urldefense.proofpoint.com/v2/url?u=https-3A__alerts.provincetown-2Dma.gov&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=ZJgOlMVbTDktW7838oG2w_DsWrBvbQwwxoRRY4L1LaQ&s=98RRuPao8tHdbgZZGAXbfpvU8wCSJVM5Yn5PB7_30h4&e=>> . To streamline access, please call departments directly for Town business or call the Town Business Hotline at 508-413-9600 for general information.

From: Julie Dahlstrom <jadah1@bu.edu>
Sent: Friday, July 17, 2020 11:27 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass a Strong Police Accountability Bill with Key Provisions
from S.2820

Dear Chairs HWM & Judiciary,

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

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

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

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

Sincerely,

Julie Dahlstrom
12 Norfolk Rd
Arlington, MA 02476
jadahl@bu.edu

From: eve paone <evepaone@outlook.com>
Sent: Friday, July 17, 2020 11:29 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: S.2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Eve Paone and I live at 6 Norris Rd, Lynnfield MA. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers

of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

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

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

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

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

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

Sincerely,

Eve Paone

Get Outlook for iOS <https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_o0ukef&d=DwMF-g&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=oemzkFH6TYMXTF3jyNNDLknzrwDFQKuYvb99dPmMg5w&s=e3np8IHIgfBagg4CEjCCQXxEy46J-sW9ClzsmYLqrHQ&e=>>
From: Erica Anderson <ericamaanderson@gmail.com>
Sent: Friday, July 17, 2020 11:30 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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

I'm writing on favour of S.2820 to bring badly needed reform to our criminal justice system. I urge you to act as swiftly as possible to pass this bill into law AND strengthen it.

The final bill should:

- eliminate qualified immunity (loophole that prevents holding the police accountable)
- introduce robust standards for decertifying problem officers/ officers who pose a risk to any citizen (especially in terms of race, income, sexual orientation, gender identity, etc.)
- completely ban tear gas, chokeholds, and no knock raise (like the one that killed Breonna Taylor)

Feel free to call me for further discussion.

Thank you,

Erica Anderson

Tewksbury

781-439-0847From: Jake Maliel <jakemaliel@gmail.com>

Sent: Friday, July 17, 2020 11:29 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Jake Maliel with the Greater Boston Interfaith Organization (GBIO). I live at 3 Elm Lawn Street in Milton . I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Jake Maliel

From: L F <fowlkeslorraine@gmail.com>

Sent: Friday, July 17, 2020 11:28 AM

To: Testimony HWM Judiciary (HOU); Cronin, Claire - Rep. (HOU);

Michlewitz, Aaron - Rep. (HWM)

Subject: H.2820 REQUEST EXTEND DEADLINE FOR PUBIC TESTIMONY, Lorraine Fowlkes, NAACP, 617 283 2089

Dear Representatives Cronin and Micklewitz,

While appreciate the opportunity to have submitted testimony earlier this morning (within the deadline), I believe an unpublicized 24-hour timeframe is grossly inadequate given the political climate and the magnitude of the bill that the House is about to review and vote upon.

Please extend the deadline at least to Monday, July 20th at 11 am.
Thank you in advance.

Lorraine Fowlkes

From: kathy concannon <kathyconcannon@hotmail.com>

Sent: Friday, July 17, 2020 10:36 AM

To: Testimony HWM Judiciary (HOU); O'Connor, Patrick (SEN); Meschino, Joan - Rep. (HOU)

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

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

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

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

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

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

Thank you,

Kathleen Concannon 4 Second St Hull, Ma kathyconcannon@hotmail.com
<mailto:kathyconcannon@hotmail.com>

Sent from my iPhone
From: Melissa Clifton <melissa.clifton@comcast.net>
Sent: Friday, July 17, 2020 11:26 AM
To: Testimony HWM Judiciary (HOU)
Subject: opposition to Bill S.2820

Good morning

I am writing to let you know I oppose Bill S.2820 !

I feel this needs more time to review by the citizens of Massachusetts. This is a sneak attack bill that does not provide enough time for proper consideration.

Thank you
Melissa Clifton
From: Sean McMahon <seanomac@gmail.com>
Sent: Friday, July 17, 2020 11:26 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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

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

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

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

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

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

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

Thank you,

Sean McMahon
17 Carter St, Hudson, MA 01749
Seanomac@gmail.com

From: Linda Hannaford <lytea24@hotmail.com>
Sent: Friday, July 17, 2020 11:26 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please think of us

Can you send this by 11 am via email :

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

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an

already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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

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

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

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

Name Linda Hannaford
Address 124 Edgemere Rd
City state Lynn Ma

Sent from my iPhone

Sent from my iPhoneFrom: Ilya Gersh <igersh@rocketsoftware.com>
Sent: Friday, July 17, 2020 11:26 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police immunity

It came to my attention that last night the MA Senate passed the bill to end qualified immunity for police officers. I am appalled that the legislature of such importance was passed without a public hearing.

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. 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.

A horrible death happened in Minnesota and everybody condemned it. But why the whole profession of policemen is punished for that? I talked to Brookline police and there has been not a single incident of police brutality for the years of existence of Brookline police. Massachusetts police in general is an exemplary organization. Why are you in such a hurry of changing the law? This new law will harm not only police but the whole population of Massachusetts.

In the strongest possible terms, I urge you to keep qualified immunity for MA police officers intact.

* ilya Gersh

39 Avondale Rd

Newton, MA 02459

+1 617.974.1345 c

=====
Rocket Software, Inc. and subsidiaries ? 77 Fourth Avenue, Waltham MA
02451 ? Main Office Toll Free Number: +1 855.577.4323
Contact Customer Support:
<https://my.rocketsoftware.com/RocketCommunity/RCEmailSupport>
Unsubscribe from Marketing Messages/Manage Your Subscription Preferences -
<http://www.rocketsoftware.com/manage-your-email-preferences>
Privacy Policy - <http://www.rocketsoftware.com/company/legal/privacy-policy>

=====

This communication and any attachments may contain confidential information of Rocket Software, Inc. All unauthorized use, disclosure or distribution is prohibited. If you are not the intended recipient, please notify Rocket Software immediately and destroy all copies of this communication. Thank you.

From: Tree <tkuharich@gmail.com>
Sent: Friday, July 17, 2020 11:25 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support HD.5128

I am a resident of Massachusetts and I urge you to transform Public Safety by:

- * banning chokeholds
- * banning no knock warrants
- * banning tear gas
- * and firing abusive officers.

In addition, officers should have a duty to intervene and to de-escalate situations. And records of officer misconduct should be maintained and available to the public. .

In addition, Massachusetts should end the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights. Police officers have more power and with more power comes more responsibility. They are intended to protect civil rights, not violate them. The laws should reflect that.

Support HD.5128 and get rid of qualified immunity.

Sincerely,
Theresa Kuharich
5 Post Ct

Kingston, MA 02364

From: Neenah Estrella-Luna <neenah@starluna.net>

Sent: Friday, July 17, 2020 11:24 AM

To: Testimony HWM Judiciary (HOU)

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

Subject: In Re S.2800

Judiciary Committee,

Hello and thank you for the opportunity to share my concerns about S.2800 (Reform, Shift + Build Act). There are a number of good provisions in this bill. I appreciate the data collection requirements on all stops. Although even this could be improved by requiring data collection on all protected classes, not just race and ethnicity. For example, Massachusetts law includes people living with disabilities among its protected classes but data collection on that is not currently required in this bill. Given that a significant number of police abuse of power incidents involve people living with mental health or cognitive challenges, this too is important to track.

However, there are several areas that need significant improvement if the Commonwealth is serious about addressing police abuse of power, creating mechanisms of accountability when police violate an individual's constitutional rights, and starting the process of de-militarizing our local police departments.

The easiest modification that should be made in this bill is the outright prohibition on the use of tear gas for any reason. The use of tear gas is already prohibited in international law during military conflicts. There is absolutely no reason for a local police force to be using tear gas, most especially if its use is prohibited by actual military personnel. This bill should be amended to explicitly prohibit the use of tear gas and other chemical weapons for any reason. If the Army can't use it, why should Boston Police be allowed to?

Critically important is strengthening the qualified immunity provisions. As passed, the bill does not meaningfully change the immunity from civil damages that have protected individual police officers from being held accountable for civil rights violations. There needs to be explicit language that directs the courts to allow litigation on civil rights violations. The current bill uses vague language and relies on the courts to divine the intent of the legislature. Given existing case law, anything short of explicit direction that specifies when qualified immunity does not apply (or even better - when it only applies) puts an unnecessary and irresponsible burden on the courts.

In terms of accountability, the bill raised the standard for decertification of police officers. This is clearly going backwards. Removing this provision should be easy.

Finally, the bill needs to provide greater consequences to police departments who have demonstrated by their own data to have engaged in patterns of racial profiling or patterns of abuse against protected

classes. I am one of those people who professionally does what you all call implicit bias training and similar education. I can tell you from my professional experience that implicit bias training cannot undo the deep cultural problems that tolerate of police abuse of power. Police officers and their leadership are so resistant to such training as to render it absolutely useless. Policy change that explicitly states what is not tolerated with material consequences for violating such standards can are needed to provide any chance for such learning and skill development to work. Both incentives and disincentives are needed to compel behavior change and to support the efforts of city/town governments in changing policing practices in the Commonwealth. Perhaps removing the accreditation status of police departments could be considered when there is documented patterns of police misconduct and patterns of illegal profiling against any protected class. T

I am happy to continue the conversation at any time. My contact information is below.

I thank you for trying to make consideration of this bill more transparent than was observed in the Senate process.

Dr. Neenah Estrella-Luna, MPH

143 Saratoga Street

Boston, MA 02128

(617) 271-9056

--

Dr. Neenah Estrella-Luna, MPH

Twitter: @nstarluna <https://urldefense.proofpoint.com/v2/url?u=https-3A__twitter.com_nstarluna&d=DwMFAG&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=K3zjjFj2Vh3mQDhJAqDjapRQanr7ehMffXRE599h-E&s=UoA_aQ5mHuh0lZ_J51ErTyLgw71TTjY6ynES0bmOb0A&e=>

Website: <https://starluna.net>
<https://urldefense.proofpoint.com/v2/url?u=https-3A__starluna.net_&d=DwMFAG&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=K3zjjFj2Vh3mQDhJAqDjapRQanr7ehMffXRE599h-E&s=8mX1leQLUGc-tnJjsX8zq21T6NAZSGoz33blj94vqdc&e=>

From: Timothy Sullivan <tjsull02@gmail.com>
Sent: Friday, July 17, 2020 11:23 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S2820 written testimony

A Letter regarding Bill S2820

I, Timothy Sullivan, as a member of The Peabody Police Department, am writing to express that I am opposed to Massachusetts Senate Bill (S2820). If passed, this bill would prohibit officers from effectively executing their duty each day.

The main areas of concern, among others, are the following:

Due Process: Under the law, Police officers deserve the same due process that are given to citizens and have been in place for years. All law enforcement employees deserve the right to an appeal, the same right given to other public servants.

Qualified Immunity: Contrary to what most think, qualified immunity does not protect bad police officers. What it does is keep officers, acting in good faith while making split second decisions, out of frivolous lawsuits that not only waste time, but millions of tax - payer dollars. All officers are bound to policy and procedures within their department and are subject to internal investigations.

Police Officer Standards Accreditation Committee: People have the right to be judged by their peers. It is difficult for any person to judge situations which they are not familiar with, or have never been involved in. In order to properly review Police conduct one must understand the role of being a police officer. Being tasked with regulating police action, including termination should be done by those who have an intimate knowledge of the profession.

At this time Massachusetts Police Officers are among the most trained Police Officers in the country. There have been no acts toward the public by any law enforcement officials that warrant such sweeping legislation. I urge you to reconsider the parameters of S2820. Please provide the men and women of Massachusetts law enforcement with the respect they deserve. Respectfully,

Timothy Sullivan
6 Sycamore Circle.
Peabody, MA 01960
978.502.6806

From: Heather Thomas <hgallant85@gmail.com>
Sent: Friday, July 17, 2020 11:21 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police

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

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

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

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

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

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

Thank you,

Heather Thomas

Hgallant85@gmail.com

From: Steven Hamilton <steven.hamilton.jr@gmail.com>
Sent: Friday, July 17, 2020 11:18 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Dear Chairman Michlewitz and Chairwoman Cronin

I am writing to you in regards to the Police Reform Bill that is said to be heard at the House. Growing up as a son of a Police Officer, I began to understand how men and women of law enforcement put the lives of their communities before their own. Growing up in a small town (Easton), I quickly saw how law enforcement officers were a part of their communities and how police officers served the communities also as coaches, role models, and other roles where they interacted with the children of the communities. After seeing how involved police officers were with the members of their communities, I quickly decided that I wanted to be a police officer and here I am today. I have been a police officer for approximately 9 years (7 years with a municipality). I am writing to you today because I do not want to see the communities and police officers to spread further apart than continuing the idea of community policing. I loved knowing that my coaches were also members of law enforcement such as police officers I work and how they serve as coaches in their community. I feel that this bill will hinder the relationship that we have when we need to be getting closer together.

I understand we as a society need to work together and there needs to be progress but I have certain issues with the following:

Qualified Immunity: As we see in other states, police officers are already second guessing themselves and how they react to situations because of what issues they could face down the road. Police Officers have minutes to seconds to make a decision and then they will have the rest of their lives to be second guessed. I feel that if we get rid of qualified immunity then officers will THINK about reacting instead of reacting which could hinder the members of their communities.

Review Board: As I just stated, as a police officer we have seconds to make that decision. I feel that the members need to be trained as police officers and to work with police officers in the following areas: Defensive Tactics, Constitutional Law, and Psychology and how the officer perceives incidents. I feel that having a committee who is not trained in the same areas as us would hurt the decisions being made.

I understand we need to continue to make our Commonwealth better than how we started, but as how the bill stands today, I ask you to Vote NO on the Police Reform Bill S.2800.

Steven Hamilton Jr.

From: Memory Holloway <mholloway@umassd.edu>

Sent: Friday, July 17, 2020 11:12 AM

To: Testimony HWM Judiciary (HOU)

Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

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

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

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

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

Sincerely,

Memory Holloway

13 Grinnell St

South Dartmouth, MA 02748

mholloway@umassd.edu

From: Melissa Conklin <conklin.mel@gmail.com>

Sent: Friday, July 17, 2020 11:19 AM

To: Testimony HWM Judiciary (HOU)

Subject: Opposition to bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Melissa Wilson and I live at 14 Swan Pond Road in North Reading <x-apple-data-detectors://1> . As your constituent, I write to you today to express my staunch opposition to Bill 2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional

Rights extended to citizens across the nation. It is misguided and wrong.

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

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

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

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

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

Respectfully,

Melissa Wilson

14 Swan Pond Road <x-apple-data-detectors://3/1>

North Reading, MA 01864 <x-apple-data-detectors://3/1>

From: Susan Nye <snye5@verizon.net>

Sent: Friday, July 17, 2020 11:18 AM

To: Testimony HWM Judiciary (HOU)

Cc: Hecht, Jonathan - Rep. (HOU)

Subject: Important reform

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is _Susan Nye with the Greater Boston Interfaith Organization (GBIO). I live at 42 Washburn Street; Watertown MA 02472 . I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Susan Nye
snye5@verizon.net

617 923-0759

42 Washburtn Street; Watertown MA 02472

cc: Rep. Hecht

From: Karen Wilfrid <karen.wilfrid@gmail.com>
Sent: Friday, July 17, 2020 11:17 AM
To: Testimony HWM Judiciary (HOU)
Subject: police reform bill

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

Hello, my name is Karen Wilfrid with the Greater Boston Interfaith Organization (GBIO). I am a public school teacher, and I live at 92 Central Ave. in Newton. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Karen Wilfrid
Karen.Wilfrid@gmail.com
508-868-5644

From: SHAWN PORTRAIT <nizwiz@comcast.net>
Sent: Friday, July 17, 2020 11:17 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Vote NO to S.2820

----- Original Message -----
From: Lorina Gjino <lorinagjino@yahoo.com>
To: Shawn Portrait <nizwiz@comcast.net>
Date: 07/17/2020 10:45 AM
Subject: Fwd: Vote NO to S.2820

Can you please send this email to the address below by 11 am today?

Sent from my iPhone

Begin forwarded message:

From: Lorina Gjino <lorinagjino@yahoo.com>
Date: July 17, 2020 at 10:43:40 AM EDT
To: Testimony.HWMJudiciary@mahouse.gov
Subject: Vote NO to S.2820

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

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

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

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

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

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

Thank you,

shawn portrait

From: Richard Wickenden <rwickenden@verizon.net>
Sent: Friday, July 17, 2020 11:16 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

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

specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,
From: taylor brodersen <taylors11b@gmail.com>
Sent: Friday, July 17, 2020 11:16 AM
To: Testimony HWM Judiciary (HOU)

Committee on the Judiciary

House Committee on Ways and Means

The State House

Boston, MA 02133

Dear Chair Cronin, Chair Michlewitz, Vice-Chair Day, Vice-Chair Garlick and House members of the Judiciary and the House Ways and Means Committees,

Thank you for your commitment to racial justice and to the bright futures of young people in our

Commonwealth.

As a resident of the commonwealth, I urge you to support Juvenile Justice Data, Raise the Age, and Expungement.

- * Require transparency in juvenile justice decisions by race and ethnicity (as filed by Rep. Tyler in H.2141)
- * End the automatic prosecution of teenagers as adults (as filed by Rep. O'Day in H.3420)
- * Expand expungement eligibility (as filed by Reps. Decker and Khan in H.1386 and as passed in S.2820 §§59-61)

Thank you for defending and protecting the students of Massachusetts. I look forward to hearing back from you about how you voted on this bill.

Sent from my iPhone
From: Alan Furtado <ajjen7076@gmail.com>
Sent: Friday, July 17, 2020 11:16 AM
To: Testimony HWM Judiciary (HOU); Vieira, David - Rep. (HOU)
Subject: Opposition to Parts of Bill S.2820

Good Day,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me

in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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

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

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

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

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

Thank you,

Alan Furtado, Jr.

3 Cranberry Rd. Buzzards Bay, Bourne, MA

781-857-0386

From: Rick Payne <rpayne@ligris.com>
Sent: Friday, July 17, 2020 11:13 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Good Morning;

I am writing to raise my concerns with the above-listed bill and the effect that it will have on police officers in the Commonwealth of Massachusetts, but I am also writing in support of my family, mainly my cousin, my uncle, my aunt and her whole family who represent at least 3 generations of "GOOD" police officers. In the little time I have had to review the bill, I do think that it addresses some necessary faults in our current system throughout the Commonwealth. However, I am concerned with the a few provisions, which I will address individually, but I am especially concerned with the hastiness in which this bill is being pushed through. There has not been enough research or debate and not nearly enough input from the law abiding officers within the Commonwealth. At one level, it seems as it is a panicked/rushed decision to a current problem and we all know how those usually work out. On another level, it looks as though it is a pandering to the masses or the mob. Which I hope is not the case because there are too many "good" police office within the Commonwealth of Massachusetts that are being hung out to dry here based on the actions of a few bad seeds.

As any sane and moral individual would agree, what happen to George Floyd was downright wrong and an act of murder, no matter how you look at it. There is no disputing that and there is no disputing that throughout this Country and even here in the Commonwealth of Massachusetts there are events and cases like George Floyd that should never happen and the perpetrators should be punished to the full extent of the law. However, and I stated before, the actions of some do not establish precedent for the whole. Like any profession, there are people who are good at their jobs and care about the work product or the people they come in contact with, but there are always, in EVERY profession, people who aren't good at their jobs or just don't care enough to abide by laws of the land or by the rules, regulations or codes of conduct of their profession.

As an Attorney, I can speak to this as well as anyone. My first internship was with one of the smartest people I had ever met and he was fantastic in the courtroom, however he did not think laws, rules, regulations or codes of ethic applied to him and he is still serving time in prison for a large scale mortgage fraud scheme. Before being brought

up on charges by the government, he was brought before the Board of Bar Overseers and was subject to discipline for his ethics violations. The Panel that revoked his license to practice was made up of lawyers and the same happens at medical review boards. The same should be done for Police Officers, but with some civilian input. The Bill addresses civilian review boards, but is not fair or just to police officers as there is not nearly enough representation of law enforcement professionals on these panels. Civilians are not trained to be police officers just as I am not qualified to sit in on a review board that addresses someone's right to practice medicine.

Secondly, I am concerned with the elimination of Qualified Immunity for police officers. This immunity is not there to protect the officers in the George Floyd case or any officer who violates the laws of this Country, the Commonwealth or the Municipality in which they serve. This Immunity is there to protect the "good" offices who are performing their duties in good faith and within the confines of the oath they swear to serve and protect.

As I stated earlier, I am in support of the idea of this bill and police reform throughout the Commonwealth, including standardized training for all of current and future officers. Unfortunately, I feel that this bill is being rushed through, but it needs to be discussed further to hone it to a more appropriate and more effective reaction/solution to the overall problem. Please consider bringing this bill back for more discussion and fine tuning because, in its current form, it is merely putting a Band-Aid on a gunshot wound and not a real solution to the problems within the system.

Sincerely,

Rick Payne

Needham, MA

<https://urldefense.proofpoint.com/v2/url?u=http-3A__www.ligris.com_&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=gwoewZTEWbGfV_d2nlkSrvHbQ0_Ro-

xEokXM41qx2ZI&s=X6J8QGN1dldqz-GwyfRaetq9Gt6uDo7dqcyN0Jfj2hw&e=> Rick
Payne , Esquire
Chief Legal Officer
1188 Centre Street , Newton , MA 02459
Phone 617-274-1500 <tel:617-274-1500>
Fax 617-274-1515 <fax:617-274-1515>
Email rpayne@ligris.com <https://urldefense.proofpoint.com/v2/url?u=http-
3A__rpayne-40ligris.com_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-
fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk
13zIs16rchf_GkGDD&m=gwoewZTEWbGfV_d2nlkSrvHbQ0_Ro-
xEokXM41qx2ZI&s=kbC9BQnWQSVTrm68pRm6tMrc3urGKTh4gRuvy42Q1CY&e=>

WARNING - FRAUDULENT FUNDING INSTRUCTIONS: Email hacking and fraud are on the rise to fraudulently misdirect funds. Please call your paralegal or escrow officer immediately using contact information found from an independent source, such as the sales contract or internet, to verify any funding instructions received. We are not responsible for any wires sent by you to an incorrect bank account.?

NOTICE: This message and any attachments are solely for the intended recipient and may contain confidential or privileged information. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it is prohibited and may be unlawful. Email transmission may not be secure and could contain errors. We accept no liability for any damage caused by any virus transmitted by this email. Please do not send to us by email any information containing personally identifiable information without appropriate encryption. Paralegals and support staff cannot give legal advice. Unless you have retained a firm attorney pursuant to a written engagement letter this firm does not represent you regardless as to whether you are paying a legal, settlement or other closing fee(s). When acting as closing counsel only - this firm represents the lender only and you are advised to seek independent legal counsel. Nothing in this email shall be deemed to create a binding contract to purchase/sell real estate. The sender of this email does not have the authority to bind a buyer or seller to a contract via written or verbal communications including, but not limited to, email communications.

From: Dave Fenichel <davefenichel@comcast.net>
Sent: Friday, July 17, 2020 10:45 AM
To: Testimony HWM Judiciary (HOU)
Subject: Keep senate reforms in place, reject weakening amends

Hi,

I'm writing to urge the committee and full House to keep the Senate's *critical* Qualified Immunity reforms, the ban on facial surveillance, and to really ban chokeholds/tear gas/no-knock raids/other abusive tactics, rather than insert squishy and toothless recommendations. Citizens need real security. Not the worse-than-none false security which comes from ceding all personal authority to uniformed, pressure groups.

Thank you.

David Fenichel and Debra Pelletier-Fenichel
Danvers

--

Sent from my Android device with K-9 Mail.

Please excuse my brevity.

From: Dave Fenichel <davefenichel@comcast.net>

Sent: Friday, July 17, 2020 11:13 AM

To: Testimony HWM Judiciary (HOU)

Subject: Re: Keep senate reforms in place, reject weakening amends

>Hi,

>

>I'm writing to urge the committee and full House to keep the Senate's
>*critical* Qualified Immunity reforms, the ban on facial surveillance,
>and to really ban chokeholds/tear gas/no-knock raids/other abusive
>tactics, rather than insert squishy and toothless recommendations.
>Citizens need real security. Not the worse-than-none false security
>which comes from ceding all personal authority to uniformed, pressure
>groups.

>

>Thank you.

>

>David Fenichel and Debra Pelletier-Fenichel

>Danvers

--

Sent from my Android device with K-9 Mail.

Please excuse my brevity.

From: Cristina Crawford <crawford.cris@gmail.com>

Sent: Friday, July 17, 2020 11:13 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform bill

Hello,

I would like to urge the house to pass the police reform bill in the form that it was approved in the senate.

I am a college educated, retired, successful individual yet in my circle of friends and family, I know of three different cases of police misconduct. First was a friend of mine who was repeatedly beaten by Cambridge police in the 1980s because of his homosexuality. He was missing his front teeth because of these beatings.

Second was a friend of mine who was walking home in the wee hours of the morning and was followed to his home by police in Waltham. They broke into his home. One officer held him up against the wall and the other one searched the house. There was no warrant, no reason. These were two notorious cops referred to as "Mutt and Jeff" who were searching for drugs that they could plant on other suspects. My friend's wife wanted to do

something about this but was told by the niece of the chief of police in Waltham that there would be bad consequences if they did so.

The third case I know of was my sister's ex-husband, who during a messy divorce managed to get a judge to sign a court order and persuaded his friend to serve it to charge her with assault on a police officer (himself) in order to prevent her from going on vacation with their kids. While married he had never let her take a vacation.

Of course none of these cops were ever held accountable for their behavior. It was futile to even report it.

This has to change.

Thank-you

Cristina M Crawford
Sherborn, MA
508-647-4888

From: Kathy Tuffy <kathytuffy@gmail.com>
Sent: Friday, July 17, 2020 11:13 AM
To: Testimony HWM Judiciary (HOU)
Cc: Cusack, Mark - Rep. (HOU)
Subject: Support for S.2820

Dear Chairman Michlewitz and Chairwoman Cronin,

I am writing in support of 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.

Massachusetts must protect the public by banning chokeholds, the use of tear gas, chemical weapons, and no-knock warrants. Accountability and transparency by law enforcement organizations is necessary. Certification of officers, an end to qualified immunity, strengthening use of force rules, establishing a "duty to intervene," and ensuring that police misconduct is public record must be part of this legislation.

I urge you to vote in favor of S.2820.

Kathleen Tuffy
7 Prescott Lane

Braintree, MA 02184
From: Caitlyn McCourt <caitlyn.mccourt@gmail.com>
Sent: Friday, July 17, 2020 11:11 AM
To: Galvin, William - Rep. (HOU); Testimony HWM Judiciary (HOU)
Subject: Opposition to S. 2820

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

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

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

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

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

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

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

Thank you,

Caitlyn McCourt

caitlyn.mccourt@gmail.com

From: Jenna Furtado <jajfurtado@gmail.com>

Sent: Friday, July 17, 2020 11:12 AM

To: Testimony HWM Judiciary (HOU)

Subject: Opposition to Parts of Bill S.2820

Good Day,

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

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

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

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

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

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

Thank you,

Jenna Furtado

3 Cranberry Rd. Buzzards Bay, Bourne, MA

781-953-5441

--

Jenna Furtado

From: Jamie Merrill <jcm57@bu.edu>

Sent: Friday, July 17, 2020 11:09 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony on S.2820

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

Good morning, my name is Jamie Merrill with the Greater Boston Interfaith Organization (GBIO). I live at 50 Boylston St, Jamaica Plain, 02130.

I am writing to plead with you and the House to pass without delay police reform that includes:

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

I strongly implore you to adopt the Senate language to reform the legal doctrine of qualified immunity. This reform will allow the few applicable cases to be heard by a jury without being dismissed because the particular violation of 4th amendment rights by a public official, such as a police officer, has never been previously contemplated by a statute or a court precedent. Those cases deserve to be heard on their merits, not thrown out using a non-statutory legal doctrine. It is simply outrageous that those who have suffered from the egregious violations of police officers can not get their day in court. As the birthplace of this nation, the Commonwealth must lead in the quest for justice and fairness.

In addition, it is clear that qualified immunity reform will not have devastating financial impact on any police officers as they are

indemnified by the municipalities that employ them. Any such claims are not based on fact and should not be considered as you consider this reform.

Thank you very much for your thoughtful consideration.

Jamie C Merrill, MPH, CIP
50 Boylston St, Apt 1L
Jamaica Plain, MA 02130
(617) 942-0312?
jcm57@bu.edu
From: Donna Pepicelli <pepi64@aol.com>
Sent: Friday, July 17, 2020 11:11 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

I'm writing to address S2800 today being the wife of a police officer. What has happened in the last two weeks with the Senate is beyond me. My husband has been a officer for 24yrs. He has been spit, peed vomited on even exposed to HIV. Missed holidays, birthdays, anniversary's etc. that we all understood. But for me what finally broke me was when my husband asked me maybe we should take off any stickers on my car about police for my safety. I responded don't you dear. I'm very proud of my husband he has sacrificed a lot for his profession with family's support. I heard a Senator compare his profession to Doctors and lawyers not having immunity privileges why should they Really do I need to explain the difference. Many years ago when I was new to this special family a wife told me the best sound you will ever hear is the sound of the velcro at the end of his shift I hold that sound with me still to this day. As early as this week when he was called to a armed robbery. Please don't single out this profession because of few bad apples and at the end of the day my husband will put his uniform on for his shift I will kiss him goodbye tell him to stay safe and wait for that sound of Velcro at the end. Sincerely, The wife of a police officer. Donna Pepicelli 508/942-0491
Sent from my iPhone
From: Dubois, Michelle - Rep. (HOU)
Sent: Friday, July 17, 2020 11:10 AM
To: Victor Flaherty; Testimony HWM Judiciary (HOU)
Subject: RE: [External]: SB2820

Hi Chief,

Well I agree with you. I oppose dealing with QI in this bill that came up very quickly at the end of a session. I do support some elements but QI and the lack of respect for the collective barging on the creation of a certification program are troubling to me. We can and should respect collective bargaining in creation of the officer certification portion of this bill.

Best,
Michelle

Michelle DuBois
State Representative
Brockton, West Bridgewater, East Bridgewater
774-274-1344

From: Victor Flaherty [vflaherty@wbpd.com]
Sent: Friday, July 17, 2020 10:50 AM
To: Testimony HWM Judiciary (HOU); Dubois, Michelle - Rep. (HOU)
Subject: [External]: SB2820

Please see letter attached,

--

Victor R. Flaherty Jr.
Chief of Police
West Bridgewater Police Dept.
508-894-1294

From: Chief Keith Pelletier <chiefpelletier@westport-ma.gov>
Sent: Friday, July 17, 2020 11:10 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: house bill SB2820

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

From: Chief Keith Pelletier <chiefpelletier@westport-ma.gov>
Date: Fri, Jul 17, 2020 at 11:08 AM
Subject: house bill SB2820
To: <testimony.hvmjudiciary@mahouse.gov>, Schmid, Paul - Rep. (HOU)
<Paul.Schmid@mahouse.gov>

Dear Chair Aarin Michlewitz and Chair Claire Cronin please accept the following testimony with regard to SB2820- an act to reform police standards.

I pen this letter to affirm my strong concurrence with the testimony submitted by Chief Brian Keyes on behalf of the Massachusetts Chiefs of Police Association.

In the vain of brevity, I will not regurgitate his salient points. I do offer this; however, what will this bill SB2820 accomplish? It will not improve the life of anyone of color not one bit. It is a bill laden with

bureaucracy, rhetoric and distraction from the real problems in this country which are poverty, homelessness and drug addiction.

Where is the data to support this bill : there is none. There is not one community in the Country that wants to have less Police Protection and involvement. This bill will not feed, educate or house one person of color. It will not stop one person from overdosing on illegal drugs.

What this bill will do is further divide the minority communities from the Police Officers that are sworn to protect them.

I strongly urge you to consider working with the stakeholders of this bill to carefully craft a bill that will accomplish a shared goal of providing a safe community for all the great citizens of this commonwealth.

Yours truly,

KEITH A. PELLETIER, Chief of Police
Westport Police Department
56 Hixbridge Road
Westport, MA

From: Anne Concannon <anniec@verizon.net>
Sent: Friday, July 17, 2020 11:09 AM
To: Testimony HWM Judiciary (HOU); Cyr, Julian (SEN); Whelan, Timothy - Rep. (HOU)
Subject: Opposition to recently passed S.2820

Dear State Representatives for Dennis Ma.

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

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

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an

arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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

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

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

Thank you,

Anne Concannon

21 Taunton Ave

Dennis Ma 02638

anniec@verizon.net

From: Matthews1926 <matthews1926@verizon.net>
Sent: Friday, July 17, 2020 11:09 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

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

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

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

Sincerely,

From: Anne Concannon <anniec@verizon.net>

Sent: Friday, July 17, 2020 11:09 AM

To: Testimony HWM Judiciary (HOU); Cyr, Julian (SEN); Whelan, Timothy - Rep. (HOU)

Subject: opposition to S 2820

Dear Representatives for the Town of Dennis Ma.

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

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

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an

arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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

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

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

Thanks,

Martin Kevin Concannon

21 Taunton Ave

Dennis Ma 02638

kconcy@verizon.net

From: Deb McCourt <debbiemccourt@yahoo.com>
Sent: Friday, July 17, 2020 11:09 AM
To: Testimony HWM Judiciary (HOU)

Please vote against S2800

Sent from Yahoo Mail on Android
<https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-

3DEmailSignature&d=DwMCAQ&c=1DF7oMaPKXpkYvev9V-
fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk
13zIs16rchf_GkGDD&m=yF37cn23m7SZEa6suZZPG8eGAfLilPYM5Bt_nRnNEsM&s=-
OtaLRv3t0xsR6fDI4iQPjRMsO2AMbxcgpuo6xQ2t4E&e=>
From: Kirchner <bolton88@comcast.net>
Sent: Friday, July 17, 2020 11:08 AM
To: Testimony HWM Judiciary (HOU)
Cc: Hogan, Kate - Rep. (HOU)
Subject: PLEASE PLEASE OPPOSE sb2820

I understand that the House is considering SB2820 now and some part of it are very troublesome and diminishes the tools that the police now have to keep us safe. There is a provision that removes protections for the law enforcement authorities, and installs an unelected commission with biased views to make policing recommendations. Please oppose SB2820.

Another example of making us less safe is the following. Reminds me of the Marathon bombers who had been identified, known to several law enforcement agencies, but no one put the pieces together, until after the terrorist attack. Collecting facts should not be prohibited.

SECTION 49. Section 37L of chapter 71 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting after the third paragraph the following paragraph:-

School department personnel and school resource officers, as defined in section 37P, shall not disclose to a law enforcement officer or agency, including local, municipal, regional, county, state and federal law enforcement, through an official report or unofficial channels, including, but not limited to text, phone, email, database and in-person communication, or submit to a the Commonwealth Fusion Center, the Boston Regional Intelligence Center or any other database or system that tracks gang affiliation or involvement any information relating to a student or a student's family member from its databases or other record-keeping systems including, but not limited to: (i) immigration status; (ii) citizenship; (iii) neighborhood of residence; (iv) religion; (v) national origin; (vi) ethnicity; (vii) native or spoken language; (viii) suspected, alleged or confirmed gang affiliation, association or membership; (ix) participation in school activities, extracurricular activities both inside and outside of school, sports teams or school clubs or organizations; (x) degrees, honors or awards; and (xi) post-high school plans. Nothing in this paragraph shall prohibit the sharing of information for the purposes of completing a report pursuant to sections 51A or 57 of chapter 119 or filing a weapon report with the local chief of police pursuant to this section.

Thanks for your consideration,

Ted Kirchner

Bolton

From: Deb McCourt <debbiemccourt@yahoo.com>
Sent: Friday, July 17, 2020 11:08 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please vote against S2800

Sent from Yahoo Mail on Android
<[Sent from my iPhone
From: Ediss Gandelman <ediss.gandelman@gmail.com>
Sent: Friday, July 17, 2020 11:07 AM
To: Testimony HWM Judiciary \(HOU\)
Subject: support for critical police reform legislation](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMCAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=1sza-nURv7WGQFJNo5ulWfKNS80_El7SHWDreZmltfs&s=qXyBSvYvb22NfyrvdBEpd3ep919oTieCl ezEBPgWQ68&e=>https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMCAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=1sza-nURv7WGQFJNo5ulWfKNS80_El7SHWDreZmltfs&s=qXyBSvYvb22NfyrvdBEpd3ep919oTieCl ezEBPgWQ68&e=>
From: Joe Vigliotti <vigliotti485@charter.net>
Sent: Friday, July 17, 2020 11:08 AM
To: Testimony HWM Judiciary (HOU)
Subject: Talking Points</p></div><div data-bbox=)

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

I am writing this morning to express my support for Police Reform Legislation pending before the House, and to urge you to pass a strong bill before July 31st. As co-chair of Temple Beth Elohim's Racial Justice Initiative, and a member of the Greater Boston Interfaith Organization, we have been deeply engaged with issues around criminal justice reform and most recently with the opportunity to enact police form. Please help the House of Representatives pass these critically needed reforms including:

- * Implementation of Peace Officer Standards & Training (POST) with certification
- * Civil service access reform

- * A commission on structural racism
- * Clear statutory limits on police use of force, and
- * Qualified immunity reform

Thank you for your leadership and support of this crucial legislation,

Ediss Gandelman

22 Palmer Road

Waban, MA 02468

ediss.gandelman@gmail.com

617-320-9217

From: Barbara Berke <bberke@gmail.com>

Sent: Friday, July 17, 2020 11:07 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony: Police Licensure and Qualified Immunity in Police Reform

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

cc: Representative Tommy Vitolo, 15th Norfolk

Hello, my name is Carl Berke and through Temple Israel in Boston, I am affiliated with the Greater Boston Interfaith Organization (GBIO). I live at 330 Clark Road, Brookline, MA 02445.

I am writing to urge you and the House to pass police reform that includes:

- * Standards/training and accountability.
Certification/decertification of police is necessary in any police reform package.
- * Creating racial equity through civil service access reform is long overdue.
- * Clear Statutory limits on police use of force.

* Qualified Immunity reform

* Commission for ongoing work around dismantling structural racism and racist procedures and policies.

Senate Bill S2820 is a good bill worthy of guiding you to put out a strong police reform bill.

I am strongly in favor of professionalizing the police force through licensure. I am a parent in a multi-racial blended family which has provided me with special insight into the differential treatment of citizens by our community and state police. The Black Lives Matter movement has given voice to what I have experienced and felt for a long time.

I further urge you to adopt the Senate language to reform the legal doctrine of qualified immunity. This reform will allow the few applicable cases to be heard by a jury without being dismissed because the particular violation of 4th amendment rights by a public official, such as a police officer, has never been previously contemplated by a statute or a court precedent. Those cases deserve to be heard on their merits, not thrown out using a non-statutory legal doctrine.

It is simply outrageous that those who have suffered from the egregious violations of police officers can not get their day in court. In addition, it is clear that qualified immunity reform will not have devastating financial impact on any police officers as they are indemnified by the municipalities that employ them. Any such claims are not based on fact and should not be considered as you consider this reform.

Thank you,

Carl Berke cberke@partners.org

From: Kyle Powers <kylepowers2013@gmail.com>
Sent: Friday, July 17, 2020 11:07 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2820

July 17, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Kyle Powers. I work at the Bristol County Sheriff's Office and am a Corrections Officer. As a constituent, I write to express my

opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

????????? ?????????? ?????????????????? ??????????: 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,

Kyle Powers

From: Latoya Gayle <latoya@marchlikeamother.org>

Sent: Friday, July 17, 2020 11:06 AM

To: Testimony HWM Judiciary (HOU)

Subject: reform shift build testimony

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

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

I am a mom and a Black women who is afraid for my children, my husband and my own safety from the threat of police violence. My son is a teenager with Austism and I fear his Blackness and disability combined make him a threat to officers. If officers have no personal accountability for their actions they will continue to harm us and our community.

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

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

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

Sincerely,

Latoya Gayle

10 odonnel ter

Boston, MA 02122

March like a Mother: for Black Lives

Latoya Gayle

Co-founding Mom

March Like a Mother <https://urldefense.proofpoint.com/v2/url?u=http-3A__marchlikeamother.org&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=NdB4TsHp61QFAyt8ZqqkbqiRKM4SiEePKXr0VkkeJY4&s=vaX2y3Ozb9PPMwTymgR49lwcYjV8C4yF7S3tHSJgu0Y&e=>>

From: John Maguire <johnallpoints@gmail.com>

Sent: Friday, July 17, 2020 11:07 AM

To: Testimony HWM Judiciary (HOU)

Subject: s.2820 police reform bill

Dear Chair Aaron Michlewitz,

I write to you today to express my strong opposition to many parts of the recently passed S.2820. I would like to express my deepest concern that

this bill will have a negative impact on the people of this Commonwealth
please vote in opposition to S.2820.

Thank you

John maguire

Northfield MA

From: Alexander Zaretsky <pvmadv@comcast.net>

Sent: Friday, July 17, 2020 11:07 AM

To: Testimony HWM Judiciary (HOU)

Subject: To Support POLICE

Dear MA House of representatives!

It came to my attention that last night the MA Senate passed the bill to end qualified immunity for police officers. I am appalled that the legislature of such importance was passed without a public hearing.

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. 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.

A horrible death happened in Minnesota and everybody condemned it. But why the whole profession of policemen is punished for that? I talked to Brookline police and there has been not a single incident of police brutality for the years of existence of Brookline police. Massachusetts police in general is an exemplary organization. Why are you in such a hurry of changing the law? This new law will harm not only police but the whole population of Massachusetts.

In the strongest possible terms, I urge you to keep qualified immunity for MA police officers intact.

Alexander Zaretsky

85 Walnut Court

Stoughton, MA

From: Donna Bogan <jbogan9667@aol.com>
Sent: Friday, July 17, 2020 11:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Attn Clair Cronin

Regarding Bill # 2820

As the Senate passed a similar bill which seemed in undue haste, we are hoping that the House delay the vote on this bill, Until a review can be made on the effects of eliminating Qualified Immunity for SOME Public personnel. The Senate appears to not have included themselves in the bill that they passed. Eliminating qualified immunity for teachers , fire personnel, police will Open the door for Frivolous law suits, Many of which will be a waste of time and Money for everyone . Please take a step back and look at everything. Training is usually always an asset, but this bill seems to put our much needed teachers , firemen/women and police at a great disadvantage.

Studies and common sense needs to be used here in conjunction with racial training.

Thank you,

The Bogan family
20 Pearl St
Natick, Ma
508 655 0126.
Sent from my iPhone
From: Nate Walker <natewalker576@yahoo.com>
Sent: Friday, July 17, 2020 11:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform

Qualified immunity never protected cops from suits over excessive use of force or malicious prosecution. It protected cops from suits where even if a ticket or case was thrown out, as long as it was in good faith.. you can't sue. Now this opens the door to a lawsuit if a cop writes a ticket for speeding and it's thrown out in court because it's your first one or a cop makes an arrest for a crime and it's dismissed for the victim not showing up to court, so even something not in their control.

This will result in loads of frivolous lawsuits against police officers and municipalities. All cops will be at risk of garbage lawsuits, more so the proactive cops. So a cop who goes out and actively seeks out criminals will face a greater likelihood of suits, but all cops, just from their regular day to day call responses will be at risk as well.

Retirements are going to increase, proactive patrol will decrease, and high quality candidates will be in low supply resulting in lower quality candidates getting the job.

You wanted reform, you got it. Lawlessness will prevail because cops aren't gonna lose their homes to protect anyone.

From: Katie Brogna <ktbrogna@gmail.com>
Sent: Friday, July 17, 2020 11:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified immunity

Dear House of Representatives,

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

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

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

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

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

lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

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

Sincerely,

Katie Chambers

Sent from my iPhoneFrom: Ballou, Joseph (POL)
<Joseph.Ballou@pol.state.ma.us>
Sent: Friday, July 17, 2020 11:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Although I appreciate the good intentions of this police reform bill, I have found that it contains several troubling flaws that can result when all stake holders are not brought to the table. I ask that you not support the bill at this time, or at least carefully consider the important amendments proposed by the MPA and SPAM.

When I watched the video of the murder of George Floyd, I was horrified, but also proud to think of the great training I've received as a police officer in Massachusetts. Over the past few years, I've received, and embraced training on unintended bias, deescalation techniques, positional asphyxiation, and most importantly in this case, the duty to intervene if another officer behaves improperly. Police officers have a great deal of power and we need to be proactive in improving police procedures. But, frankly, the anti police rhetoric we've endured recently from the public and many members of the legislature for the abhorrent actions of a police officer from another state hundreds of miles away has been blatantly unfair. It has been a punch in the gut to those of us who have committed most of our lives to treating people fairly and constantly seeking self improvement.

This bill contains important reforms such as the licensing of police officers. However, even the wording of this reform was originally ill conceived as it sought to restrict due process for police officers with no right of appeal to civil service and did not allow for police representation on the licensing board. I have arrested people for committing horrific crimes over the years, but have never questioned their right to due process.

The bill also allows the public to intervene if they observe what they perceive to be an unlawful arrest. This measure is extremely dangerous as it encourages bystanders to fight with the police. The courtroom is the place to address these grievances, not a dark street.

The bill also seeks to stem the use of chemical agents for riot control. Police officers are always greatly outnumbered in cases where an unlawful crowd has assembled, and these agents have proven to be an effective way to disperse an unlawful crowd with minimal injury the rioters as well as the police.

The most troubling aspect of this bill is the attempt to eliminate qualified immunity for police officers. Police officers currently can be sued (and are sued routinely) under section 1983 of the US code for civil rights violations. Most public officials enjoy "absolute" immunity, whereas a police officers immunity is limited, or "qualified" to situations where they intentionally violate someone's civil rights based on clearly established law. This only protects officers from frivolous lawsuits. Police officers are duty bound to respond to all calls for service. They deserve to know that the people who recruited, selected and trained them have their back.

Thank you for your time.

Sincerely,

Joe Ballou

75 East Hill Road <x-apple-data-detectors://6/1>

Brimfield <x-apple-data-detectors://6/1>

From: Jack VanGraafeiland <jvangraaf@aol.com>

Sent: Friday, July 17, 2020 11:06 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

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

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

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

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

respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

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

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

Thank you,

John VanGraafeiland

89 Massey Street

Westfield, MA 01085

860-819-6674

jvangraaf@aol.com

From: John Maguire <johnallpoints@gmail.com>
Sent: Friday, July 17, 2020 11:05 AM
To: Testimony HWM Judiciary (HOU)
Subject: s.2820 police reform bill

Dear Chair Cronin,

I write to you today to express my strong opposition to many parts of the recently passed S.2820. I would like to express my deepest concern that this bill will have a negative impact on the people of this Commonwealth please vote in opposition to S.2820.

Thank you

John maguire

Northfield MA

From: christopher cole <debcole1023@icloud.com>
Sent: Friday, July 17, 2020 11:05 AM
To: Testimony HWM Judiciary (HOU)

Subject: Opposition to S.2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Chris Cole and I live at 6 Baldwin Lane, Lynnfield. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

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

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

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

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

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

Sincerely,

Chris Cole

Sent from my iPhoneFrom: Adriana Mason <adrianamason09@yahoo.com>
Sent: Friday, July 17, 2020 11:05 AM
To: Testimony HWM Judiciary (HOU)
Subject: House Bill/Law Enforcement

To Whom It May Concern:

I write to you today as the wife of a man who has dedicated his entire adult life to protecting and defending this country. My husband is a Lieutenant Colonel in the MA National Guard as well as MA State Trooper. There are many things about this bill I do actually agree with, for example POSA Committee. However, I do not support these components without further research, deliberation and changes, that are fair and allow for due process. As far as qualified immunity and fair due process what I would like to convey to you is this, as the family of a law enforcement officer we all took the oath together the day he was sworn in and we understand every day that we may all pay the ultimate price for his service and we make peace with that. What we didn't agree to was to have our family's livelihood and financial security come under attack should he have to make a split-second decision that no law enforcement officer wants to have to make. I realize that much of this bill will be put into place because there is a small percentage of officers that are not meant to be in the position that they are in and I can respect that; however, I implore you to do your due-diligence to understand that when you question the integrity of the "good guys" and when you make them have to stop to check in with their integrity and decision making skills you will inevitably find that a. law enforcement will be less likely to act and crime will go up and the law abiding citizens and their communities will suffer for that and/or b. you will have more law enforcement officers suffering the ultimate sacrifice because asking them to hesitate even for one second could cost them their lives. Another concern that I have is for the future of the quality of law enforcement officers. If we as a community are constantly questions the integrity of our officers and making it too difficult to do the job that they are tasks with I am concerned that the "good guys" will find other ways to make a positive impact of their communities and then what will the quality of our force look like. Sadly, it will take time to see the lasting and negative effects on the moral and the quality and by then what will we have lost? I ask you to consider what your integrity is worth and how often you would defend it in an arena before you would simply walk away.

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

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

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

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

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

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

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

Thank you,

Adriana Mason, MSP Wife
47 Fair Acres Dr.
Hanover, MA 02339
781-974-7726
adrianamason09@yahoo.com

From: Barbara Berke <bberke@gmail.com>
Sent: Friday, July 17, 2020 11:05 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means,
Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary
cc: Representative Tommy Vitolo, 15th Norfolk

Hello, my name is Barbara Berke and I am with the Greater Boston Interfaith Organization (GBIO). I live at 330 Clark Road, Brookline, MA 02445. I am writing to urge you and the House to pass police reform that includes:

- * Standards/training, accountability, and certification/decertification of police
- * Creating racial equity through civil service access reform is long overdue.
- * Clear Statutory limits on police use of force.
- * Qualified Immunity reform
- * Commission for ongoing work around dismantling structural racism and racist procedures and policies.

Senate Bill S2820 is a good bill worthy of guiding you to put out a strong police reform bill.

Though I am white, I have personal experience with Police injustice and prejudice in the treatment of a Black immigrant. My family expanded in 2005 to include a South Sudanese "Lost Boy" resettled to the US after two years of being a child migrant in dangerous territory and eight years in a refugee camp. He is an upstanding citizen today, working full time at Beth Israel Hospital, and during the COVID crisis, he stepped up to stock grocery shelves as a second job for another 30 hours per week.

This young man has called 911 twice, both times when he felt he was in danger - the first time when he was attacked by someone and the second time when he found himself in a car with someone who proved to be not sober and who would not stop the car. Both times, he was arrested.

My son says that he "arrested himself" because he now believes that he was foolish as a Black man to have ever called 911. He says that no matter what the situation, he will never call 911 again.

Within the family, I am the person that has spent the most time with Samuel, teaching ESL at the kitchen table, tutoring him, preparing him for citizenship, helping him sort out life in a vastly different world. Samuel has made great strides in his communication, but he has a strong accent and a tendency to overtalk situations as he struggles to find the right words.

In the second situation, he was arrested with the great misfortune and humiliation to have had the State Police Officer refuse to allow him the opportunity to urinate despite his begging to do so. When nature overtook him in the cruiser, his pants and the seat were soaked. When asked to

leave the cramped back seat, this tall, skinny, immigrant struggled to exit. His heavy wet pants were falling to the ground, his hands were cuffed behind his back, and it was at this moment that Samuel's flailing legs may have been extended toward the officer, who rather than assisting him marched him pants down and handcuffed across the public parking lot, up stairs where he fell hitting his chin, and into the station. He was made to spend the night without pants and was only given dry clothing in the morning. It made me weep to hear of his humiliation. No man would invent such an embarrassing story.

It took me weeks to get the police report though we knew he was charged with assault on an officer with a dangerous weapon ("shod foot"). When I called asking for the report, the State Police officer said "What do you think we are - a paper factory?". When I got the report, it had little resemblance to the facts and included purported quotes in street language that I doubt Samuel has ever heard, nor would ever use. I was disgusted that they thought they could get away with a report so falsely constructed to cover their egregious behavior.

I was angry then and I remain angry. We need police reform now. Please pass a strong reform bill that includes the five points listed above.

Thank you, Barbara Berke

--

Barbara B. Berke
330 Clark Road
Brookline, MA 02445
Telephone: 617-277-4047
Cell: 617-877-5376
From: eptcb4evr@aol.com
Sent: Friday, July 17, 2020 11:05 AM
To: Testimony HWM Judiciary (HOU)
Subject: S 2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Marjorie Doto and I live at 314 Albion St Wakefield, MA . As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

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

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

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

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

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

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

Sincerely,

Marjorie Doto
From: Shawn Turner <shawn.p.turner@gmail.com>
Sent: Friday, July 17, 2020 11:05 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Shawn Turner and I live at 7 Eleanor Drive in Worcester. I work at MCI-Norfolk and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects

officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

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

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

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

Sincerely,

Shawn Turner

From: Ralph Anderson <dejaview1960@gmail.com>

Sent: Friday, July 17, 2020 11:05 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill #S2820

My name is Ralph Anderson and reside on the South Shore. I am not affiliated with any group and am a registered independent that truly is a moderate. I do have a family member in Law Enforcement. What that officer and his family and coworkers are experiencing right now is reprehensible.

While I have concerns with several specific provision within the bill, it is the underlying impetus behind the introduction of the bill, and you unprecedented timeliness for the passing into law of these changes.

I find the language divisive and ntabiltyexclusionary from the title and throughout the content, and it is obvious it was written and acted upon to placate the vocal and the (justifiably so) segment of the population.

The bill does little to address many of the main issues that need to be addresses. Power and the need for personal responsibility and accountability.

We need a cultural change with Law Enforcement as well as a society. Uou are looking to sacrifice the safety and possible livelihoods of our policing community with little to guarantee the they will be treated with fairness and equality.

The current state of the cancel culture, with media, politicians, corporations and educational institutions running scared and afraid of of this organized opposition that resorts to threats and name calling instead of meaningful dialog. We are not moving forward as a society as long as you remain politicians and not the leaders we desperately need.

I urge you to put the breaks on the hasty urge to pass this bill through. The opportunity for progressive change has been there for years. Now it needs to be done in 2 weeks? To my knowledge there as not been any overt abuses or crimes ny Massachusetts Law Enforcement. With the overwhelming public scrutiny, I feel safe that none will occur under the current guidelines.

You have time to reach out to your constituents. Walk around your communities and find out concerns and solutions. Don't listen to community activists. Don't listen to Union leaders. Listen to the average person just trying to live their lives. Find out their experiences and desires. Same with police officers. Talk with them.

Lead. Do not follow. Be responsible with your power. Help move forward and not pander to the fals narratives.

Thank you

Ralph Anderson

From: Latoya Gayle <mrsgayle03@gmail.com>

Sent: Friday, July 17, 2020 11:04 AM

To: Testimony HWM Judiciary (HOU)

Subject: Pass Sb.2800 reform shift build act testimony

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

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

I am a mom and a Black women who is afraid for my children, my husband and my own safety from the threat of police violence. My son is a teenager with Austism and I fear his Blackness and disability combined make him a threat to officers. If officers have no personal accountability for their actions they will continue to harm us and our community.

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

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

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

Sincerely,

Latoya Gayle

10 odonnel ter

Boston, MA 02122

March like a Mother: for Black Lives

Latoya Gayle
617-259-7565

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

From: Jennifer Waczkowski <jlwaczkowski@gmail.com>
Sent: Friday, July 17, 2020 11:04 AM
To: Testimony HWM Judiciary (HOU)
Subject: testimony s2820

?

Jennifer Waczkowski, LMHC

7/17/2020

To the Legislators on the Massachusetts House of Representatives:

I am writing a citizen who resides in Middlesex County. I am also a Licensed Mental Health Counselor (LMHC) and one who works alongside law enforcement officers in both Middlesex and Essex County. As a citizen and

given my current occupation, I feel the need to express my strong disapproval for the recently passes Senate Bill S2800 which was just sent to the House under Bill S2820. I am against the bill for several reason, the first being that I was only informed yesterday that I could submit testimony, which did not allow me ample time to prepare this letter. Therefore, I apologize that it will not as thorough, well-written, or as comprehensive as I would have written had I been given more time. Massachusetts senate passed senate bill s2800 early Tuesday morning without a public hearing and without input from law enforcement officers, leaders, and agencies to whom the impact of this bill will directly impact. It is without input from the community too, whom will indirectly feel the impact if this suggested bill is pass into law.

I am against the Bill because I believe it is a rushed effort to appease members of the public who are upset and angry (and rightfully so) but these individuals also represent a group in our society whom are not fully aware nor educated regarding the current laws, regulation, and other safe-guards that exist in Massachusetts to hold officers accountable and ensure the safety of its citizens. They are also not aware of the realities that law enforcement officers face on a daily basis and the threats the general public will faces if this law were passed.

In particular I am against limiting the statute on Qualified Immunity allows officers to be protected from frivolous lawsuits while in the performance of their duties. Officers who follow the law and their department policies and procedures should not be subject to personal liability. We are in a "sue happy" society and everyone feels entitled or justified to complain and be compensated even if their complaints are unfounded. Currently officers can be charged civilly if they violate the department laws or act in an egregious manner however, if they are not citizens still have the opportunity to take charges out again the towns/cities if they feel compelled. If this were to be passed officers would retire early, many officers would leave their positions due to not being able to afford to remain in their role, and others will be less likely to act and perform their duties for fear of being sued.

I am in a unique position, one in which has changed my personal view as a citizen. I have always had respect for the police and the work that they do but I never truly understood the impact they have on communities, the impact that their jobs have on their physical, emotional, and interpersonal lives, nor the impact it has on their families. I would like to see how we can have more public forums to increase public awareness, have public forums where we create reasonable and incremental changes to help support our officers and better our communities.

I would love to have the opportunity to speak with someone in more detail and describe my personal experience surrounding this matter if given the opportunity because I know that I was unable to write what I had wanted to write about given the deadline.

Thank You for your time. I hope we can postpone making any drastic changes until we can have more public discussions.

Sincerely,

Jennifer Wackowski, LMHC

From: Jeffrey Gillen <jgillen@grovelandpolice.com>
Sent: Friday, July 17, 2020 10:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Reform Bill SB2820

Sent from my iPhone

Begin forwarded message:

From: Jeffrey Gillen <jgillen@grovelandpolice.com>
Date: July 17, 2020 at 10:43:07 EDT
To: Jeffrey Gillen <jgillen@grovelandpolice.com>
Subject: Reform Bill SB2820

?

"Dear Chair Aaron Michlewitz and Chair Claire Cronin,

Please know I support the letter sent to you from Chief Brian Kyes with regard to SB2820 - An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color".

I have been a Police Officer for more than 35 years and I have never been more concerned with the future for the dedicated professional police

officers as I am today. I respectfully ask for your support and consider all the points made in Chief Kyes' letter.

I apologize my letter to you is not on a professional letter head. I am not able to make it to my office today and this is the only means I have to send you my sincere request. Thank you for anything you can do for us so we can continue to protect and serve everyone.

Sincerely,

Jeffrey T. Gillen

Chief of Police

Groveland Police Department

Sent from my iPhone

From: clare maguire <claremaguire181@gmail.com>
Sent: Friday, July 17, 2020 11:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Police Reform Bill

Chair Aaron Michiewitz
Chair Claire Cronin
Good Morning,

I am writing to you in support of our policetimes are absolutely crazy!
Our officers are being treated with such disrespect it's horrible and troublingthese days right seems to be wrong and wrong is right....
I pray for our United States that it becomes more united. There seems to be so much division it's very sad...scary times.
During these troubling times all we need now is our police department getting more abuse.....not supporting them....taking away their rights.
No one will want to be in law enforcement ...why would they? They are being treated unjustly.
A world without law enforcement is basically telling the people we're on our own....defend yourselves.
Please vote in support of our policeor no one will want to be one.
God be with you and guide you.
Sincerely,

Clare Maguire

181 Old Wendell rd
Northfield MA 01360
413-498-5993
From: McManus, Jay <j.mcmanus@clcm.org>
Sent: Friday, July 17, 2020 11:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: FW: Expanding Expungement Limits under S. 2800

7/17/20

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 Jay McManus and I direct the Children's Law Center of Massachusetts,
based in Lynn. Our agency provides legal assistance to low-income children
in a range of matters including juvenile justice. The overwhelming
majority of our clients are of color.

I write to echo the request of scores of organizations from across the
state who have urged you to expand the existing expungement law (MGL Ch
276, Section 100E) as part of bill, S.2800. We agree that the protections
provided under this expansion directly relate 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.

The issue is one with which the Children's Law Center is familiar as some
of our clients through the years have been adversely affected by the
limits of the existing law. Our agency has targeted those restrictions
through individual court cases but c. 276, S. 100E has stymied those
efforts. Still we have remained fully cognizant of the harms wrought by
insufficient expungement safeguards for youth, and it is for this reason
that we fully support the Expungement Movement's request to clarify the
law.

Our clients fit the statistical and historical profiles cited by the
Expungement Movement in its July 16 letter to your committee. It is beyond
dispute that our justice system is, and has been, imbued with racism.

Data referenced in the letter and throughout local and national media clearly supports this point.

Data also supports the premise that the adolescent mind--that precipitated the actions of many of our clients and other youth which landed them in the justice system and with criminal records-- is ever-evolving, and maturing, up to at least age 25. That well-documented, now accepted, theory is the basis of several high profile court cases, including at the US Supreme Court level, touching upon several critical societal issues as serious as life sentences without parole for juveniles. Those decisions have argued, in essence, for more compassionate treatment of young offenders. We view the effort to modify c. 276, s. 100E as tied, at least in part, to the adolescent brain science issue and we ask that you consider it as you debate this important matter.

At the Children's Law Center we have seen or been made aware of youth who, having reached majority age and adulthood, have faced struggles associated with the restrictions imposed by c. 276, s. 100E. It is heartbreaking to see them start their work or academic careers with criminal records tethered to their ankles. As events of the past few months have shown, that symbolism is, sadly, no coincidence.

The Children's Law Center respectfully requests that you add its name to the list of organizations, advocacy and otherwise, that have endorsed the Expungement Movement's July 16 letter. For the reasons stated so articulately in that letter, and for those also referenced herein, I urge you to give your utmost consideration to expanding our state's expungement rule under 100E to include the three clarifications referenced below:

- 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."

As the Expungement Movement has made clear, this is a defining moment in our state's and nation's history. We ask that you seize it on behalf of the many young people who will benefit from these clarifications.

Thank you for your consideration.

Sincerely,

Jay McManus

Children's Law Center of MA

298 Union Street

Lynn, MA 01901

781-244-1440 (W); 781-640-3847©

From: CINDY STORK <cjstork@comcast.net>

Sent: Friday, July 17, 2020 11:03 AM

To: Testimony HWM Judiciary (HOU)

Subject: Fear and Concern re: Current Proposed Changes to S2820

My name is Cynthia Stork. I am a life long resident of MA and last year retired from serving the Commonwealth as an early childhood educator for 25 years in Lakeville. I am proud to have immediate family members currently serving the Commonwealth in law enforcement, corrections, and child support enforcement.

I am in need of your assistance and continuation of my personal protection as you consider "Qualified Immunity" and the role it plays in our society. As you well know, it does not apply if the law is knowingly broken. This protects public servants that act in good faith in the course doing their jobs. Removal of Qualified Immunity, in my opinion, will foster hesitation in those serving this commonwealth and result in less safety than we currently exist with.

Should I ever need to call 911, I want/need those public servants who arrive to serve me (police, fire, EMT) to be confident as they do their

job. It will not benefit me to have one moment of hesitation during my crisis.

I have lived long enough to understand we live in a "lawsuit happy" society. My fear and concern is that removal of Qualified Immunity will result in the escalation of frivolous lawsuits, filed by those wanting to create monetary gains or 'get even'. The only ones who win in an environment like that, are the attorneys, hired by public servants who didn't hesitate and find themselves in need of defense for performing their duties in good faith.

Please! Let common sense prevail and keep the Commonwealth of MA safe for me and my family. Reject the removal of Qualified Immunity!

Thank you,
Cynthia Stork
East Freetown, MA
(508)930-1585

From: Shaw, Rosalind H. <Rosalind.Shaw@tufts.edu>
Sent: Friday, July 17, 2020 11:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony for S.2820: "An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color"

Testimony for S.2820: "An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color"

I am writing both as a concerned resident of Arlington, MA, and as an Associate Professor Emeritus at Tufts University. I am a specialist in justice and reconciliation after violence. I have studied this through first-hand field research since 2001, have taught it in my "After Violence" seminar for ten years, and have published a book (Localizing Transitional Justice [coedited], with Stanford University Press) and eleven journal articles and book chapters on this subject. I have received grants and fellowships from the United States Institute of Peace in DC, the John D. and Catherine T. MacArthur Foundation, the Carr Center for Human Rights Policy at Harvard, and the Harry Frank Guggenheim Foundation.

I am also concerned as an Arlington resident. In 2018, Lt. Richard Pedrini of the Arlington, MA, Police Department wrote three articles in the Massachusetts Police Association newsletter (The Sentinel 34/1:6-11). Pedrini railed against those who had killed two MA police officers in the line of duty, which is understandable. However, he went on to assign collective guilt to several marginalized groups: he called drug addicts "maggots" and "vicious animals" who "can only be 'rehabilitated' when they are put down." He compared "illegals...traveling up through Mexico" with Japanese planes in 1941 Hawaii, adding, "We shot at them." Black Lives Matter also came in for attack. "It's time we forget about 'restraint', 'measured responses', 'procedural justice', 'de-escalation', 'stigma-reduction'," he declared before issuing this challenge: "Let's meet violence with violence and get the job done."

These are classic characteristics of hate speech: dehumanize members of a group by describing them as animals or enemies of the state. And call for their deaths. Such words, often precursors of direct violence, explicitly incite police violence here. Nor did Pedrini limit himself to words alone: his record includes several restraining orders and a harassment complaint.

Police officers who use lethal violence against civilians—especially against African American, LatinX, and disabled civilians—often have a record of prior complaints. Derek Chauvin, who murdered George Floyd on May 25, had seventeen. Complaints are not trivial: when police misconduct is tolerated, minimized, and covered up, failures of accountability build up. A climate of impunity develops that fosters violence.

Arguing that it was not possible to terminate Pedrini's employment with the Arlington PD because of the many obstacles to police accountability, Arlington Town Manager Adam Chapdelaine instead embarked the town on a deeply flawed and inappropriate process of restorative justice (RJ). Arlington PD has never criticized his writings. As a result, many people of color, LGBTQ, and disabled residents of Arlington are afraid of the police, and of Lt Pedrini in particular,

S.2820 would go a long way toward correcting such failures of accountability for police misconduct. I ask for your votes.

Rosalind Shaw

106 Richfield Rd

Arlington MA 02474

781-316-09299

From: Kim Nicoll <nicoll.kimberley@gmail.com>
Sent: Friday, July 17, 2020 11:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: SB.2800 the Reform, Shift, Build Act

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

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

I support this bill because it will help to create a safer, more just state of Massachusetts for all of our residents.

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

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

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

Sincerely,

Kim Nicoll

42 Aldworth Street #2

Jamaica Plain, MA 02130

March like a Mother: for Black Lives

From: Jordyn Bonds <jbonds@gmail.com>
Sent: Friday, July 17, 2020 11:03 AM
To: Testimony HWM Judiciary (HOU)

To Whom It May Concern:

S.2820 represents minor progress. It leaves too much power in the hands of an excessively armed, largely unaccountable police force. I support the bill, but I'm not remotely satisfied by it. I expect more and will vote accordingly.

Jordyn Bonds

Turning digital dreams into usable things.

(347) 746-7397 <tel:3477467397> | @skybondsor
<https://urldefense.proofpoint.com/v2/url?u=https-3A__twitter.com_skybondsor&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=rH_7pUhIwd85-gBuFiInJ_Un5f1OD0Bmngjxr_QHAZI&s=hYnU7fatx-xSMQp343Ie1EVrrdy7Pdqb0gklR0Ig2Os&e=> | LinkedIn
<https://urldefense.proofpoint.com/v2/url?u=https-3A__linkedin.com_in_skybondsor&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=rH_7pUhIwd85-gBuFiInJ_Un5f1OD0Bmngjxr_QHAZI&s=xndsUwvUx0r95He5RjIcbLF6eaZkSaa0DKe8LyBliqA&e=>

« COVID-19 Situational Risk Calculator on Digg.com
<https://urldefense.proofpoint.com/v2/url?u=https-3A__digg.com_2020_covid-2D19-2Drisk-2Dcalculator&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=rH_7pUhIwd85-gBuFiInJ_Un5f1OD0Bmngjxr_QHAZI&s=MogDj3JGz3En09ejilNNdNCZwJifT5HzgD0-WYIq-4&e=> »

From: Lyndas518@verizon.net

Sent: Friday, July 17, 2020 11:03 AM

To: Testimony HWM Judiciary (HOU)

Subject: Qualified Immunity

As a Registered Nurse, wife of a Suffolk Count Deputy Sheriff, and daughter of a former Commissioner of Public Safety for the Commonwealth of Massachusetts I am writing to express how appalled I am at the plan to limit the qualified immunity of our first responders! I ask that you vote against the passage of bill S.2800.

If you were in need of the assistance of a police officer or other first responder, would you want them to hesitate to help you based on the fact that they may get sued? I assume not! You would want them to do whatever they could for you. This bill will limit the ability of our first responders to fully perform all aspects of their jobs as they have been trained to do. I don't think that laws need to change in Massachusetts based on the acts of a few incompetent employees in other parts of this country. If anything, more resources should be put into the recruitment and training of first responders to be able to protect and serve this Commonwealth effectively.

I urge you to vote against the passage of this bill!

Thank you,

Lynda McCabe Stillman
269 Bunker Hill Street
Charlestown, MA 02129

Sent from my iPhone
From: Troy Gayle, I <tag289@gmail.com>
Sent: Friday, July 17, 2020 11:02 AM
To: Testimony HWM Judiciary (HOU)
Subject: pass sb.2800, reform shift build act (via March Like a Mother)

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

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

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

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

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

Sincerely,

Troy Gayle

10 odonnell ter,

Dorchester ma 02122

March like a Mother: for Black Lives

Why struggle alone when we can Succeed Together
-Troy, I

From: Joanne McMath <joanne.mcmath6@gmail.com>
Sent: Friday, July 17, 2020 11:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: House bill S.2820

Dear House of Representatives,

My name is Joanne McMath and I live at 9 Drury Lane, Wakefield, MA. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

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

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

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

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

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

Sincerely,

Joanne McMath

From: Jean Murphy <murphy5family@ymail.com>
Sent: Friday, July 17, 2020 11:03 AM
To: Testimony HWM Judiciary (HOU)

Hello,

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

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

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

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

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

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

Respectfully Submitted,

Jean Murphy

Sent from Yahoo Mail for iPhone

<https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=vG9hvxaLxagjMPakrvXnRKxvWQkVSNbSqnWDyBKvKog&s=5sSdlfpj-k-q99AwFEKfwt9y7KcSOs4l-Rd-nTVU6A&e=>

From: Mike <mikehenn24@yahoo.com>

Sent: Friday, July 17, 2020 11:03 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform bill

?Good morning,

I am a Massachusetts police officer serving for about 7 years.

The events that took place in Minneapolis were egregious and highly unjustified. Every officer I know- and I know a wide variety- has completely condemned the officers involved in the death of George Floyd.

The events led to a widespread cry for reform. This has been as wide ranging as simply more accountability and training for police to cries to disband police departments altogether.

I can say that Massachusetts police training is standardized. There is minimum and strict standards which must be met through the entry/academy level and proceeding through an officers career that he must have certain training hours every year. We are the example for the nation as far as use of force and other training measures for our officers. I have spoken to officers in other parts of the country- one for example a NC state trooper- and he informed me that up until recently, they were allowed to perform chokeholds. Chokeholds were never taught through MA police training standards- and would only be accepted to occur if that officer was in a fight for their life in a deadly force situation.

Some of the comments by politicians in our state has been incredibly offensive. This bill, which was created in an incredibly short period of time, does exactly not fix the issue of police brutality. Officer Chauvin for example was even wearing a body camera and operating under reforms. I believe that nothing could have prevented that incident- besides possibly a duty to intervene. The officer involved in the George Floyd death was just overall a bad person and did not seem to care. Unfortunately there will always be a bad cop somewhere out there, as we pull recruits from the human race. That being said the vast majority of police officers do their jobs honorably and are NOT racist.

What is concerning to me, as I have previously stated how well trained Massachusetts officers are- it has been brought to my attention speaking with numerous union officials and police officers all over the state, that some legislators did not even read the whole bill or even fully understand it. Even more concerning is that many of our state politicians who are involved in this bill did not even understand our training: how we are trained, even what the MPTC is and what it does. Some did not understand the true concepts and legal workings of qualified immunity, use of force etc- yet they are trying to change something that is not broken? Opinions and many false narratives have been put out there- but actual data and factual evidence tells a different story.

While some common sense things could be tweaked in law enforcement- I believe a duty to intervene act for example, and some other accountability measures. However that being said- this bill is overreaching and unrealistic brought by many individuals that do not understand the complexities of the criminal justice system, of law, policing or use of force.

Qualified immunity for example does not protect bad cops like Officer Chauvin. Part of it is set up to protect officers who are out in the field who may make a procedural mistake- but did not act malicious and were

operating in good faith- from frivolous lawsuits. Taking away qualified immunity is going to ensure many experienced officers leave the profession, go federal or apply for police jobs in neighboring states. It will also ensure that officers who remain in this state will completely reactive and just take their calls and hide. Proactive policing will come to an end- and communities, especially in urban areas will suffer a great deal because of this. Baltimore, Chicago and other areas can be good examples as seen through the last 7 years or so.

Reasonable people expect police to go out and do their jobs. They expect police to target high crime areas and work to catch criminal offenders doing bad deeds. They also demand police do not overstep their bounds, do not racially profile or use excessive force. I believe, while there may be rare and isolated incidents here or anywhere else in the country- the vast majority of Mass law enforcement officers perform honorably and to a standard of excellence.

With the loss of qualified immunity- if I pull a person out of a burning vehicle and they break their neck in the process- I could be liable for a lawsuit- even though with a mistake being made, maybe I didn't properly support their head enough because I was trying my best to ensure they don't blow up and burn to death- I was acting in good faith and did what I could to help that person. In real life situations, especially with the types of encounters police deal with- not everything goes as planned, hoped for or predicted.

If I pull over a vehicle and observe several men inside acting nervous and I observe flashlights, a knife, ski masks and rope in plain view- if I question them about it, or inquire further into that suspicious activity- I should be only and most concerned about being sued? In the real world that could be a situation where those individuals then go off and commit a home invasion and end up murdering a family. If you put police officers in a position where they cannot operate in good faith without fear of being sued or losing their job- be prepared to have officers that do nothing. As we saw in NYC after the crime rate has skyrocketed after disbanding the anti crime unit- many in the community have made cries to bring back the recently disbanded anti crime unit- which was a group of proactive officers targeting high crime areas and high impact criminal offenders.

If there was a serial killer roaming the streets in a particular city at nighttime- you would not want officers going out and proactively trying to deter and locate this offender to prevent more homicides? You would rather have them hiding for fear of being in a situation where they are sued, or can't take reasonable steps for their safety if the situation is going wrong? The list of examples could be endless, and people need to be very careful with what they think they may be doing out of concern and goodness- but do not comprehend or understand what exactly they are changing.

Some other bad points about this bill:

-If a police officer today loses a motion to suppress evidence the case will get dismissed and the officer is not in trouble as long as he was

acting in good faith. Sometimes cases get dismissed due to a small procedural mistake, bad report writing etc. Law can often be interpreted by judges through case law and it is sometimes through opinion and interpretation of laws and of what occurred during the incident. If an officer loses a motion to suppress- an automatic civil rights case would be opened and the state will pay for the defendant to sue the officer. What officer would arrest anyone unless they truly had to? What kind of society would we turn into? There is language in this bill that I believe people do not fully grasp or see the unintended consequences.

- We also lose our collective bargaining rights. Police officers should have rights as well.

- On the proposed committees there is little to no law enforcement that would lend their opinion and ultimately decide the fate of officers working in the field if a case of alleged wrongdoing was brought forward. These officers working the streets make split second decisions in often tense circumstances. We do not get 2020 hindsight during situations. We have to deal with it in the moment and use our best judgement. That's why cases go to motions to suppress for example- judges and lawyers get ample time to analyze cases and then interpret them through careful study of the law. That's why it is essential police performing their duties are given benefit of the doubt and only IF they are working in good faith. It is a complex situation that few understand or even care to. As already stated- it has come out that political leaders do not understand many portions of this bill, and many also do not understand Massachusetts police training and use of force policies. This rushed legislation proposes that incidents will be judged by people with no law enforcement experience. This is absurd. If a lawyer or doctor will be disbarred- their case will be brought by and decided by SUBJECT MATTER EXPERTS. I believe it is common sense and an explanation for that is not really necessary. If you do not understand the complexities of both law or use of force situations as you have not been in law enforcement- you are essentially saying that someone as myself could be placed to disrupt and change the policies and operations of doctors or medical personnel in the field for surgeries and practice. Or that I could be placed in NASA to decide how astronauts or scientists operate- it simply does not make sense. We are dealing with both public safety and officer safety- much is at stake here when changes like this are both rushed, NOT understood by lawmakers, and with little to no input from those in law enforcement whom are actually in the field.

- There is also safety frisk and use of force changes and language in this bill that is concerning. There also needs to be careful studies of this as well. I point to the killing of Officer Michael Chesna of Weymouth. If officers are expected and asked to run into dangerous situations- such as home invasions, active shooter incidents, etc- we also should be given the tools needed to take steps to ensure our safety when dealing with violent people or hostile, uncertain and rapidly evolving circumstances. Use of force is based off the Graham VS Connor case. I'm sure most have not read this case. But use of force standards are based off an objective reasonable officer standard. If political leaders would like to change use of force I believe they themselves should go through police use of force classes and trainings. I'd feel that not only would they have a different

perspective, they probably wouldn't rush to change standards that are both reasonable, and that many of them do not understand.

We were told there would be a public hearing on this bill. We were also only given two days to skim 89 pages of the bill before the 11 a.m. deadline on July 17th. I sincerely hope that this process is slowed down. Officer safety, as well as public safety is at risk with this. We are human beings as well and only want the best for everyone in our communities. We are not against oversight or common sense reform. This bill however lacks common sense and logic.

Thank you,

Michael Hennessy
978-771-6760

*The opinions expressed in this letter are my own.

Sent from my iPhone
From: Claire Barker <Claire@barker.net>
Sent: Friday, July 17, 2020 11:02 AM
To: Testimony HWM Judiciary (HOU)
Cc: Malia, Liz - Rep. (HOU); Chang-Diaz, Sonia (SEN)
Subject: Testimony re. SB2820

This email comes from a citizen with years of involvement in our Commonwealth's criminal legal system, including mentoring prisoner scholars through Partakers, observing court sessions, and advocating for CORI reforms and the recent criminal justice reform package.

I want to register support for S.2820, the Senate's police reform bill, and I urge the House to enact a similar bill. All this needs to happen with concentrated effort in order to get it through a conference committee and signed by Governor Baker by the end of July.

First, changes in qualified immunity for police officers are key to a successful reform bill. 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. Under SB2820, police officers would continue to have qualified immunity if they act reasonably, and they would continue to be financially indemnified by the tax-payers in their municipalities.

Second, the provisions requested by the Black and Latino Legislative Caucus are also important, and I ask the House to pay close attention to them. These are the communities that have suffered the most from over policing; we must collectively hear their voices and act on their recommendations.

I also support the Senate bill's approach to these reforms:

- * State-wide certification and training standards. Massachusetts needs to get off the list of states that lack this set of standards.
- * Limits on use of force.
- * Duty to intervene when officers witness misconduct by another officer.
- * Ban on racial profiling and mandate on the collection and public access to racial data for police stops. It should not take a lawsuit to obtain this data from police departments.
- * Civilian approval for the purchase of military equipment.
- * Prohibition of nondisclosure agreements in police misconduct cases.
- * Ability to select a colonel from outside the state police, an organization that desperately needs house-cleaning from the outside.

Your constituents are asking much of you in these final days of the 2020 session. We count on you to pursue the enactment of a good police reform bill by the end of July. Thank you for giving attention to this important priority.

Claire I Barker

617-372-3307

Activist and co-convenor, Racial Justice Task Force, Theodore Parker UU Church

Boston, Massachusetts

From: Arnold Clickstein <aclickstein@gmail.com>

Sent: Friday, July 17, 2020 11:02 AM

To: Testimony HWM Judiciary (HOU)

Subject: The Reform, Shift + Build Act

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Good morning. My name is Arnold CLickstein with the Greater Boston Interfaith Organization (GBIO). I live at 19 Drummer Boy Way, Lexington. I urge you and the House to pass police reform that includes:

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

Thank you.

Arnold Clickstein

Arnold Clickstein
aclickstein@gmail.com
781-721-0356
19 Drummer Boy Way, Lexington 02420

Mentor, Confidant, Life Coach
Occasional journalist, Author, Writer
Believer in the importance of repairing planet Earth

We are a nation of immigrants. Let us welcome them;
bring economic justice for all: blacks, Latinos, Asians
and all indigenous Americans.

Contact him at telephone 617.834.2612
Skype: Arnold.Clickstein. Email: aclickstein@gmail.com
Linkedin: www.linkedin.com/in/arnoldclickstein
<https://urldefense.proofpoint.com/v2/url?u=http-3A__www.linkedin.com_in_arnoldclickstein&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=ZD3ZN6HZ-r5RgJYv6QB9omEdBFW3RyiHoSxqHrMG2rg&s=EZXZoZv8wL-WgYI7s4i9k4XWaBSd3CxBORyh7M-cpQM&e=>>

Current nonfiction Book: Cardinal Principles of Governance: Strengthening
The Governance of Nonprofit Organizations in America's Communities
Current short stories: being reviewed by various periodicals
Twitter: @arnieclickstein

From: TeLisa Daughtry <telisadaughtry@gmail.com>
Sent: Friday, July 17, 2020 11:02 AM
To: Testimony HWM Judiciary (HOU)
Subject: Re: In support of: Black Lives Matter Act

Dear Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in
policing by passing S. 2820, An Act to reform police standards and shift
resources to build a more equitable, fair and just commonwealth that
values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms.

TeLisa Daughtry

90 Lyndhurst Street, Apt 2

Dorchester, MA 02124

From: Patient, Dyan D. <PatientD@worcesterma.gov>

Sent: Friday, July 17, 2020 11:02 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform bill

My name is Dyan Patient. I am a detective with the special crimes division of the Worcester Police Department. I am a Latina, who grew up in the Main South are of Worcester. First and foremost I would like to thank you for the opportunity to voice my opinion for this bill, since I feel that I was not allowed to have an opinion when this bill was held by the senate. Consequently, leaving me to feel disenfranchised and ostracized by my own city government. A government which is put in place to represent me as a resident of the city of Worcester.

In listening to the media you would think that growing up as a person of color in the inner city, my interactions with police were abundant and overreaching. However in all of the years prior to me being a police officer, I had two interactions with the Worcester Police Department, both as a teenager. Once when I was walking barefoot along Maywood Street and happened upon a freshly poured concrete sidewalk, where I stopped to think with a juvenile mind about how I would leave my mark on the world. Then just as I lifted my foot to leave that mark, a male officer in a cruiser happened upon me and yelled, "Don't even think about it".

The second time was in my high school with the gang unit.

This was because a small number of the young men in my school thought that it would be fun to start a gang, as a way to deal with the pressures of the street gangs that surrounding our school. Our principal at the time, decided to call the gang unit of the Worcester Police Department and

needless to say, the entire gang unit showed up. To this day, I have no idea what the gang unit said to those young men. However I can tell you that after that interaction, there was never a mention of gangs with them ever again. Today, those young men have gone on to become business owners, doctors, relators, bankers, and over all upstanding citizens in society.

Since becoming a Police Officer, and having firsthand knowledge of the practices, and training of a Worcester Police Officer, the examples I could give of Worcester Police Officers being exemplary at their jobs is innumerable.

That is my Worcester Police Department. That is who I proudly work for. Men and women who care for this city. So I hope you understand how I must feel in reading this bill for the "reform" of a Police Department that I believe to be the example for others to follow.

The forms of "reform" suggested in this bill, which is proposed as a way to better the relations between people of color and the police department, is the type of change that has the potential to turn an exemplary police department, into a deplorable one.

The senate bill that was passed was anti-labor legislation. Essentially removes our rights as police officers to due process, collective bargaining & inserts a board that has no training, experience or background in law enforcement. I graduated high school, graduated college, am working towards my masters, I attended a rigorous 6 month long Police Academy, attend yearly in-service training, not to mention the countless number of trainings I attend on my own to further develop myself as a law enforcement professional. So I have to ask, what kind of training will this board have to be able to dictate what my training should be? Doctors are not overseen by civilians because they have not attended medical school, Attorneys are not overseen by civilian because they have not attended law school so why do think that Police Officers should be treated differently.

We police are merely foot soldiers to the laws that you create. I urge you to do what is right by the city and the police department that I love.

Respectfully,

Dyan Patient

From: Gray Watson <256.com@gmail.com>
Sent: Friday, July 17, 2020 11:02 AM
To: Testimony HWM Judiciary (HOU)
Subject: in support of HD.5128 and HB.3277

Please add my support to these important pieces of legislation.

Gray Watson
Lexington, MA

From: Paul Lombardo <paul.lombardo@simmons.edu>
Sent: Friday, July 17, 2020 11:02 AM
To: Testimony HWM Judiciary (HOU)
Cc: Brownsberger, William (SEN); Tyler, Chynah - Rep. (HOU); Joseph Wilson
Subject: Police Officer Standards and Accreditation Committee

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

Please accept the following testimony with regard to SB2820 - 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".

MACLEA seeks to include a representative of the Association to serve on the Police Officer Standards and Accreditation Committee created by section 6 of Senate Bill 2820. MACLEA's member departments are responsible for the safety and wellbeing of the hundreds of thousands who live, learn, work, and visit our member institutions. We are in favor of the creation of a Police Officer Standards and Accreditation Committee (POSAC) and our representation on this committee would add valuable insight and information. It would also ensure that the safety and security of all of those on campuses across the Commonwealth are the highest priority.

Sincerely yours,

Paul Lombardo

--

Paul Lombardo
Chief of Police
Simmons University Police Department
One Palace Road Suite P-106
Boston, MA 02115
Telephone: (617) 521-2226

<https://docs.google.com/uc?export=download&id=1uVigX5BDqPAEltpjk9K8-VltEaBi_ZpP&revid=0B83futQWHBpAclI0bXFMaHVVWQjU2al6OFdEd2VRQXJzVXhBPQ>

Confidentiality Notice:

This message, including attachments, is privileged and confidential and may contain information protected by federal law. If you are not the intended recipient, you are hereby notified that any disclosure, dissemination, or copying of this communication is strictly prohibited. If you have received this message in error, please delete this email and notify me immediately.

From: Clara Stefanov-Wagner <cjsw.02139@gmail.com>
Sent: Friday, July 17, 2020 11:02 AM
To: Testimony HWM Judiciary (HOU)
Subject: In support of the House police reform bill

Dear Massachusetts state representative,
I'm a Massachusetts resident submitting testimony for the House hearing on the police reform bill. I strongly support many provisions of the Senate bill and it is imperative that the House include these provisions in their version of the bill:

- The same limits to qualified immunity that the Senate included. This is vitally important to protect the constitutional rights of Massachusetts residents.
- Amendment 80, which gives superintendents and school committees the ability to authorize a school resource officer, rather than the current unfunded mandate for every district to have SROs. Districts should have local control over their own budgets and policies.
- Amendment 108, which prevents schools from sharing personal information about students into local, state, and federal databases.
- Amendment 65, which bans tear gas, a chemical weapon banned in warfare. Please enact these vital protections for MA residents and to ensure that police are held to ethical standards of behavior.

Sincerely,
Clara Stefanov-Wagner

Somerville, MA
617-308-9771

--

<https://700d23d5-a-62cb3a1a-s-sites.googlegroups.com/site/cjsw02139/clara/monogram2_xs.jpg?attachauth=ANoY7cpLT7iuXab_LmDsdGnzKPxYiyYWbnZWt0vrkrd5HsfRQ2MM-baoL-Nj6PZq-7mBd3nkHPnB5im_vdvOfzi7T0TWMkXZBiMz4vAsu3BC-YBY5Uw6lCVmBcyCM3PQPLBHz8HAF-BXJjGpCzM_Akudaav7c9xBye-ODE_-1vQXFVwJcYys9FaQK_i5ufxpd9saLunpGukW48tFR5mcmUwR2vb5XGaoUvKonQIeZvUyok0XSkj9FDQ%3D&attredirects=0>

Clara J Stefanov-Wagner
(she/her/hers)

cjsw@alum.mit.edu
cjsw.02139@gmail.com

From: Lori <hopelma@comcast.net>
Sent: Friday, July 17, 2020 11:02 AM
To: Testimony HWM Judiciary (HOU)
Subject: Sanctuary bill

Another anti-American, unconstitutional bill you want to push through.

Lorraine Masi, Beverly

Sent from Xfinity Connect ApplicationFrom: Janet Mahoney
<jmm6389@gmail.com>
Sent: Friday, July 17, 2020 11:02 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

Good morning,

I am opposed to this bill as there have been no public hearings and it feels rushed, particularly the changes to qualified immunity and the impact that would have on municipalities, cities, towns and taxpayers, not to mention police officers. Does this open the way for changes against firefighters, emergency medical persons and other public workers. More time is needed to explore the impact.

Thank you

J.M. Mahoney

Sent from my iPadFrom: Dana Del Vecchio <dana.delvecchio@gmail.com>
Sent: Friday, July 17, 2020 11:02 AM

To: Galvin, William - Rep. (HOU); Timilty, Walter (SEN); Testimony HWM
Judiciary (HOU)
Subject: Public Testimony - Police Reform

Hello Representative Galvin and Senator Timilty,

My name is Dana Del Vecchio with the Greater Boston Interfaith
Organization (GBIO). I live at 87 Chapman Street in Canton. I am writing
to urge you and the House to pass police reform that includes:

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

Thank you very much.

Dana Del Vecchio

dana.delvecchio@gmail.com

781-562-9949

87 Chapman St, Canton, MA 02021

--

Dana Del Vecchio

Program Officer, World Education

M. Ed , Harvard Graduate School of Education

Cell: 781 562 9949

From: JOSHUA ULRICH <ulrichjm@hotmail.com>

Sent: Friday, July 17, 2020 11:02 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

I am Joshua M. Ulrich, Mass. State Police Trooper/ (978) 210-5307.

I am a resident of Gloucester, MA

I am troubled by this bill for a number of reasons. The police are presently under attack for reasons manufactured by radical Marxists flying under the flags of black peoples' rights. One of the best-performing government agencies, in fact, that deals well with minority and poor communities everyday are the various police organizations. They serve those communities. 99% of the time, they do it admirably.

I strongly suggest that you spend some time speaking to some of the muted voices on this issue. Talk to families of the victims of gang violence and homicide who live in Lawrence, Lynn, Dorchester, etc. Find out how they feel the police treated them. Talk to the Boston PD commissioner and non-white police officers. Listen to some of the thoughtful national voices--Candace Owens, Sheriff David Clarke, Pastor Tony Evans.

In passing this bill, you will be cowing to a knee-jerk, media-agenda-driven hysteria. You will hurt disadvantaged communities more than the police, themselves. Trying to appease the bullies perpetrating this myth on all of us will eventually bring the monster to your very doors.

Please reject this bill. Vote against it.

Thank you,

Joshua M. Ulrich

Sent from Outlook <https://urldefense.proofpoint.com/v2/url?u=http-3A__aka.ms_weboutlook&d=DwMFAw&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=SAV-v939bBcLrElspJRsls3XCbP6AcO56YeJZkpFeaw&s=zyRPHH7rzpkLWAJ4sBHpwPQe7uzGdusMHktKlkkEsYg&e=>>

From: Elaine Donovan <Elaine.Donovan@comcast.net>
Sent: Friday, July 17, 2020 11:01 AM
To: Testimony HWM Judiciary (HOU)
Cc: Ryan, Dan - Rep. (HOU)
Subject: Opposed to bill s2800

To whom it may concern,

I am a resident of Charlestown who is vehemently opposed to bill s2800. Two months ago I felt the most hopeless ever, or so I thought. In hearing

about bill s2800 I now feel even more hopeless. I fear for my country, my city, but more importantly for my children. I fear for your children as well. My concern is that most aren't thinking about the consequences of this bill.

Please consider the harm this bill will cause your constituents.

Elaine Donovan

617-755-2763

From: PAUL POWELL <440rr@comcast.net>
Sent: Friday, July 17, 2020 11:02 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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

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

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

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

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

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

Thank you,

Paul Powell

11 Westbrook Lane

Attleboro MA 02703

Email: 440rr@comcast.net

From: Maura Bigelow <maurabigelow@yahoo.com>
Sent: Friday, July 17, 2020 10:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2820

I have family members and friends who are proud to serve in law enforcement, some retired and others still serving, and none of them ever wished they chose a different career path. None of them have a single blemish on their record of service and I believe this is true of the majority of those who serve the public. The nature of the jobs these men and women perform put them at risk of harm and liability that those of us working in the private sector could never imagine and I do not believe that the protections they are afforded should be taken away from them. Rather than condemning all because of the actions of a small percentage, I would like to see greater effort placed on proper and ongoing training and identifying and removing those who do not perform their jobs as required and expected. I also believe pressure should be brought upon unions to stop protecting habitual offenders...everyone should be afforded the opportunity to learn and redeem themselves but there should be limits on the number of times a union will stand behind such behavior. Please, please, please focus on strengthening training, community outreach, positive changes and less on penalizing and attacking the integrity of those who serve proudly and honorably.

Regards,
Maura Bigelow
West Dennis, MA
508-335-5932

From: Jaime Barnard Wallerice <jaimebarn@gmail.com>
Sent: Friday, July 17, 2020 10:56 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

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

Hello, my name is Jaime Wallerice with the Greater Boston Interfaith Organization (GBIO). I live at 37 Cottage St. #2 in East Boston. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Jaime Wallerice
jaimebarn@gmail.com
646-712-3308
37 Cottage St. #2 Boston, MA 02128

From: Inna Tunkel <itunkel@hotmail.com>
Sent: Friday, July 17, 2020 10:56 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill to end qualified immunity for police officers

It came to my attention that last night the MA Senate passed the bill to end qualified immunity for police officers. I am appalled that the legislature of such importance was passed without a public hearing.

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. 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.

A horrible death happened in Minnesota and everybody condemned it. But why the whole profession of policemen is punished for that? I talked to Brookline police and there has been not a single incident of police brutality for the years of existence of Brookline police. Massachusetts police in general is an exemplary organization. Why are you in such a hurry of changing the law? This new law will harm not only police but the whole population of Massachusetts.

In the strongest possible terms, I urge you to keep qualified immunity for MA police officers intact.

Inna Zarkhin

59Laconia street

Lexington, MA 02420

Sent from Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMF-g&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=5L5B7Pw8oGA_21OzKjF0TNp_k82WVa4Cju9tHUxcCtw&s=Kfboc8RWBqKhiS5p6En0Lr3lrjdAydD5d_70gs_z7qE&e=> for Windows 10

From: Kelly Regan <kregan10987@gmail.com>
Sent: Friday, July 17, 2020 10:55 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Kelly Regan and I live In Mansfield and I also work at MCI-Norfolk and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through

reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

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

Sincerely,
Kelly Regan

Sent from my iPhone From: maru4mail@yahoo.com
Sent: Friday, July 17, 2020 10:55 AM
To: Testimony HWM Judiciary (HOU)
Subject: Making My Voice Heard

To: Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello,

I am Dr. Maru Colbert with the Greater Boston Interfaith Organization (GBIO). I am a Jamaica Plain resident, writing to urge you and the House to pass police reform that includes: Implementing Peace Officer Standards and training with certification; civil service access reform; commission on structural racism; clear statutory limits on police use of force and qualified immunity reform.

Thank you,

Dr. Maru Colbert
maru4mail@yahoo.com
617-681-9900
179 Boylston Street, Jamaica Plain, MA (Temporary)
From: Elizabeth Young <titlemama@gmail.com>
Sent: Friday, July 17, 2020 10:55 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

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

Hello, my name is Elizabeth J Young with the Greater Boston Interfaith Organization (GBIO). I live at 11 Whittier Road Ext., Natick MA. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much,

Beth Young
11 Whittier Road Ext
Natick, MA 01760

781-726-2827
From: jdegrace83 <jdegrace83@aol.com>
Sent: Friday, July 17, 2020 10:55 AM
To: Testimony HWM Judiciary (HOU)

Dear Chair Michlewitz and Chair Cronin,

My name is Jennifer DeGrace and I live in Brockton, Ma. I work at MCI-Norfolk and am a Sergeant. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the

hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

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

Sincerely,
Jennifer DeGrace

Sent from my Verizon, Samsung Galaxy smartphone

From: Colin Leitch <colinleitch@unionboatclub.org>
Sent: Friday, July 17, 2020 10:55 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Reverend Colin Leitch
Church on the Hill Boston
617-227-0756

On May 31, there was a riot in the Back Bay and Beacon Hill. Some 28 members of the Boston Police Department were injured, eight treated in hospital. Some 20 police vehicles were vandalized, one torched. The police were pelted with debris and harrassed with obscenities. Their restraint was remarkable.

Since May 31, the police have been attacked by the media, particularly newspapers, and some elected officials. Misleading information has been trumpeted as fact.

One of the great stories in this town over the past 25 years has been the transformation of the Boston Police into a progressive, community responsive force. There is more work to be done. Is there an institution where that is not true?

Morale and recruiting in the BPD have been severely damaged. Their reputation has been unfairly tarnished. S2820 has been rushed forward. In this delicate moment in our city, please table this bill. Then the true work of evaluation and accountability can begin.

Thank you.

Colin LeitchFrom: Damien <damien.erik@gmail.com>

Sent: Friday, July 17, 2020 10:55 AM

To: Testimony HWM Judiciary (HOU)

Subject: S2820 Testimony

Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms.

Damien Smith
34 Buffum Rd
Hanover MA 02339

Mailtrack <https://urldefense.proofpoint.com/v2/url?u=https-3A__mailtrack.io-3Futm-5Fsource-3Dgmail-26utm-5Fmedium-3Dsignature-26utm-5Fcampaign-3Dsignaturevirality5-26&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=j98FIEAjnyy0FmuBR6AiSByP0tswfhX32PCry6dDxOM&s=0CU3UuyCyhv7SaHABWnuCCQb4TR1df1IUpuPSAoL4v0&e=>> Sender notified by

Mailtrack <https://urldefense.proofpoint.com/v2/url?u=https-3A__mailtrack.io-3Futm-5Fsource-3Dgmail-26utm-5Fmedium-3Dsignature-26utm-5Fcampaign-3Dsignaturevirality5-26&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=j98FIEAjnyy0FmuBR6AiSByP0tswfhX32PCry6dDxOM&s=0CU3UuyCyhv7SaHABWnuCCQb4TR1df1IUpuPSAoL4v0&e=>> 07/17/20, 10:52:52 AM

<<https://mailtrack.io/trace/mail/909b90ad60d5e5f68f32643c4e28ba55355a5241.png?u=3909436>>

From: Amy McElman <amymcelman@gmail.com>

Sent: Friday, July 17, 2020 10:55 AM

To: Testimony HWM Judiciary (HOU)

Subject: Acceptance of Written Testimony Only

Dear Senators,

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

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

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

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

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and

correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Amy McElman

Sent from my iPhoneFrom: Sean MacLeod <seanmacleodp@gmail.com>
Sent: Friday, July 17, 2020 10:54 AM
To: Testimony HWM Judiciary (HOU)
Cc: Boncore, Joseph (SEN); Madaro, Adrian - Rep. (HOU)
Subject: MA Police Reform Legislation - Bill S.2820 Written Testimony

Hi All,

I write to you today as a concerned citizen of East Boston. I would like to voice my support for the Massachusetts Police Association's written testimony submitted for consideration in regards to Bill S.2820.

I support the association's willingness and desire to work with the state legislature to remove bias, racism, and prejudice from policing. I also believe further training and education for law enforcement would benefit all citizens of the state - law enforcement included. However, I am very concerned about the decertification process, makeup of the board, and qualified immunity as discussed in the current version of Bill S.2820. We should not allow the actions of the few bad officers to drive legislation that infringes on the rights of the many good officers who protect and serve the citizens of their respective jurisdictions every day.

As you consider further amendments and edits to the bill, I would ask you to strongly consider the written testimony of the Massachusetts Police Association and my unaffiliated support of the association's concerns. Thank you.

Regards,
Sean MacLeod

From: Ann Fleck-Henderson <afleckh@gmail.com>
Sent: Friday, July 17, 2020 10:55 AM
To: Testimony HWM Judiciary (HOU)
Subject: SB2820

I am writing in support of this important bill. I am a Cambridge resident and retired social work professor. I have worked in the public health system (Cambridge Health Alliance) and in domestic violence prevention (Cambridge's Domestic and Gender-based Violence Prevention Initiative) in Cambridge. I have seen in this town two progressive Commissioners work to shift police culture toward a public safety (guardian) approach from the old warrior approach -- against heavy odds. The police unions, the difficulty of holding officers accountable for bad behavior, the civil service requirements, the preference to veterans, and the Academy training are all obstacles. This bill addresses some, but not

all, of those obstacles, and I am very hopeful that will make the culture change more possible.

I have also seen more and more functions that belong in public health or human services move into the domain of the police. Even if they do a decent job, this is a mistake. Other people have better training, and the possibility of lethal escalation is much less with unarmed intervention. However, the public sector services in mental health and substance abuse and housing services are often not currently ready to retake responsibility -- even in Cambridge. I particularly support this provision of this bill:

* Create a Community Policing and Behavioral Health Advisory Council on which NASW-MA, NAMI, MOAR, and other groups would have a seat. The Council's charge is to review and evaluate current and potential crisis intervention models that delivers non-police alternative emergency services and programs.

I hope such a state board would facilitate the local collaborations necessary to shift responsibility for social service needs back to the social service/public health sector.

I also particularly support this provision, for which our Commissioner has argued:

* Require the use of racial data for all police stops

Thank you for your attention
Ann Fleck-Henderson
(professor emerita, Simmons College)
resident of Cambridge

From: Paula Mason <paula_mason@comcast.net>
Sent: Friday, July 17, 2020 10:55 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

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

of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,
From: Keri Bouthiller <keribout@gmail.com>
Sent: Friday, July 17, 2020 10:55 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

S 2820

I'm not in support of this bill. Allowing our police to be civil sued and taking money away is not the answer. I back our police and do not support this bill.

Respectfully, Keri Bouthiller

From: Allison C <allisonchow12@gmail.com>
Sent: Friday, July 17, 2020 10:54 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony submission to the House Ways and Means Committee in favor of policing reform

To Chair Michlewitz, and honorable members of the Committee,

I'm writing today in support of the S. 2820 the Reform, Shift, and Build Act. Please support a strong bill that improves police accountability, including:

- * A ban on racial profiling and racial data collection on all traffic and pedestrian stops, including ones that do not result in a citation;
- * Creation of the Police Officer Standards and Accreditation Committee to certify and decertify police officers, and to ensure that police officers who commit misconduct cannot simply move from town to town and remain officers;
- * A moratorium on the use of facial recognition technology;
- * Restrictions on the use of tear gas (which the Geneva Convention holds to be a chemical weapon, the use of which is banned in warfare) and other use of force policies; and
- * Reform of qualified immunity so that officers are no longer immune from violating our basic constitutional rights.

Most importantly, please retain the qualified immunity reform in Section 10 of S. 2820!!! Under current law, a plaintiff virtually cannot sue unless a previous court has found that the exact same conduct, in the exact same circumstances—no matter how egregious—was a constitutional violation. This includes situations such as the one Senator Brownsberger described in detail on the Senate floor in which officers in Massachusetts forced a woman to have her vagina searched. Civilians deserve the ability to hold police officers accountable for egregious violations of their rights - no one should be above the law, including and especially those charged with upholding it!

Best,

Allison Chow
30 Evergreen Ave #1
Somerville, MA 02145
From: Matt Applegate <matthew.b.applegate@gmail.com>
Sent: Friday, July 17, 2020 10:54 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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

I write in support of S.2820. I urge you to pass an even stronger version of this bill into law. In particular, I would like to see the final bill completely ban tear gas, chokeholds, and no-knock raids; these militarized police tactics have no place in our commonwealth.

We also need clear legal standards for police behavior and employment: the final bill should set standards for decertifying officers that behave badly on the job, as well as eliminating qualified immunity.

People want to see that officers can be held accountable for their actions. This is the right moment to have Massachusetts law reflect those concerns.

Sincerely,

Matthew Applegate
11 Hinckley Street

Somerville, MA

From: Nicholas Morganelli <Nicholas.Morganelli@cityofwestfield.org>
Sent: Friday, July 17, 2020 10:55 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820 Testimony

To Whom it may concern:

Many have been outspoken in protest to police brutality through the black lives matter marches across the nation. This has obviously been a catalyst in drafting legislation like this bill and other similar bills. As a city councilor for 4 terms over the last 12 years, I have come to appreciate our local law enforcement personnel
And have had conversations with commissioners, chiefs, captains, sergeants, and officers. I fully rely on their expertise to manage the police department. They live here and know the community and the management and commissioners know the department well. Well enough to train and operate effectively and without bigotry towards any group.

This bill, although having good intentions to reform our law enforcement, is managing local police on a state level. This is once again state government overreach and micromanaging. I implore you to let the local police departments continue to train and manage their teams. I encourage you to perhaps form a task force consisting of a mix of local police and experts in law enforcement that will take the next year or so to improve our system. This will bring real change if needed in the departments across the commonwealth instead of creating more legislation that is redundant and frankly a disrespect to the hard work that each local law enforcement entity carries out on a daily, weekly, and monthly basis. They know how to enforce the law effectively and fairly, train the team, discipline, watch for injustice, promote their staff, etc. Let's not allow a few incompetent cops amongst nearly 700,000 across the nation to drive overreaching legislation. Stop reinventing the wheel that is driving our law enforcement system very well in our commonwealth and instead give local departments a platform on how to improve on an already successful system. I oppose this bill wholeheartedly and speak for several residents and other elected officials who have spoken to me.

Respectfully Yours,

Nick Morganelli
City Councilor

From: Elaine Brancato <etbrancato@gmail.com>
Sent: Friday, July 17, 2020 10:54 AM
To: Testimony HWM Judiciary (HOU)

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

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

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not

be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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

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

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

Thank you

Elaine Brancato
etbrancato@gmail.com
93 Adams St.
Dedham, MA 02026
From: L F <fowlkeslorraine@gmail.com>
Sent: Friday, July 17, 2020 10:54 AM
To: Testimony HWM Judiciary (HOU)
Cc: Cronin, Claire - Rep. (HOU)
Subject: h.2820, Lorraine Fowlkes, NAACP, 617 283 2089

Dear Representatives Cronin and Micklewitz,

I submit the following testimony into the official record in support of re H.2820.

1. Stand for accountability and human life by STRENGTHENING THE LICENSING BOARD with majority representation from non-law enforcement (current or former).

2. Prioritize humanity by strengthening the USE OF FORCE language. BAN choke-holds. BAN tear gas. BAN the dogs. Excuses for murder and intimidation are what we have now. We need outright BANS on these tactics.

3. Value diversity and inclusion by REFORMING CIVIL SERVICE.

4. Stand with families and protect innocent life- END QUALIFIED IMMUNITY in MA. Simply put: The law currently values the protection of material items OVER the protection of human life. Humanity first.

5. Support the AFRICAN AMERICAN EQUITY COMMISSION.

THANK YOU IN ADVANCE FOR YOUR SUPPORTING THIS BILL.

LORRAINE FOWLKES

From: carrie burke <carrierebeccaburke@gmail.com>
Sent: Friday, July 17, 2020 10:54 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony in support of S2820

To Rep. Aaron Michlewitz and Rep. Cronin:

I am writing to you to provide testimony in support of the passage of S2820, concerning police reform in Massachusetts. Though I do not write as a representative of my employer, it is important to establish what I do professionally as it relates to my support of this bill. I am the Director of Social Services Advocacy for the Committee for Public Counsel Services Public Defender Division. I have worked for CPCS first as a Social Services Advocate in the Boston Trial Unit, then as a regional supervisor in both Central/ Western MA and Eastern MA for 10 years prior to my current position, which I began last fall. Social Services Advocates function as integral members of the defense team - we work with the attorney and with the client to secure necessary treatment services, and to give voice to our clients' life experiences in mitigation and sentencing advocacy, with the hope that they will be treated with fairness in the criminal legal system. In our role, we are privy to the most traumatic and painful moments of our clients' lives, past and present. A theme that has been consistent throughout my work with clients over my years with CPCS has been the trauma and violence experienced at the hands of police - particularly within our Black and Brown communities. While some experience direct incidences of traumatic police violence, the kind that can result in a diagnosis of PTSD, many many more experience the environmental trauma of the constant threat of police violence. Police loom in these communities - not as protectors, but as intimidators - their presence resulting in hypervigilance and distrust. This distrust, founded in very real and measurable abuses by the police towards their communities, results in exactly the opposite of what police exist for; communities who are overpoliced are much less likely to seek police intervention when it is actually needed.

This is not to say that people who live in over-policed want police to cease to exist. People who are over-policed tend to want what everyone wants - to feel safe, and to know that if they call the police due to a threat to their safety that they themselves will not be put at risk in doing so.

This bill is woefully overdue, and is a first step in the right direction to ensure that ALL residents of the commonwealth will be treated equitably by the police, and particular attention will be paid to the inequities, biases, and policies that have led to the over-policing and police violence targeting Black and Brown communities.

Police interaction and police reporting is the gateway to the criminal legal system - it sets the tone for the treatment of the individual as they move into the court system and beyond. Bringing more equity, and more attention to the treatment of Black and Brown people by police could change the course of their interfacing with the criminal legal system, which as we all know is a system that disproportionately affects Black people and People of Color and negatively impacts communities of color.

Thank you for your consideration, and thank you for voting to pass this bill.

Sincerely,

Carrie Burke, LICSW

111 B Inman St. Cambridge, MA

From: Sarah Foster <sarahclundell@gmail.com>
Sent: Friday, July 17, 2020 10:54 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support for expungement in S.2820

Dear Committee Chairman Aaron Michlewicz, Committee Chairwoman Claire Cronin, Committee Vice Chair Desnise Garlick, and Committee Vice Chair Michael Day,

Please update the Massachusetts expungement law in Ch 276 Section 100 to allow for multiple offenses to be eligible and to distinguish between dismissed cases and guilty cases. Innocent kids who get into trouble more than once go on to live normal positive lives and they shouldn't be denied jobs, school, or housing opportunities.

Police standards and accountability fix one problem, but the harm done to so many kids of color needs to be addressed as well. This is the time to do it.

Please support updating expungement in your bill. Our kids deserve it!

Sincerely,
Sarah C. (Lundell) Foster

From: Davis, Christian <davisc@worcesterschools.net>
Sent: Friday, July 17, 2020 10:54 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reconsider senate bill

Please reconsider the senate bill that was passed, it was anti labor legislation. It removes police rights to due process, collective bargaining & inserts a board that has no training, experience or background in law enforcement.

From: Miriam Niedergang <mimnied@gmail.com>
Sent: Friday, July 17, 2020 10:54 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reform, Shift, and Build Act

Dear Chair Michlewitz, and honorable members of the Committee,

I write today in support of the S. 2820 the Reform, Shift, and Build Act. Please support a strong bill that improves police accountability, including:

- * A ban on racial profiling and racial data collection on all traffic and pedestrian stops, including ones that do not result in a citation;
- * Creation of the Police Officer Standards and Accreditation Committee to certify and decertify police officers, and to ensure that police officers who commit misconduct cannot simply move from town to town and remain officers;
- * A moratorium on the use of facial recognition technology;
- * Restrictions on the use of tear gas (which the Geneva Convention holds to be a chemical weapon, the use of which is banned in warfare) and other use of force policies; and
- * Reform of qualified immunity so that officers are no longer immune from violating our basic constitutional rights.

Most importantly, please retain the qualified immunity reform in Section 10 of S. 2820. Under current law, a plaintiff virtually cannot sue unless a previous court has found that the exact same conduct, in the exact same circumstances—no matter how egregious—was a constitutional violation. This includes situations such as the one Senator Brownsberger described in detail on the Senate floor in which officers in Massachusetts forced a woman to have her vagina searched. Civilians deserve the ability to hold police officers accountable for egregious violations of their rights.

Sincerely,

Miriam Niedergang
30 Evergreen Ave, Somerville, MA
From: Anne Crane <craneal46@gmail.com>
Sent: Friday, July 17, 2020 10:54 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform legislation

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Anne Crane, and I'm with the Greater Boston Interfaith Organization (GBIO). I live at 89 Jamaica Street in Jamaica Plain. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Anne Crane
craneal46@gmail.com

617-522-6831

89 Jamaica St., Unit 1

Jamaica Plain, MA 02130

From: Gail Del Rosso <grdelrosso19@gmail.com>
Sent: Friday, July 17, 2020 10:54 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony S.2820

Gail Del Rosso
12 Billow Street
Worcester, Ma. 01604
508-954-9687

Hi,

I'm writing this testimony today to express my concerns about the legislation on Police Reform, S.2820. My husband is a retired (35 years) Police Officer. My daughter is on the Police force, and has been for approximately 7 years. We have 3 other Police Officers in the family.

We acknowledge that no Police department is perfect, but we are proud of the Worcester Police Department. In the last 30 years we have strived towards great communication and listen to the needs of the community and continue with essential community programs and partnerships.

I feel this bill is being rushed. I feel it's prohibiting people from having their voices heard, not being able to be there in person.

The Senate bill that passed was anti labor legislation. It removes our rights to due process, collective bargaining and inserts a board that has no training experience in law enforcement. This bill can not pass as written; it destroys protections that police need to properly do their jobs.

I'm asking that you listen to the people of this community. Reevaluate and adopt. Quality Immunity, Due process/collective bargaining, Make up POSAC board.

Thank You,
Sincerely,
Gail Del Rosso

From: Dave Moore <dav.m.moore@gmail.com>
Sent: Friday, July 17, 2020 10:54 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Dear Representatives Michlewitz and Cronin,

My name is David Moore and I live in Ipswich MA. I am writing to you today to express my opposition to S.2820 as it is written which will hamper law enforcement efforts across the Commonwealth and have dire unintended consequences that will trickle down to every town and city in the Commonwealth. As it is this bill robs Police Officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

I, along with most of the silent majority, are dismayed at the utter lack of respect and protections extended to Police Officers in this proposed

bill. While there is always room for improvement in policing and I agree with a majority of the bill, the proposed legislation has far too many flaws that can't be overlooked. I am all for more training and higher standards for Police Officers but there are many major concerns I have with this proposed bill. The following three major issues stand out and demand immediate attention, modification and/or correction. Those three issues are:

(1) Due Process for all Police Officers: Fair and equitable process under the law. The appeal processes afforded to Police Officers has been in place for generations. We deserve to maintain the right to appeal given to all of our public servants. The killers of Sgt Gannon, Officer Chesna and Officer Tarentino all are being afforded their due process protections so how is it fair to strip them from the people sworn to protect the public?

(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. Getting rid of qualified Immunity will also open up frivolous lawsuits to any and all town and city workers. What if my towns planning borad approves a plan and someone gets hurt? They'll be sued. The same goes for my towns Fire Department and all other departments. The financial costs to towns and cities to have liability insurance for every department would be astronomical and cripple budgets.

(3) POSA Committee: The composition of the POSA Committee NEEDS to include and be a majority of rank-and-file Police Officers either retired or current. This is of absolute necessity! 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. The general public has no idea the intense and unique training and demands of Police Officers. Our training and job is beyond unique and always ever changing. It is so complex and ever changing that the US Supreme Court has time and time again upheld the use of force/excessive force standards in Graham vs Conner stating that the life and death split second decisions made by Police Officers in regards to use of force scenarios should be "judged from the perspective of a reasonable Officer on the scene, rather than with 20/20 vision of hindsight." How can you have a committee who doesn't know what the job of a Police Officer entails? Have a committee that has never experienced a life and death scenario where you have to make a split second decision? How can you judge the actions of a Police Officer never having experienced the physiological and psychological aspects of tunnel vision, auditory shut down and the total break down of fine motor skills due to the overwhelming stress the body goes through during such a scenario? Police training is geared specifically around these very unique physiological and psychological changes.

There are also some legislative developments of late that the citizens of Massachusetts and the House should be paying attention to as well in

regards to this proposed bill. Recently in the wake of the Parkland shootings in 2018 the US Supreme Court ruled that Police Officers are under no legal obligation to assist someone in a life threatening situation.

With the Commonwealth trying to pass legislation that would end qualified immunity for Police Officers and the fact that the US Supreme Court ruled that Police Officers have no legal obligation to assist the public creates a scary recipe of a Police force that would be so reactionary and afraid to act that it would lead to a more dangerous Commonwealth with higher crime rates. Look at NYC the minority groups that the so called restrictions and reforms placed on law enforcement to protect their communities are pleading to get rid of some of those restrictions due to their huge uptick in crime. Again to be clear, qualified immunity does not offer legal protection to Officers who willingly break the law. It protects Officers who act in good faith to assist the public by shielding Officers from frivolous civil actions.

The Police force that protects and serves communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Again this bill will create a Police force in MA that has the potential to have better protection by not doing anything and being completely reactionary inevitably leading to an increase in crime across the Commonwealth. The idea of this hastily not fully thought out knee jerk reaction legislation that was thrown together based on the misguided notion that due to the infinitesimally small actions of bad Police Officers out there that all Police Officers are bad sickens my stomach. There are bad sections of every profession, bad doctors, bad teachers, bad mechanics and so forth. The aspects of Qualified Immunity, due process for Police Officers and a proper oversight committee are so complex and detailed there is no humanly way it can be properly discussed and voted on and passed this quickly. It takes months and months if not years for most bills/laws to be passed and this bill should be no different.

I dreamed about being a Police Officer since I saw my first set of flashing blue lights as a small child. I get to go to work everyday doing something I love. I go to work everyday knowing I could give the ultimate sacrifice and lay down my life to protect a complete stranger and I do it without hesitation each and everyday. If S.2820 passes as it was presented I will have to seriously have to think about giving up my lifelong dream job as it would cause me to unnecessarily hesitate in a life or death scenario which puts my life, the public's life and my coworker's lives in danger. I am more than willing to risk my life to protect and serve as that is how I've been trained and that is how I am wired but I am not willing to protect and serve unsafely and I fear the passing of this bill would create an unsafe Policing environment causing myself and fellow Officers to hesitate.

The other unintended consequence of this bill is the mass exodus of good veteran Officers across the Commonwealth which would further add to the complete uptick in crime do to a severely understaffed Police force.

I again implore you to fight for Police Officers in the Commonwealth that protect the public without hesitation day in and day out and amend and

correct S.2820 so as to treat myself and my brothers and sisters in law enforcement with the respect and dignity we deserve. In today's Policing environment which already shuns and despises Police Officers more and more each day the passing of S.2820 would further be another possibly unrecoverable slap in the face to law enforcement. If society can't take care of and respect the very people that are tasked with protecting it what kind of society are we living in?

I would like to close out this email by saying the silent majority do appreciate the Police and never in my career have I been thanked for what I do for a living than these past few months. The amount of people that send the station food and gift cards is amazing. I get thanked constantly everyday even after pulling over cars and giving out tickets. I would hate to not be there for the silent majority who do appreciate Police Officers and the rest of society who either are unwilling or unable to protect themselves from the evil in the world.

I hope I can count on your opposition and the rest of the House on the current version of S.2820 and continued support of law enforcement. Again I agree with most of the points and aspects of the bill and at a bare minimum this bill should be tabled so it can be properly studied and have Law Enforcement involved in future discussions and the bill.

Sincerely,
Dave Moore
Ipswich Police Officer
Ipswich MA
978-238-8844

This email does not represent the Ipswich Police Department in anyway and it is my own personal views and opinions as a citizen of the Commonwealth

From: Haley Havens <hjhavens@gmail.com>
Sent: Friday, July 17, 2020 10:54 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support for Reform, Shift, + Build Act

Hello,

I would like to submit my support for the Reform, Shift, + Build Act. I ask that it be passed in its entirety.

My name is Haley Havens
My phone number is (608) 279-7761
I do not have an affiliated organization.

Best,

Haley Havens
From: Kathryn <majorclarkkate@comcast.net>
Sent: Friday, July 17, 2020 10:54 AM
To: Testimony HWM Judiciary (HOU)

Subject: Opposition to Bill No. S.2820

Dear Representative Michlewitz and Representative Cronin,

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

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

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

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

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

In closing, I would like to reiterate 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 entreat you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Kathryn Major-Clark

68 Apple Tree Lane

Weymouth, MA

Sent from my iPhone

From: Jessica Farrell <jess.aileen.farrell@gmail.com>

Sent: Friday, July 17, 2020 10:54 AM

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.

Sincerely,

Jessica Farrell

29 Martin St.

Medford, MA

From: Christina Heacock <neener011@hotmail.com>

Sent: Friday, July 17, 2020 10:54 AM

To: Michlewitz, Aaron - Rep. (HWM); Cronin, Claire - Rep. (HOU);

Testimony HWM Judiciary (HOU)

Cc: Tarr, Bruce E. (SEN)

Subject: Objections to S.2800

Objections to S.2800

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street

Boston, MA 02133

Dear Chair Michlewitz and Chair Cronin,

My name is Christina Heacock and I live at 615 Boxford Street in North Andover, Massachusetts.

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

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

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

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

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

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The

gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

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

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

Sincerely,

Christina Heacock

From: Gregory Nolan <gnolan4242@gmail.com>
Sent: Friday, July 17, 2020 10:54 AM
To: Testimony HWM Judiciary (HOU)

I would like to weigh in on the bill that is currently in the House, S. 2820. As it stands, I am deeply concerned with the way the bill is in the Senate by keeping police wide open for frivolous law suits by eliminating qualified immunity. As you know, unlike absolute immunity which is something you all are given and enjoy, qualified immunity is given to police officers who do their job the right way. Not rogue officers or cops who break the law. Because of that, I urge you not to pass this bill, but if you must, I ask you to keep qualified immunity.

Another concern in the Senate bill was something that is rightfully given to all citizens of the commonwealth and this great country, and that is due process. Please allow for police to receive due process. Anything short is Un-American, and history will judge you and the body harshly

Please do not pass this bill, but if you must keep all due process in. The job of law enforcement is difficult as it is. Don't make it harder.

Please do not be anti police, please do not open all cops in the Commonwealth to frivolous law suits, please be a leader and hear the voices of your constituents and do the right thing.

Thank you.

Respectfully,

Greg Nolan

42 Hounds Ditch Lane

Duxbury MA

From: karen assad <karenassad81@gmail.com>

Sent: Friday, July 17, 2020 10:53 AM

To: Testimony HWM Judiciary (HOU)

Subject: S2820

Dear Senator,

My name is Karen Assad and I live at 94 Meadowbrook Road, Mashpee, MA 02649. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

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

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

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

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

My husband has been a police officer for 17 years with the town of Mashpee. Prior to this service, he was a police officer with the city of

Laconia, New Hampshire. During this time, he has done tremendous work building strong connections/relationships with the Mashpee community (including with residents, businesses and schools). He has served his community with honor and integrity at all times and this proposed bill is quite frankly a kick in the teeth to police officers like my husband all over the Commonwealth. To speak honestly, I am not quite sure how you claim to support the law enforcement officers in your constituency whilst also pushing this bill forward so hastily. As the wife of a law enforcement officer, I am concerned for the future of our elected leaders feel that this justified.

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

Sincerely,

Karen Assad
Mashpee, MA

From: stacey cook <staceydaltoncook@icloud.com>
Sent: Friday, July 17, 2020 10:53 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Stacey Cook and I live at 5 Alderney Way, Lynnfield, MA. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

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

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

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

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

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

Sincerely,

Stacey Cook

Sent from my iPhoneFrom: matt062910@yahoo.com

Sent: Friday, July 17, 2020 10:53 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

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

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

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

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

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

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

Thank you,

Matthew Covino

590 Washington St #6

Pembroke

From: Erica Thomas <ethomas24@icloud.com>
Sent: Friday, July 17, 2020 10:53 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2800

Dear Representative Dooley,

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

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

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

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

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

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

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

The Governor and supports of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The

15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

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

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unacceptable and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in labor relations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Erica Thomas

Sent from my iPhone
From: Denis Sheahan <ds.djs@verizon.net>
Sent: Friday, July 17, 2020 10:53 AM

To: Testimony HWM Judiciary (HOU)
Subject: Opposition to House Bill 2820

I am writing to express my opposition to House Bill 2820. I am a taxpayer and resident of Mansfield Ma. I do not want to see my taxes increase to pay for unnecessary lawsuits should Qualified Immunity for police and other public servants be eliminated. I also oppose the removal of school resource officers from the public schools. These officers know the students and the students know the officers. This is a very successful program in Mansfield. As a parent it provides peace of mind, knowing officers are on site. It also provides peace of mind for teachers and students. In this time of negative stories regarding the police why are we removing them from schools. Isn't this an opportunity to strengthen the public's interaction with police, which should start with the children being comfortable around law enforcement, not fearing officers. I also oppose banning facial recognition. Isn't this how the Marathon bombers were identified? What happens next time there's an attack? How will the suspects be identified? If there are flaws in the system I am sure they can be fixed with all of the new technology available. I also feel these police reform bills should be put on the ballot for all citizens to vote on. I hope that all public comments are read and acknowledged.
Thank You,

Denise Sheahan

Denis Sheahan
ds.djs@verizon.net

From: Barry Lawton <barrylawton2@gmail.com>
Sent: Friday, July 17, 2020 10:52 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

I first want to state that I appreciate the sacrifice law enforcement contributes to our state. Reform of law enforcement is an innate doctrine of democracy. It's mantra of "protect and serve" is a necessary guideline to insure the purpose of law enforcement is unobscured. I my city, Boston, real "community policing" is needed. Tantamount to that goal is a police force that reflects the population it serves. It is evident a the multiple crime scenes in the communities of color, this is not the case. Police have and continue to maintain a non-diverse force, hierarchy and deployment of resources. Policing is simply better when the police are from or live in a neighborhood. Police who live in the community have a greater stake in the effectiveness of law enforcement and clearly create a greater deterrence to crime. Public hearings/interviews should occur for command staff. Areas predominantly occupied by people of color should be led by people of color. It would have natural link and greater credibility in deterring and resolving crime. This would by no means insure success in policing, but increases chances for success.
Barry O. Lawton

From: Katrina Thompson <thompson_katrina@wheatoncollege.edu>
Sent: Friday, July 17, 2020 10:52 AM
To: Testimony HWM Judiciary (HOU)

Cc: Feeney, Paul (SEN); Barrows, F. Jay - Rep. (HOU)
Subject: Senate Bill 2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

Please accept the following testimony with regard to SB2820 - 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.

MACLEA seeks to include a representative of the Association to serve on the Police Officer Standards and Accreditation Committee created by section 6 of Senate Bill 2820. MACLEA's member departments are responsible for the safety and wellbeing of the hundreds of thousands who live, learn, work, and visit our member institutions.

We are in favor of the creation of a Police Officer Standards and Accreditation Committee (POSAC) and our representation on this committee would add valuable insight and information. It would also ensure that the safety and security of all of those on campuses across the Commonwealth are the highest priority. Thank you for your service, time and consideration.

Respectfully,

Captain Katrina L. Thompson

Assistant Director of Public Safety
(She, Her, Hers)

Wheaton College
26 E. Main Street
Norton, MA 02766

P- (508) 286-3903 <tel:(508)%20286-3903>

F- (508) 286-3904 <tel:(508)%20286-3904>

E-Mail- thompson_katrina@wheatoncollege.edu

<https://wheatoncollege.edu/public-safety>

<[https://urldefense.proofpoint.com/v2/url?u=https-](https://urldefense.proofpoint.com/v2/url?u=https-3A__wheatoncollege.edu_public-2Dsafety&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=1KVgAT6n_jB-N1mOz1zAfCrIdXblwsBp8qDGSEIS-VI&s=90jTlnFY7HJiDMJEkYEiQg2W2ogztAnHSR2RH1_6fvE&e=>)

[3A__wheatoncollege.edu_public-2Dsafety&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-](https://urldefense.proofpoint.com/v2/url?u=https-3A__wheatoncollege.edu_public-2Dsafety&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=1KVgAT6n_jB-N1mOz1zAfCrIdXblwsBp8qDGSEIS-VI&s=90jTlnFY7HJiDMJEkYEiQg2W2ogztAnHSR2RH1_6fvE&e=>)

[fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk](https://urldefense.proofpoint.com/v2/url?u=https-3A__wheatoncollege.edu_public-2Dsafety&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=1KVgAT6n_jB-N1mOz1zAfCrIdXblwsBp8qDGSEIS-VI&s=90jTlnFY7HJiDMJEkYEiQg2W2ogztAnHSR2RH1_6fvE&e=>)

[13zIsl6rchf_GkGDD&m=1KVgAT6n_jB-N1mOz1zAfCrIdXblwsBp8qDGSEIS-](https://urldefense.proofpoint.com/v2/url?u=https-3A__wheatoncollege.edu_public-2Dsafety&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=1KVgAT6n_jB-N1mOz1zAfCrIdXblwsBp8qDGSEIS-VI&s=90jTlnFY7HJiDMJEkYEiQg2W2ogztAnHSR2RH1_6fvE&e=>)

[VI&s=90jTlnFY7HJiDMJEkYEiQg2W2ogztAnHSR2RH1_6fvE&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__wheatoncollege.edu_public-2Dsafety&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=1KVgAT6n_jB-N1mOz1zAfCrIdXblwsBp8qDGSEIS-VI&s=90jTlnFY7HJiDMJEkYEiQg2W2ogztAnHSR2RH1_6fvE&e=>)

From: Meghan Fogarty <meghan.morris87@gmail.com>

Sent: Friday, July 17, 2020 10:52 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

Good Morning,

My name is Meghan Fogarty. I live at 23 Brantwood Road in Norwell. I write to you today with regards to S.2820. This is a bill that has the attention of many in our Commonwealth. Most particularly, it has the attention of Police/Law Enforcement officers, those that love them and those that support them.

I write to you as the wife of an active Weymouth Police Officer and the daughter of a retired Boston Police Officer. As the wife of a Police Officer in today's world things are different. Like all police wives, I watch my husband leave every night and hope and pray that he comes home safely every morning. My last words to him every time he leaves are "be careful". For Father's Day last year our children had a coffee mug inscribed with the words "Be careful dad, we love you". In our world this is "normal" but not everyone lives in the same world we do, not all wives need to say "be careful" and not all children have to be concerned about the safety of their parent when they leave for work.

I also write to you as a proud member of a larger family - the Blue Family. This week, Wednesday July 15 to be specific, my Blue Family and I remembered one of our own, Sergeant Michael Chesna. On July 15, 2018 this husband, father, son, brother and uncle who just also happened to be a Police Officer was murdered. I will never forget where I was when my husband got the initial call about Mike - packing for a trip to Story Land, one that we never made it to. I will never forget attending Mike's wake and funeral with my husband, my Blue Family and the Chesna Family. Having the feeling that this could have happened to any of us. Knowing their children will never see their father again, that if it had happened to my children, they would not only never see their father, but have very little memories of him as they are so young. Sitting in St. Mary of the Sacred Heart Church in Hanover with my fellow police wives is something none of us will never forget. A police wake and funeral are things NONE of us EVER want to attend again.

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

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

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

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

In closing, I urge you to take the time that is necessary to make the best decision for ALL citizens of our Commonwealth. We have some of the most well trained Police/Law Enforcement Officers in the country. They need to be able to do the job they were trained to do in a safe and effective way. My husband has taken an oath to serve and protect his community. As our elected representative, I implore you to please do your duty to protect

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

Sincerely,

Meghan Fogarty

23 Brantwood Road

Norwell, MA 02061

(617)-827-5455

From: Rebecca Shoaf Kozak <shoafrebecca@gmail.com>
Sent: Friday, July 17, 2020 10:52 AM
To: Testimony HWM Judiciary (HOU)
Cc: Madaro, Adrian - Rep. (HOU); Gingras, Steven (HOU); Rivas, Gloribel (HOU); Paul G Kozak
Subject: Bill S.2800

Hello,

I am writing in support of the Reform-Shift-Build Act (S.2800). I am an East Boston resident who has serious concerns with the current state of policing, especially considering the negative consequences of qualified immunity such as continued use of excessive force, primarily used on people of color, and a rise in distrust of police due to these un-checked actions.

The time is now to make change, and I trust in you, as the people who represent our communities' best interests, to endorse this act as well.

Thank you,
Rebecca Shoaf Kozak
From: Gia Coccoluto <g_coccoluto@hotmail.com>
Sent: Friday, July 17, 2020 10:52 AM
To: Testimony HWM Judiciary (HOU)
Subject: Oppose Bill 2820

Good morning,

You do not know me, but my name is Gia Johnson and I am the wife of Michael Johnson who has been a police officer with the Wilmington Police department for 8 years. I know that you are getting inundated with calls and emails for and against this new bill, but I was wondering if I could steal a moment of your time and to bear with me.

You see there is nothing special about me, I am just your average run of the mill 30 something year old woman. I am able to go to work without

having to fear for my life. I go out in public with my family and do not think about checking my surroundings. I am even able to enjoy a dinner at a restaurant with my back to the door. All things I take for granted. You see I am able to do these things, while my husband along with his brothers and sisters in blue are not.

Every day they put on their uniform and pray that it is not the last time. Every day they kiss their wives, husbands, sons, and daughters good-bye not knowing if or when they will see them again. These BRAVE (yes I said it), these brave men and women suit up everyday and protect the VERY people who are against them.

Is it not bad enough that there are songs written about how corrupt they are, is it not enough that social media has crucified them for their chosen profession. Is it not cruel enough that they had to attend rally's and protest and were forced to hold their composure while they were spat on, threatened, and had feces thrown at them. ALL things that they could arrest citizens for, but couldn't even touch them because these "protesters" were just expressing their first amendment. The answer to the question is No none of those things was bad enough. None of it was bad enough for those men and women to stop protecting and upholding the oath they took the day they put their badge on.

These are good men and women, and I am not naive to the fact that not every single one of them has the purest intentions. But no profession has a 100% when it comes to having good people. Some may say it's a "cop out," but it's not. Think of it. When a teacher gets in trouble for being inappropriate with a student, society doesn't condemn the whole teaching profession. They condemn that ONE person. When a doctor takes advantage of their title, there isn't an outcry from the public demanding all doctors need to be defunded. That one particular doctor loses his or her license. When a politician is found lying or having an extramarital affair there is no mutiny planned from the civilians for all politicians, they just want that particular politician to be ousted and held accountable. All three of these professions hold some sort of authority, all three professions have to answer to the "everyman." So why are all cops called into question and punished, when one does something wrong? It doesn't make sense.

It's truly one thing if the citizens they protect are against them, they are use to having insults thrown at them about themselves, about their families and about their professions. THAT is what they signed up for. They signed up to do a job that NO ONE wants to do. They signed up for a job to protect all not just some.

What they didn't sign up for, is for their own state to turn on them for the actions of a few. A few may I remind you that are hundreds of miles away. This new bill that the state wants to pass is absolutely appalling. We as a society deserve to have good men and women protecting us. The state wants to license them, have at it. The state wants to revoke their license, because they made an egregious error or lapse in judgment, that is understandable. What is not understandable is to have civilians, the SAME civilians who hold a deep seeded disdain for these police officers, prosecute them. When a defendant goes on trial they are awarded due process and a jury of their peers. Putting an officer on "trial" and not

allowing the same and just treatment as a criminal is absolutely repugnant. Why can no one else see that?

Why can no one who passed this bill see what they are doing to these men and women. I have watched my husband who IS a GOOD man consider giving up his dream job. I have seen the light slowly dim in his eyes. I have watched him scroll through social media and read hate comment after hate comment. I was there yesterday when he found out that the bill passed. I could hear his mind turning, I could see it on his face: he was defeated. He was defeated because those who could give these men and women a voice during this trying time, decided to mute them.

My question is what is this bill going to do, except make good men and women afraid to do their job. People could argue that those men and women if they were actually "good" they would continue to do their job regardless of the bill. But would you? Would you want to do your job if everyone was against you and now they held the power to take your job, your house, your family with JUST a few simple words. Did anyone think about what would happen when they gave civilians this type of power? Why is no one caring about these officers? Why is no one realizing that catering to these nay sayers is destroying the very country that they claim to care so much about. Why is no one seeing the hypocrisy in any of this. Those in the state house who agreed to pass this bill are the same people who call the police to be their security detail, they are the same people who would call the police if something tragic was happening to them. They are the same people who would beg a near by police officer to help them if their loved one was dying. Yet, they want to take qualified immunity away from those officers. The very doctrine that states those officers can do what needs to be done to help those in need. Those in the state house could say, "I would never fault an officer for doing their job," and they may be right. But those in the Statehouse can't speak for society as a whole. There are people out there who would try to persecute the same officer who helped them for doing his or her "job." Why? Because there are bad people EVERYWHERE, not just in policing. There will always going be people who take advantage of the system.

I agree that more should be done, but this isn't the way. Stripping these men and women of any authority, will not help the problem it will only pacify it. Because that is what then State house is doing, they are stripping these men and women of any authority they have if this bill makes it's way through the house. This profession as a whole is not respected, imagine what giving civilians power over LEOs will do. I do not want to find out, do you?

So, I leave you with this quote from an anonymous source: "Bravery is not the absence of fear, but action in the face of fear," and that is why these men and women are the epitome of brave. They face their fears head on, with no hesitation. Something that should be commended and not punished.

Sincerely,
Gia Johnson

Sent from my iPhoneFrom: Meredith Paige <Meredith.Paige@sunlife.com>
Sent: Friday, July 17, 2020 10:52 AM
To: Testimony HWM Judiciary (HOU)
Cc: Meredith Paige
Subject: FW: house representatives bill

Attn: Rep. Aaron Michlewitz and Rep. Clair Cronin,

I am glad that you are addressing police standards but disagree with everything else. As a white person, I do not appreciate being discriminated against by the government that I pay taxes into. When you right bills that are specifically worded for one or more races or colors while excluding one race or color, you are automatically discriminating against the one excluded race. In fact, this bill specifically states to me that perhaps the author needs to take a good long look in the mirror to realize that he/she is the actual racist and not the rest of society. I have traveled all over this country for work and pleasure for over 25 years and never had an incident with anyone in a store, restaurant, gas station, hotel, etc by any race. It is abhorrent that the government representatives are behaving like racists and prejudice people under the guise of helping communities of color while tossing aside the Constitution that states "all men are created equal". How is this bill, discriminating against one race, supposed to fix anything while treating people unequally? This bill and bills like it are the cause of racism and further discourse in this state among its citizens of all colors.

The police issue is not a race issue, for how can a white community experience police brutality with so few colored people when the representatives are saying it only happens to colored people? I know for a fact as a personal witness to a police brutality incident, that was a white officer on white citizen, that this issue affects every race and should be treated as an equal issue for all. If the Representatives true intention is to help all citizens while upholding the Constitution that they are supposed to be adhering to, then they would not be sending the message to all citizens that we are not all equal.

One incident was an officer that I called to the scene because 2 men were exchanging fists in the middle of an intersection. By the time the police arrived, both men were back in their vehicles but were still sitting in the intersection. The white officer went over to one of the vehicles and commanded the white male out of his vehicle in which the white male complied with his hands raised in the air. The white officer then proceeded to throw his chest against the white males chest in a clear attempt to re-escalate a situation that had de-escalated on its own. I

don't know how the white male kept his head cool enough to keep his hands clearly in the air the entire time and not fight the officer that was clearly trying to provoke him but he did while I was on the phone with the 911 dispatcher, I even stated, "what is that officer doing". The officer must have realized he was on full display in the intersection or realized that he wasn't going to provoke the white male and finally stepped back. What I witnessed prior to the police arriving was that the other male was the aggressor in the situation as he was the one to exit his vehicle and go after that male that the officer was trying to provoke. That poor young, white male, was brutalized twice during this incident. Once by the perpetrator and once by the police. There were no people of color involved so I guess this police brutality incident isn't good enough to be rectified.

A second incident is online involving a Chelmsford white police officer that lives in Tyngsboro and is revered by many but I watched him bully a 22 year old white male online because the young man was asking questions on how things worked. He called him stupid and other names and all because he was asking for information in a forum. I pray at night that he stays on the Chelmsford police force as their liability and does not end up transferring to the Tyngsboro police department because I know he is a lawsuit liability waiting to happen and as a taxpayer, I do not want to pay for it. This is a deep issue because his friends on the force won't do anything about it because they have to know he has their back in violent situations so the answer is that the oversight board of the police departments has to be a board that is completely removed from police officers and comprised of people with the ability to investigate and stand up to these officers that are nothing but bullies with badges and don't belong in the police department.

A third incident was my rights being violated and I was discriminated against based on my gender ON MY OWN property by the animal control officer who as I understand reports to the police department. I have called the animal control office in the past for a feral of 4 cats that moved into my husband's car engine one night only to have my call go unanswered. No phone call back, nothing. Luckily after 4 or 5 days, the cats moved on but that is derelict of duty and I am not the only complaining that he doesn't call people back. On the flip side, when there is something in it for him, like valuable venison meat, he shows up and yells at everyone there so he can take the meat. There was a deer hit and it was laying on my front lawn, its back legs were mangled so it had to be put down. I did not know people were outside the front of my house and when I went to take my dog out pee in the morning, I saw a NH plate car parked in my driveway. I went out with my dog to see what they were doing since I am a MA resident, and the animal control officer barreled across my front lawn yelling at me that I couldn't be out there with my dog. I turned and saw the deer and even though my dog is used to seeing the deer in the yard and doesn't usually bark at the deer, I put him in the house anyway without having had his morning bathroom trip. I came back outside to watch and see when the officer was done shooting the deer

so I could take my dog out and start getting ready for work and was met again with the animal control officer (not the police officer who appeared to just want to get on with his day also) yelling at me that I shouldn't be out in my yard because the officer was going to shoot the deer. I yelled back at him that I know he is going to shoot the deer, he can't leave the deer like that, get on with it. I waited a few seconds and decided to go in and watch from the window so I could get on with my day, and again the animal control officer ran across my front yard about 30 feet to my window to yell at me again to which I threw open my window and told him again to get on with it. I don't know who this animal control officer thinks he is but he clearly is uneducated to realize that he has gender discriminated against me on my own property, he does not deserve to work for the Town of Tyngsboro. I know that if I was a man, he would not have been chasing me around my own yard like that as he didn't chase away any of them men that stopped to ask if they could have the meat, he just simply told them no. My guess, based on the animal control officers historical behavior and comments from fellow citizens that he took the venison for himself and that is the only reason he showed up. If the intestines were disturbed thus making the meat no good, he probably would have had the office put the deer down, and leave the carcass for me to bury or dispose of. There was no need for the animal control office to waste all that time chasing me around my own yard and in my own house, when the first time I acknowledged that I knew that the officer was going to shoot the deer should have been the end of our interactions. This animal control officer was running around in a panic about me, you will never be able to convince me that he can handle any kind of pressure situations. He can't even handle not violating someone's rights as an animal control officer.

My thought is that you need real and in depth psychological profiles of police officers to determine if they are of an aggressive personality which does not work and if they can handle pressure so taking money away from the police departments is not the answer....putting the money to better use is the answer.

I also don't understand why they are retiring at young ages with full pensions so they don't have to ever work again. That sends the message that you only have to put in your time and get out, not that you have to care about the job that you are doing. They should be under the same retirement age of 67 to get full pension like everyone else. Perhaps then, that will stem the "I am superior" to the citizens that I protect from surfacing from the few.

I don't believe all cops are bad but I do believe that there are several that need to be removed. The way we revere an officer needs to change. We need to shine lights on the ones that understand about racism, bias, and prejudice and remove the ones that cannot model that behavior.

Over the course of my life, I have had my own experiences with officers that I knew the officer was being a jerk but luckily I kept my cool and let it go so since they couldn't provoke me, I was no fun for them and they either ticketed me or moved on. I had one officer while reading my license say to me "what kind name is this", I thought he was referring to my maiden last name that no one ever pronounced correctly but he was referring to my first name "Meredith". How sad is this officer that he couldn't even make a guess on a phonetically spelled name.

I have had both good and bad experiences with officers and I am not jaded by the few that are ignorant. There are still good officers out there, the good officers and the citizens NEED a valid place to report such incidents where they will be investigated objectively.

The language in the proposed bill where this is written to build a more equitable, fair and just commonwealth that values black lives and communities of color as it is discriminatory language and redundant. We already have laws about equality, fairness and being just, the laws on the books need to be enforced, which a lot of them are not, and they need to be written in language that does not discriminate against one race.

Defunding the police or taking any money away from the police is the worst thing that can be done with irreparable consequences. Even with all my experiences with the police over the years, I am an adult that knows that not all officers are bad and when I need help, I still call the police! Going forward, I still expect them to show up.

Thank you,

Meredith Paige

Tyngsboro, MA

978-987-7235

—

This e-mail message (including attachments, if any) is intended for the use of the individual or entity to which it is addressed and may contain

information that is privileged, proprietary, confidential and exempt from disclosure. If you are not the intended recipient, you are notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender and erase this e-mail message immediately.

From: Paul Halas <halaskids2@aol.com>
Sent: Friday, July 17, 2020 10:52 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Can you send this by 11 am via email :

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

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

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

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

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

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

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

Paul Halas
21 Martin Road
Lynn, MA

Sent from my iPhone

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=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=1EglzfEcq-dFSnWUsvpQAJvCwGj-1cbWhG2pDdfAhoI&s=JOgFqmrKwYqm7F-rgE60xyKNDNeP5auH2EPhasaF07Y&e=>
From: DAVE MORRIS <ratdetunnel@yahoo.com>
Sent: Friday, July 17, 2020 10:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reform Bill- testimony

Dear Chairman Michlewitz and Chairwoman Cronin:

My name is Michael Livingston. I have been a police officer for over 21 years. I am African American and I am a patrol sergeant working for the city of Brockton. I am in agreement that a reform or an improvement in standardized training and education will place all Massachusetts law enforcement officers in better position to serve the public.

I stand with my brothers in the Massachusetts Police Association in that the subjects of decertification process, qualified immunity, and allowing civilians without experience or expertise to decertify officers are so convoluted and complex that they can not be decided on in such haste, potentially yielding to the political climate of today. I implore, any decision must be thoroughly deliberated over in a sufficient, thoughtful, and appropriate period of time in the interest of the entire commonwealth.

Sincerely,

Michael Livingston

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=3d8NnjPMAEGtTAKY0btEZGlpK5uyZT2vKxL8ztbcix8&s=D0dnY0oVouFyhl0oSKv18I65g8zely5C6hQbYkHe4FU&e=>
From: Matthew Terrill <terrill.matthew@gmail.com>
Sent: Friday, July 17, 2020 10:51 AM

To: Testimony HWM Judiciary (HOU)
Cc: Vitolo, Tommy - Rep. (HOU)
Subject: Please pass a strong omnibus bill to increase police accountability

Dear Rep Vitolo and House Judiciary Committee-

As your constituent, I'm writing to ask you to include three essential measures in any legislation on police accountability and racial justice. Please prohibit violent police tactics (especially chokeholds and tear gas), 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 (QI) 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. This is the provision I am most strongly in support of. QI has defined away police responsibility for violating citizens' rights on a flimsy and logically-flawed basis that leaves us as citizens without recourse. QI must be legislatively revoked and police must be held accountable.

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

Massachusetts has an opportunity to be a leader in this nationwide movement—and as your constituent I implore you to take that opportunity to do the right thing. We need to deliver racial justice to Black and Brown people in our state, and that starts with baseline police accountability through robust legislation.

Please work to include the above provisions in the final version of this bill.

Sincerely,

Matthew Terrill
1454 Beacon St, #742
Brookline, MA 02446
From: Jenna Lamusta <jenna.lamusta@gmail.com>
Sent: Friday, July 17, 2020 10:51 AM

To: Testimony HWM Judiciary (HOU)
Subject: MA Police Officers and MSP Troopers Deserve our Support

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Jenna Lamusta and I live at 9 Carol Ann Road in Lynnfield. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

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

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

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

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

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

Sincerely,

Jenna Lamusta

From: Kathryn Rucker <krucker73@gmail.com>
Sent: Friday, July 17, 2020 10:51 AM
To: Testimony HWM Judiciary (HOU)

Subject: Pass Critical Policing Reforms

July 17, 2020

The Honorable Rep. Aaron Michlewitz

Chair, House Committee on Ways and Means

The Honorable Rep. Claire D. Cronin

Chair, Joint Committee on the Judiciary

Re: Testimony in Support of Police Accountability

Dear Chairs Michlewitz and Cronin,

I write as a concerned citizen to offer my support for the many provisions in S.2820 designed to increase police accountability and safety for our broader community.

In particular, I want to urge you to: 1) adopt strict limits on police use of force, including the prohibition of methods more likely to result in serious injury and death, like chokeholds and no knock warrants; and 2) alter qualified immunity standards which shield police misconduct from civil accountability and deny victims of police violence an avenue for legal redress for their injuries.

Massachusetts can and should be a leader in remedying the kinds of structural racism that causes communities of color to fear violence and death at the hands of police. We are not immune from these systemic problems. Indeed, the Department of Justice recently reported that a unit of the Springfield Police Department routinely uses brutal, excessive violence against residents of that city.

We must address police violence and abuses, and hold police accountable for civil rights violations. These changes are essential for the health and safety of our communities here in the Commonwealth, and the credibility of our law enforcement agencies.

Thank you for your consideration of these critical reforms.

Kathryn Rucker

Dedham, MA

From: Mary Crisafi <mcrisafi@town.winthrop.ma.us>
Sent: Friday, July 17, 2020 10:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Winthrop Police Department response to Senate Bill 2820

July 17, 2020

Chairwoman Cronin

Chairman Michlewitz

RE: Concerns to Senate 2820 as Amended

Honorable Chairpersons:

The Union Body of Winthrop Police Department is writing to express our outrage over the potential stripping of necessary police protections offered through Qualified Immunity.

We respectfully ask that you do not give in to the misinformed perception of many who are the loudest in the public arena and stand strong with good

police officers across the Commonwealth who put our lives on the line daily as we try to maintain order. Society as a whole has become litigious and without qualified immunity police officers and municipalities will find themselves defending frivolous lawsuits which will ultimately send the message to police officers not to be proactive within their community. Qualified Immunity is here to protect good proactive police officers who are only interested in using reasonable means to exercise their police discretion.

Respectfully,

Winthrop Police Union

Mass Cop Local 421

Michael Connelly

President

Winthrop Police Union

MCOP Local 421

Mary E. Crisafi

Sergeant, Winthrop Police

3 Metcalf Square

Winthrop, MA 02152

Tel. 617-846-1212

Fax 617-539-1971

From: Pat White <patwhite155@gmail.com>

Sent: Friday, July 17, 2020 10:51 AM

To: Testimony HWM Judiciary (HOU)

Subject: My Testimony

Good morning,

My name is Patrick White and I am a PROUD Union Police Officer in Worcester and a lifelong resident of Worcester as well. I am writing to

you today to state that the bill recently Passed by your colleagues in the MA Senate, was hastily put together and at its very heart a piece of ANTI-LABOR LEGISLATION.

This legislation removes Police Officer's rights to due process (a fundamental piece of law... THAT WE UPHOLD), the rights for collective bargaining that so many other PROUD UNION members have fought for previously, and finally it inserts an advisory board that has ZERO training, ZERO experience, and ZERO background in actual Policing.

I know that the House can come together and make some sense of this Bill and hopefully it is done with input from actual Police Officers. Give us a seat at the table is all we are asking. We are willing to change, but change should ultimately require some input from Police.

I thank you for your time!

Respectfully,
Patrick White
Worcester Police Officer
NEPBA Local 911 E-Board member
PH: 774-535-1488

Sent from my iPhoneFrom: MIKE DURAN <mduran19@aol.com>
Sent: Friday, July 17, 2020 10:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

Good Morning,

I would like to ask the Legislature to approach police reform with "common sense". Please don't make laws (changing qualified immunity for example) that discourage police officers from doing police work. If police officers are afraid of frivolous lawsuits that hurt them and their families proactive police work will cease to exist.

Thank you,

Mike Duran

Sent from my iPhone
From: erin bouthiller <bouthillerrerin@yahoo.com>
Sent: Friday, July 17, 2020 10:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

I am writing in lack of support for this bill. While there are ongoing issues in the country, Massachusetts remains ahead of the curve when it comes to policing and training. I stand with our police and reject this proposed bill. Further demonizing our police force is going to result in no honorable men and women serving.

Sent from my iPhone
From: Mary Clerc <mwclerc@yahoo.com>
Sent: Friday, July 17, 2020 10:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

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

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

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

Sincerely,
Mary Clerc
From: Sarah Masse <sarah.e.masse@gmail.com>
Sent: Friday, July 17, 2020 10:50 AM
To: Testimony HWM Judiciary (HOU)
Subject: expungement law S.2820

I, as a lifelong MA resident, am strongly in support of expanding the expungement law in Senate docket S.2820. I believe strongly in both the racial justice and personhood of young people.

In Solidarity,
Sarah Masse
From: Nate Krinsky <natekrinsky@gmail.com>
Sent: Friday, July 17, 2020 10:50 AM
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,

Nate Krinsky, Somerville

From: Anatoly Rassin <a_rassin@yahoo.com>

Sent: Friday, July 17, 2020 10:50 AM

To: Testimony HWM Judiciary (HOU)

Subject: URGENT. PLEASE HELP POLICE!!!

It came to my attention that last night the MA Senate passed the bill to end qualified immunity for police officers. I am appalled that the legislature of such importance was passed without a public hearing.

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. 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.

A horrible death happened in Minnesota and everybody condemned it. But why all policemen in our state are punished for that? I talked to Brookline police and there has been not a single incident of police brutality for years of existence of Brookline police. Massachusetts police

in general is an exemplary organization. Why are you in such a hurry of changing the law? This new law will harm not only police but the whole population of Massachusetts.

In the strongest possible terms, I urge you to keep qualified immunity for MA police officers intact.

Anatoly Rassin
8 Pontiac Rd
Newton MA 02468

From: Elissa Bowling <elissabowling1@gmail.com>
Sent: Friday, July 17, 2020 10:50 AM
To: Testimony HWM Judiciary (HOU)
Subject: End Qualified Immunity

To whom it may concern,

I have lived in Massachusetts almost my entire life, and I am writing in support of the senate police accountability bill, especially section 10 regarding qualified immunity.

On June 16th, the Supreme court declined to reexamine qualified immunity. This move makes it clear that the court feels it is the responsibility of congress and/or individual states to act on this matter. Qualified immunity erodes our communities access to life and liberty, and weakens the safety of all of our community, especially people of color. Our own high court said in 2016 that black men may have cause to run from police. Of course they do, the police are armed with guns and can shoot to kill with immunity. Who does that protect other than the police themselves? The police are charged with saving and protecting lives, so are doctors. We have the right to file a malpractice lawsuit when a doctor makes a mistake that leads to death or injury. How can we not have the same right when police make mistakes that lead to the same consequences? How can Black and Latinx mothers and fathers raise their children to meet their highest potential as they move through life in fear that the people who are charged to protect them can and do kill them with immunity? Police violence against Black and Latinx community is a public health crisis that must be addressed in our country. Ending police immunity is a vital step in that process.

Best,

Elissa Bowling

--

Solutions Engineer, Notarize

<[From: Paul Halas <halaskids2@aol.com>
Sent: Friday, July 17, 2020 10:50 AM
To: Testimony HWM Judiciary \(HOU\)
Subject: S.2820](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.notarize.com_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=J_0RT5-QAh230nPvGNDbSjvnA4M3xjiY_txgcebzpdg&s=bnQQOAcXfxk03wOVwZ4S-Ue4cJg79AIrZIFBFluR0Qc&e=>
Tufts University Class of 2015</p></div><div data-bbox=)

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

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

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

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

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

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

Marijean Halas
21 Martin Road
Lynn, MA 01904

Sent from my iPhone

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com
<[Dear members of House leadership;](https://urldefense.proofpoint.com/v2/url?u=http-3A__mail.mobile.aol.com&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=ZD_EVkpTlmpu_vZQkL7-szUpVSvIA-GZ_JBNq1OCb4g&s=tSfcAQsWA6HI36_TBZqpu0Iwb4QdDwkGpqYlxlqZPs&e=>
From: May Feynman. <emmafeynman@gmail.com>
Sent: Friday, July 17, 2020 10:50 AM
To: Testimony HWM Judiciary (HOU)</p></div><div data-bbox=)

My name is Emma Feynman, and I live in Allston. I believe that S.2820 does almost nothing to prevent state violence against Black people or stop the flow of Black people into jails and prisons.

I believe S.2820 will cause more harm than good by increasing spending on law enforcement through training and training commissions, expanding the power of law enforcement officials to oversee law enforcement agencies, and making no fundamental changes to the function and operation of policing in the Commonwealth. Real change requires that we shrink the power and responsibilities of law enforcement and shift resources from policing into most-impacted communities. The definition of law enforcement must include corrections officers who also enact racist violence on our community members.

Through my experiences working in Boston Public Schools, instead of funding for police training and commissions, communities need investments in their schools. It's ridiculous that we continue to throw money at the police when our schools are so desperately underfunded. We must go to the source of the problem and ensure that every child, no matter their race, ethnicity, economic standing, or disability status receives the kind of excellent education I know BPS would be capable of giving them, if only with enough funding.

If the Massachusetts legislature were serious about protecting Black lives and addressing systemic racism, this bill would eliminate cornerstones of racist policing including implementing a ban without exceptions on pretextual traffic stops and street stops and frisks. The legislature should decriminalize driving offenses which are a major gateway into the criminal legal system for Black and Brown people and poor and working class people. Rather than limiting legislation to moderate reforms and data collection, the legislature should shut down fusion centers, erase gang databases, and permanently ban facial surveillance by all state agencies including the RMV. I also support student-led efforts to remove police from schools.

The way forward is to shrink the role and powers of police, fund Black and Brown communities, and defund the systems of harm and punishment which have failed to bring people of color safety and wellbeing. S.2820 does not help us get there.

Thank you,
Emma Feynman, Allston

From: Michael La Natra <mikelanatra25@gmail.com>
Sent: Friday, July 17, 2020 10:50 AM
To: Testimony HWM Judiciary (HOU)
Subject: Personal Letter of Testimony regarding the Police Reform Bill

Representative Aaron Michlewitz
Chair, House Committee on Ways and Means
State House, Room 243
Boston, MA 02133

Representative Claire Cronin
Chair, Joint Committee on the Judiciary
State House, Room 136
Boston, MA 02133

Dear Chairman Michlewitz and Chairwoman Cronin,

I would like to take this opportunity to thank you for your public service to this great State of Massachusetts and for also allowing us the great opportunity to submit written testimony relative to Senate Bill 2820. Please keep in mind throughout this letter that I am in agreement that there are some changes that need to be made in how we "do business" going forward, but the way they are proposed will not only put the lives and safety of the Officers putting their lives on the line, but will

SEVERELY put the safety of those very same residents we are trying to protect in jeopardy.

I feel that I cannot plead my case without giving you some of my background. Although it is extensive with my Law Enforcement/EMT experience, training, and life experiences, I will just give you a little bit of it not to bore you. I have over 27 years of Law Enforcement experience with 3 years of EMT experience. My career started out in 1993 in the NYPD for 12yrs. I then moved onto Boston College for a year before making my most recent move to The Kingston Police Department where I have spent the last 14 years. I can honestly say that I have a very extensive career and have been through many different changes due to situations that have arisen.

My career started in the 73rd Pct in Brownsville Brooklyn (3rd worst in all of NYC in 1993 for violent crimes) as a foot patrol officer utilizing my "people" skills and learning about community policing. The community was approx 90% African American, 8% Latino and 2% other and I was the "minority" in that neighborhood. I was always a community oriented person and loved to chat which is where you learn about people. There were days where this paid off multiple times and was proud of it. I then moved into a sector car answering over 41 calls in a 1.5 square mile command and multiple projects with heights that were unheard of out here (minimum of 35 stories with over 10 families per floor). Because of my activity I was able to move into a plain clothes position in the Street Narcotics Unit and began arresting what I call the "core" criminals. I applied to make a career move into the Organized Crime Control Bureau of the NYPD where I was assigned to the Gang Unit and made 3rd grade Detective. Before leaving for Mass, I was on track to becoming a 2nd Grade Detective and had a very well established and honest arrest history that I was proud of! During my time in The NYPD, I wrote and executed my own search warrants, attended multiple trainings, was engaged in civil unrest, was shot at by a 13 year old as I chased his friend for an armed robbery, assaulted with a 2x4 loaded with nails on the end where I had 2 puncture wounds through the vest, attended hostage negotiations training, HIDTA Trainings, had a sink thrown from a 35 story building at us, was present through 911 and was there for Tower 2 coming down, besides working the site and morgue, and attended MULTIPLE FUNERALS for classmates, house mates, and friends from the job. Don't get me wrong, I also had some of the most memorable encounters with good people that just wanted to live and survive in the neighborhood they were born in, raised, or "stuck in". You can never take away these memories and feel I got the foundation for being a great Police Officer, at least in my opinion!

My next move was to Boston College where I dealt with a different class or group of people. These were young kids learning their way and trying to have fun while getting an education. Some were entitled, some were down to earth, and some were even confused and looked to me for guidance. I was asked to join the SRT Team for BC and also enjoyed it. Especially when I was there and able to diffuse a situation just from my presence and encounters with some of the kids involved and gained their respect. This too was another "feather in my hat", or tool on my belt with successfully dealing with people..

My last and current stop was here on the South Shore in the Town of Kingston. Here I wear more hats than anyone would want, but because I love my job and the community I just take more on. I earned my Bachelor's Degree in Criminal Justice and a minor in Psychology (2 VERY important

degrees to have to effectively do this job). I also saw the need to help my fellow FireFighters in their job and put myself through EMT School so that I had a better idea of what they would need before they were on scene to give my residents every available opportunity to survive their injuries and come home to their loved ones once again! From there I was made the EMT Coordinator for the department and the liaison for my department and became a member of the South Shore Behavioral Health Collaborative helping people in need and involved in Mental Health related issues (sort of like a social worker). I also started the K9 Unit program, became attached to the SWAT Team, a member of SAR, and very involved in community policing related programs (ride to school in a police car, National Night Out, Scout visits and demonstrations, etc.).

Lets not forget community involvement too. I was a member of the school committee for 3 years, on the board for Kingston Youth Baseball, coach and coordinate youth baseball for the last 6years plus, volunteer at the Kingston Council on Aging, have delivered meals on wheels, was responsible for the startup of the Kingston Police FOP Lodge #64 to help the community in which we also serve (my version of civilian community policing), and I am active independently in the town with other organizations.

Hopefully this will help you understand that I am not like some of the people you may be speaking with in regards to this Bill. I am the hands on "boots on the ground" officer that will tell you from first hand experience on what is good and bad with this bill and I would GLADLY speak more in depth with my thoughts and even my suggestions in putting a successful bill on the table. But right now I will tell you and even go as far as warn you in a friendly manner that the bill proposed will be the start of the downfall of having any kind of order or respect for Law Officers. Talking with the Chiefs and Commissioners is great, but they hear from a chain of different people that may even distort the story by the time it gets to them. WE see and experience what is going on out there NOW. The unions also present our best interests to you as a whole and grouped. I felt you should hear from the individual DOING the job now and has history in a wide variety of environments.

Please consider just some of the key points:

1. Qualified Immunity is there for the GOOD OFFICERS, not the bad. The bad will be punished accordingly and will ultimately lose in court. Even the good Officers have a bad day or may step out of line, but they will be reprimanded. They are human as well but if they are good, they will have a track record showing it. I am not and never will be a fan of dirty or bad cops. My first vision was a cop being walked out of the station in NY on day 1 because he was part of a scandal (morgue boys). That is why they had Internal Affairs investigators. The good families should not be punished for what the bad cop does! There will always be a bad apple in every bunch. The bigger the bunch, the more bad apples there may be in there. But you can't group all the departments together or all the Officers and then say we have soooo many bad apples making us all look bad.

I strongly urge that you leave QI the way it is and do not let the Senate change what is in place. The system itself can use some tweaking

procedures and allow officers to report the bad cops without fear of repercussion. I guarantee you will weed them out then.

2. The oversight committees proposed are tainted and would be made up of groups that may not be educated on what goes on out there and may have an unrealistic point of view of what transpires. You don't have civilians in charge of a doctor's license or civilians in charge of an attorney's license. You have a board of their peers. We also have a "license". It is called certifications and re certs every year. If we don't meet the requirements, we cannot "practice". We attend an academy for 7 months and go for 40hrs of refresher and updates every year. That is a total of 1,120 hrs of initial training and 40 every year thereafter. That's not counting additional training and Firearms qualifications, etc.

Changing this to a license isn't my main issue, it is the committee portion.

3. This entire bill is being pushed through on account of what happened thousands of miles away in a matter of days where most bills take, as we all know, 6months to a year if not longer. And that's for a single issue to be addressed.

4. Training NEEDS to be enhanced and if you are considering defunding police departments, please consider putting it into realistic training where people that have had a bad experience with the cops can be involved in the training of the new recruits. There they will see where and how Officers react and where they can be corrected or educated.

5. I feel you should already have a degree before getting this job with some classes required prior to the academy. Make the requirement in history or develop a course that can be taught tailored to this job.

6. My last point, since I only have 10 minutes to submit this is that we should have Regional Policing. For example, Plymouth County Police Department and have Districts or divisions or Pcts (Kingston or K1 or 4th Division, etc.). This in turn opens MANY doors to types of discipline and staffing as well as oversight and monitoring. It worked fantastic in the NYPD because Officers did not want to be punished and lose a position in a good "house" and at the same time Officers were rewarded by going into an areawide unit or closer to home. When you apply, you can be sent wherever there is an opening or need. Down the road after probation is up you could apply to a different station. Officers would be forced to deal with and understand their residents more or face the punishment and could be forced out for "new blood". Plus the active Officers that want to learn the job may request to go to a busier house while the officer about to retire goes to a slower inactive house to finish out. This would have to be done at the bottom with new recruits and offer a different retirement package. I am a fan of the 25/75 (25years of service and 75% salary) or like I was 20yrs and "out". Offer a buyout package now to get the "salty" old timers out and get these new impressionable kids on the street molded correctly

before they can be tainted by the salty veterans that now hate the job and are waiting to get out.

Please reconsider just some of the points I have thrown together and keep in mind there are MANY more that will keep both sides happy. But you just can't do this 89+ page Bill hastily without good valuable OPEN MINDED people working on it or involved.

I appreciate your time and apologize for the long winded letter, but this is only because there are so many points that can be mentioned and worked on. The way the bill is presented now by the Senate, and before you present the House Bill, I will honestly say that yes, the bad cops will be scared to do anything, but you will also have the GOOD cops afraid to do their job correctly because the criminals will have more power and control than we do and can easily take advantage of the system to hurt us.

Thank you for your time reading this as well as the time and lengthy hours you are putting into this! Please feel free to contact me at any time for any reason!

Michael A. La Natra
(781)922-1028
Kingston Police Department
FOP Member

*****I apologize for the typos and grammar in this response since it was alot of information and little time to properly put together*****
From: Susan Fuller-DeAmato <sdeamato@gmail.com>
Sent: Friday, July 17, 2020 10:50 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Good Morning,

My name is Susan Fuller-DeAmato and I live in Somerville, Massachusetts. I am also a police officer. I am emailing regarding the Bill S2820.

I support using de-escalation techniques and support a duty to intervene (both which most departments already have policies for and train for).

I understand that other issues are being discussed. Such as banning officers from shooting into moving vehicles, except in certain situations. This must be spelled out to include the safety of officers and the public. It also prohibits police from using chokeholds. I just graduated from the

police academy last year. Chokeholds were not taught to us in defensive tactics. The lawmakers and people writing this bill should do their research and understand what techniques are approved by the Municipal Police Training Committee (MPTC). The academy stresses the importance of de-escalation techniques, including teaching ICAT: Integrating Communications, Assessment, and Tactics.

I strongly do not agree with removing qualified immunity. This will make officers hesitant and less pro-active which is the opposite of police reform.

With regards to The Police Officer Standards and Accreditation Committee. The accreditation committee is to set standards for police conduct in large crowds. And what happens when the crowds don't follow the same rules? One of the biggest tools in our police tool-box is discretion. This bill ties our hands and removes so much of our discretion.

The bill is also going to require police departments to seek "civilian authorization" before buying military equipment for use on citizens. I disagree with this strategy. If a teacher proposes that they need a specific tool to their job more effective. Why should I (the public) have a say if they need it or not. Should the oversight committee be comprised of educators and researchers who understand education and what is needed for the best of the teachers and students they serve? The "civilian authorization" instead should be comprised of law enforcement professionals and criminal justice researchers who understand the criminal justice profession.

I also understand that the bill will ban schools from feeding information about students' immigration status or suspected gang affiliation to police. The immigration status I agree with. However, school educators and school resource officers should be allowed to share information with local law enforcement departments about suspected gang affiliation. This is vital to community safety and keeping our youth safe.

Speaker DeLeo is committed to working with the Black and Latino Legislative Caucus and House colleagues. Why are lawmakers, who have no idea what it means to be a police officer, make split seconds decisions, coming up with regulations for our profession. Speaker DeLeo should also be committed to working with the Black and Latino law enforcement groups (such as the Massachusetts Latino Police Officers Association, the Massachusetts Minority Law Enforcement Officers Association, and the Latino Law Enforcement Group of Boston). These associations, among others,

like Massachusetts Association of Women in Law Enforcement, should be at the table and be providing their expertise in drafting a reform bill.

Thank you for your time.

Respectfully submitted,

Susan Fuller-DeAmato

22 Clyde St, Somerville, MA

sdeamato@gmail.com

617-548-8417

From: Katy Brubaker <katy.brubaker@post.harvard.edu>
Sent: Friday, July 17, 2020 10:50 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reform, Shift + Build Act (S.2800)

Chair Aaron Michlewitz & Chair Claire Cronin

I am writing in support of the Reform, Shift + Build Act (S.2800). I am a pediatrician and have been living in the Boston area for almost 15 years. I am a current resident of East Boston.

I have deep concerns about the impact of systemic racism in our society and on my patients. The systemic racism that pervades our society cannot be addressed without addressing the impact of policing on communities of color.

As a physician, I know that I am responsible for the decisions I make that impact the lives of my patient. Beyond the moral obligation that I feel to provide my patients with the best care, I know that if I do not, I could face professional and legal consequences. Police officers are professionals who are trained and also need to face the consequences for their decisions. That is why it is important that the practice of qualified immunity end.

Thank you for your time and consideration.

Sincerely,
Kathryn Brubaker

From: Denise <Denise@teammr8.org>
Sent: Friday, July 17, 2020 10:49 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass SB.2800, Reform, Shift, Build Act

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

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

Our family has pledged to do our part to end systemic racism and excessive force by police in our city, Commonwealth and nation. We feel that this Bill is just the beginning to ensuring that our Commonwealth is able to provide a more fair and equitable society that values black lives and communities of color. This is a critical time and we feel that all lives can not matter until the Black Lives Matter movement is taken with the utmost seriousness.

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

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

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

Sincerely,

Denise Richard
39 Carruth Street
Dorchester, MA 02124

March like a Mother: for Black Lives

Sent from my iPhoneFrom: Nicole Horne <nicolejhorne@gmail.com>
Sent: Friday, July 17, 2020 10:49 AM
To: Testimony HWM Judiciary (HOU); Cronin, Claire - Rep. (HOU)
Cc: Galvin, William - Rep. (HOU)
Subject: Bill 2820

Dear Representatives,

My name is Nicole Badoud and I currently live at 84 Walpole St 4B, Canton, MA but will be moving to 6 Stonehouse Hill Rd, North Easton, MA in the next week. I have been in contact with Representative Galvin regarding my concerns about this bill. I work in Human Resources and from my professional point of view, there are items in the bill that are disturbing like providing access to an officer's medical files under a misconduct investigation. This violates their HIPPA protection and, if the information isn't relevant to the investigation, the Commission shouldn't have access to it.

In addition, the Permanent Commissions on the status of African Americans and Latinxs should include representation of Law Enforcement people of color as they are able to provide a unique perspective as part of those communities. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. This would be the same type of professional oversight applied to certifying bodies for medical and legal professionals. The Commission members need to complete the same classroom training curriculum that MPTC will require for officers, so that the Commission is familiar with the training that MA Law Enforcement officers receive.

The Commissions shouldn't receive settlement funds. When you incentivize something to drive a certain behavior, there are often unintended consequences and behavior that result from that incentive system. I think you need to take more time to think through what those potential pitfalls might be especially because the Commissions will be new as well.

While an understanding of the historical impact of slavery and lynching is good for setting context, the type of training that should be happening is Unconscious Bias training. This is what they use in most professional workplaces to drive a culture of Diversity, Inclusion and Belonging. In addition to law enforcement, all elected representatives including yourselves should also go through the same training.

On the topic of the review of the municipal police training committee's curriculum, the minimum requirement should be at least 3 people affiliated with an academic institution and make sure you have representation for each: expertise in law enforcement, expertise in criminal law, expertise in civil rights law.

If the independent police officer standards and accreditation committee is for law enforcement standards and accreditation then you should have an even split between the 14 members between law enforcement and non-law enforcement and at least have 2 officers nominated by the MA Association of Minority Law Enforcement Officers. Also, you shouldn't limit the MA Black and Latino Legislative Caucus from nominating law enforcement individuals for their list if those are candidates they wish to nominate.

The info in the police officer standards and accreditation database with regards to complaints against officers shouldn't be public record. They should have the same due process rights as every other American citizen.

The information regarding complaints should only be available to the committee in the course of it's work.

As the wife of a law enforcement officer I ask that you do not eliminate qualified immunity. The appropriate protections are there currently and eliminating this will result in many frivolous civil lawsuits that could bankrupt law enforcement families. In addition you are putting law abiding citizens at risk by creating a situation that makes officers have to second guess taking action at the risk of being sued. You put EMTs and fire at risk for civil suits for not being able to save someone's life. Eliminating qualified immunity doesn't improve the conditions for the African American community in MA - you can better accomplish that through improving access to education, housing, employment and community improvement programs.

If despite the vocal opposition you've received on this topic you still proceed with eliminating qualified immunity, then you need to eliminate it for all elected officials including yourselves, judges, the Attorney General and district attorneys given that you are also part of the system that develops and enforces the laws of the Commonwealth.

As for treating all citizens of the Commonwealth fairly, if a law enforcement officer is in a self defense situation, they should be able to use a choke hold if that is the only means available to prevent the loss of their life. Also, the use of a vehicle should constitute imminent harm. You should all attend use of force training so you have better understanding of how these situations unfold as you contemplate how to change these laws.

In closing, I agree that police reform is important and needs to be addressed but passing a poor bill for the sake of passing a bill isn't in the best interest of the Commonwealth. Those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Respectfully,

Nicole Badoud

Sent from my iPhone

From: Mark O'Brien <mwobrien@fedex.com>
Sent: Friday, July 17, 2020 10:46 AM
To: Testimony HWM Judiciary (HOU)
Subject: S 2820

All,

I am writing to express my disagreement with this hastily crafted bill as it applies to our first responders. I would appreciate and request that you vote this bill down and then take the necessary steps to work through a more thoughtful and productive bill that does not limit these important jobs from doing the best they can do to provide protection and in many cases life saving responses to situations that may warrant above and beyond efforts to effectively remediate certain life and death situations.

Thank you for your consideration of my input in this extremely important matter

Regards,

Mark W. O'Brien
70 Bennett St
Wakefield Ma
01880

Sent from my iPhoneFrom: Jill Tredo <jmcocchi@yahoo.com>
Sent: Friday, July 17, 2020 10:49 AM
To: Testimony HWM Judiciary (HOU)
Subject: We oppose S2820!

Good morning,

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

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

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous

impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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

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

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

Jill Cocchi Tredo
Belchertown, MA

Sent from my iPhone
From: Gabby R <gl.reinold@gmail.com>
Sent: Friday, July 17, 2020 10:49 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Dear Chairs Michlewitz and Cronin,

My name is Gabby Reinold and I live in Braintree, Massachusetts.

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

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard

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

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

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

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

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

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

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

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

Very truly yours,

Gabby Reinold

Braintree, MA

From: Darin Devine <darindevine@hotmail.com>
Sent: Friday, July 17, 2020 10:49 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

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

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety

issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due to 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. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

Sincerely,

Darin Devine

Resident

190 Rockland St

Canton, MA 02021

(781) 828-9515

From: Niccole Ingeno <n_ingeno@yahoo.com>
Sent: Friday, July 17, 2020 10:49 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous.

Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Niccole M Emery

From: Matthew Johnson <mdjohnson014@gmail.com>
Sent: Friday, July 17, 2020 10:49 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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

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

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

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

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

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

Thank you,

Matthew Johnson

Mdjohnson014@gmail.com

From: Brad McNamara <bradmcmamar@me.com>

Sent: Friday, July 17, 2020 10:49 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill.

My name I Brad McNamara and I am the President of IBPO Local 353, which represents the men and woman of the Lunenburg Police Department. I was hoping I could speak with you about the Police Reform Bill that the house is currently taking up.

There have been a number of recent high-profile events far outside of Massachusetts that have resulted in the arrest of police officers. These events have taken place in other states, yet we some politicians in Massachusetts have deemed all Massachusetts Police officers to somehow be responsible for the reprehensible actions of a few individuals in other states.

We are certainly not perfect, and do support change for the better. What I am asking is that instead of rushing to judgement and assuming all Massachusetts Police Departments are broken and doing something wrong, politicians take the time to ask what Massachusetts Police Departments are doing right. I am asking that you take those best practices from departments across the state, take input for Police Chiefs, unions, and members of communities across the state and use that information to craft legislation that will truly be beneficial to communities across the state; not something that was thrown together in haste that history will look back on as extremely flawed.

We at the Lunenburg Police Department are proud of what we do, and of the Town of Lunenburg. We take pride of the positive light that the citizen of Lunenburg view us in, and the members of this department expect one and other to be positive roll models for the community, without exception. The level of trust and respect in our community is something that we are extremely proud of.

The bill that was hastily put together and passed by the Senate, under the cover of night is deeply flawed. They have stripped qualified immunity from not only Police Officers, but Teachers, Fire Fighters, EMTs, and all other public employees, except lawmakers. Lawmakers enjoy absolute immunity, which is a lot different that qualified immunity, which a public employee must qualify for. The determination to apply qualified immunity is currently determined by a judge. Qualified immunity does not protect officers who violate someone's rights. Instead, it protects government employees who perform their job to the best of their ability and in a way that is consistent with their training from frivolous lawsuits that could cost them everything that they have worked for.

The officers of the Lunenburg Police Department have always strived to do better, and implement programs to engage and benefit the community. With the loss of qualified immunity some of these programs are in jeopardy of ceasing to exist.

I know your probably extremely busy, but if you get the chance could you give me a call 508-768-5985. I'd like to talk to you about what the men

and woman of the Lunenburg Police Department are doing right and the negative impact that the Senates Bill will have on them, their families, and the Lunenburg Community as a whole.

Respectfully,

Brad McNamara

508-768-5985.

President IBPO Local 353

From: Jessica Farrell <jessefarrell136@yahoo.com>

Sent: Friday, July 17, 2020 10:48 AM

To: Testimony HWM Judiciary (HOU)

Subject: s2800 VOTE No-MAINTAIN QUALIFIED IMMUNITY FOR OUR CIVIL SERVANTS

We have become a society where we all believe that we are experts IN EVERYTHING! We know more than everyone else simply because we have a built in public forum virtually sewn into our palms through our cell phones.

We second guess the men and women who risk their lives day in and day out to keep law and order in the communities we share. We second guess our teachers who are some of the most highly educated and regulated public service workers in this country.

Oh, and when we don't like the way that a professional does his or her job? Why just call any attorney with an available billable hour and they will gladly try to get you some free money-because if you didn't like the way something was done, you should be paid!

We owe our civil servants, the backbones of our society, the right to be protected when they are doing their jobs to the best of their ability, based on extensive, on-going training and in accordance with our extremely high expectations.

Sometimes policing looks ugly, particularly to an untrained eye. No one wants to see another human being slammed to the ground violently. And yet, sometimes that action is called for based on the judgement of a trained professional. Ask yourself if you really could do it better.

Sadly, our cities are filled with drugs, guns, and violent crimes-from armed robberies to rapes and other assaults. Sadly, we are coming to the realization that racism in this country is alive and well. As we strive to resolve the many issues at the roots of these injustices, we also need to provide minimal protections to our law enforcement officers who deal with the results of our shared societal, political, familial failures. Together we have made this mess and we ask them to keep it away from our doorstep by positioning themselves between us and the crimes that threaten us.

The indignation that has been aimed at our Law enforcement officers is a distraction from the reality of the role that we all (black, white, gay, straight, trans, etc...) play in our current divide. We have welfare, addiction, education, societal, psychological, family issues that as improved will all help us to move forward. At the same time, we have police officers who are on the receiving end of the damaged caused by our failures, working day and night to protect law abiding citizens from the offshoots of our many failings.

Police reforms that make sense are coming but we MUST MAINTAIN qualified immunity (not absolute immunity) for our civil servants.

Kindly,
Jessica Farrell

From: Megan Ayraud Courcy <megan.ayraud@gmail.com>
Sent: Friday, July 17, 2020 10:48 AM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to S.2820

Good morning,

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

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

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

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

their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

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

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

Megan Ayraud Courcy

22 Sparrow Way

Raynham, MA

From: Lori S <wordmaeven@yahoo.com>

Sent: Friday, July 17, 2020 10:48 AM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,
From: Margaret Wentworth <wentworth1687@gmail.com>
Sent: Friday, July 17, 2020 10:48 AM

To: Testimony HWM Judiciary (HOU)
Subject: S2820

Good morning representatives,

Thank you for citizen input on this important bill, S2820. I am writing in strong support of this bill. As a licensed mental health counselor I have seen both sides of what police officers can do with in their role and power. It is with adamant belief that sweeping police powers and a lack of officer accountability more often than not are barriers, not aids, to effective policing. S2820 will more effectively position law enforcement to act with only the tools, tactics, and mentalities appropriate for the job. My time in mental health counseling serving DYS, residential and community positions strongly informs this position.

In my career, I have learned, practiced, implemented and learned again deescalation techniques and tools. Although I have also been taught defensive interventions and even restraints. By far, the deescalation tools have helped me the most effectively and the most frequently. For the majority of my career, I worked in a residential setting, where I had the privilege of training non-clinical colleagues on the principles of deescalation and safe, compassionate physical restraint. We always taught that going "hands on" was an absolute last resort, but, due to the acute nature of the population we served, I, unfortunately, had to engage physically several dozen times over the course of a few short years. In that work, I was bit, punched, stabbed, spit on, kicked, grabbed between the legs and pulled by the hair.

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

Thank you for your time and movement forward of a bill the will increase ALL of your safety and well-being.

Margaret Wentworth, LMHC OK
From: Elizabeth Howell-Egan
<ehowellegan@gmail.com>

Sent: Friday, July 17, 2020 10:48 AM

To: Testimony HWM Judiciary (HOU)

Subject: Support for S.2820 An Act to Save Black Lives by Transforming Public Safety

Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a necessary step towards ending systemic racism in policing by passing 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 people of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, chokeholds, tear gas and other chemical weapons that have no place in our communities.

Please pass a bill that includes each of these critical reforms. Act for your Black constituents and communities.

Elizabeth Howell-Egan
126 Cardinal Court, Braintree
From: kerry dipietro <kerrydip@gmail.com>
Sent: Friday, July 17, 2020 10:48 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: S.2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Kerry Dipietro and I live at 6 Cooks Farm Lane, Lynnfield. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

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

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

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

regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

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

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

Sincerely,

Kerry Dipietro

Lynnfield, MA

From: seth wyatt <swyatt816@yahoo.com>
Sent: Friday, July 17, 2020 10:48 AM
To: Testimony HWM Judiciary (HOU)
Subject: police reform bill

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Seth Wyatt and I live at 30 Pond St, Bridgewater, MA 02324. 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: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional

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

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

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

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

Sincerely,

Seth Wyatt

From: Nick Renzette <nick.renzette@gmail.com>
Sent: Friday, July 17, 2020 10:48 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Good morning,

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

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

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

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

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

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

Nicholas Renzette

Belchertown, MA From: Claudia Jarratt <pinhill@charter.net>

Sent: Friday, July 17, 2020 10:48 AM

To: Testimony HWM Judiciary (HOU)

Subject: Support Police Reform and Protect Citizens of Color in MA

Please support the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda

<[https://urldefense.proofpoint.com/v2/url?u=https-](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_voteliz_-3F-5F-5Ftn-5F-5F-3DK-2DR-26eid-)

[3A__www.facebook.com_voteliz_-3F-5F-5Ftn-5F-5F-3DK-2DR-26eid-](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_voteliz_-3F-5F-5Ftn-5F-5F-3DK-2DR-26eid-)

3DARAOqrvxbqxcHkbaGFFDal2duSLy5lzQwskyvWjSckN0ysQRjD-
5FhYuVo9hUS8qQ7GsXpQxRtDfuqyFxu-26fref-3Dmentions-26-5F-5Fxts-5F-5F-255B0-
255D-3D68.ARCpDWxSSsBCAr4mlQWUG89eamUATJiOejOVVzTb-
5Fh5TYPotPwTkxZ2JtqfZoMTFI-2D1fSGgJE-5FAdM69hnlW0GxpWGCmB-
2DDeQIkK4gMQFDv9KdbZTqybbTQab8lGKdWQqCJl6NpVz0rWrm5Tat7OE-
2Dj1U99acZZdP8YctIDWcI-2DQfxYjvYfn5aO-5F-
2DtZqgE1N7OCvfaYTnFPi6&d=DwMFAQ&c=1DF7oMaPKXpkYvev9V-
fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk
13zIs16rchf_GkGDD&m=1Dipfrmn5ZX77IHcgPLTBau27YPtflnnaCVuyAzMiZY&s=QcdfqUv
nVemgqJgOQvftRu8euxbdtKY_lAiCiY48j4&e=> bans chokeholds, no knock
warrants, tear gas, and hiring abusive officers; creates a duty to
intervene and to de-escalate and requires maintaining public records of
officer misconduct.

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

Robert V. Jarratt
Harvard, MA 01451

From: Abdikhadir Shireh <abdikhadirs@gmail.com>
Sent: Friday, July 17, 2020 10:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please PASS Reform, Shift, Build Act (SB.2800)

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

My name is Abdikhadir Shireh. I am a resident of East Boston and I am
writing this virtual testimony to urge you to pass SB.2800 the Reform,
Shift, Build Act in its entirety. It is the minimum and the bill must
leave the legislature in its entirety.

I am a Black man, a Black son, a Black brother, a Black dad, a Black uncle,
and a Black grandson in America. What more do I need to say to you? The
fact that I am urging you to support such a common-sense bill is why we
say Black Lives Matter. In my opinion, this bill does not even go as far
as I would like to see in police reform. It is a simple police
accountability bill. It bans chokeholds, promotes de-escalation tactics,
certifies police officers, prohibits the use of facial recognition, limits
qualified immunity for police, and redirects money from policing to
community investment. And if we can't get behind in simple act, I don't
know what we will.

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

Please do the right thing and support this bill SB.2800.

Sincerely,
Abdikhadir
East Boston, MA 02128
From: Laura DeAmato <lauradeamato@gmail.com>
Sent: Friday, July 17, 2020 10:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified Immunity

To the Honorable Judiciary Committe:

Our Law Enforcement Officers should never be put in the position to second guess themselves in life threatening situations. Qualified Immunity must be kept for their protection, as well as all other public servants.

Respectfully yours,

Laura DeAmato, Resident
Somerville, MA
617-549-4083
From: sjmangano@aol.com
Sent: Friday, July 17, 2020 10:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: [External]: Police Reform Bill

Good morning,

I am writing to you in regards to the Police Reform bill that was just passed in the Senate, I am not sure what all 143 amendments entail on the bill, but I am NOT in favor of removing "qualified Immunity " as it is written in this bill.

I strongly believe that this will create a much more dangerous environment for EVERYONE , but especially for the police. An officer should be able to do his job without fear of being "sued" while performing the normal duties of a police officer. We live in a society where we make it easy for people to do just that already, and I believe this will just give them the "green light " for it to be done even more.

My hope is that the House will not rush this bill, as the Senate did, without speaking with those who actually serve in law enforcement and really seeing that "item" will have a tremendous impact on their everyday decisions on duty and whether or not it is actually worth the risk to stay in law enforcement .

My understanding of "qualified immunity" is that an officer is not exempt from being sued if he is in violation of his duty, so not sure why the push to do away with it. I don't understand why their cannot just be punishment or removal of an office who actually does something bad or illegal, without jeopardizing the livelihoods of all of the police who actually do the right thing.

In our normal jobs, we are give verbal , and written warnings and then let people go . Why can't this apply to police? I also think it is "insane" for people to think," well, I could be sued " at their normal job, when, lets be honest, the 99 % of people that police will have interactions, are not law abiding citizens.

I also fear, that instead of this helping to get good qualified candidates for policing, you are now going to have a much smaller pool to choose from, because, quite honestly, who would want this job. It is already stressful enough, this would make it more so and right or wrong, is it really worth the risk. Its one thing to be killed or hurt on the job, because you want to make a difference, but it is entirely different to go to work everyday, knowing that no matter what you do, someone could file a lawsuit against you.

I hope you will carefully consider this item in the bill before voting to pass it.

Sincerely
Sharon Mangano
Rowley MA

From: Trudi Boc <trudiboc@gmail.com>
Sent: Friday, July 17, 2020 10:47 AM
To: Testimony HWM Judiciary (HOU)

Although I agree there should be police reform in some form I do not think we should put Police in danger of losing their home or going to prison. We have to protect our Police, not all are bad as in the George Floyd case. Nobody will want to become a Police Officer if this bill goes through.
Reform with training, remove the police who have a long record of abuse but don't hurt the good Police.

Thank you,

Trudi Boc

From: Christian Davis <davisc@worcesterschools.net>
Sent: Friday, July 17, 2020 10:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate bill

Please reconsider the senate bill that was passed was anti labor legislation. It removes our rights to due process, collective bargaining & inserts a board that has no training, experience or background in law enforcement. Sincerely a Massachusetts resident.
From: jane mauro <thorpuppy60@hotmail.com>
Sent: Friday, July 17, 2020 10:47 AM
To: Governor Charlie Baker
Cc: Testimony HWM Judiciary (HOU); Muratore, Mathew - Rep. (HOU); Moran, Susan (SEN)
Subject: S.2820

If you live in Plymouth County, they are:
Representative Mathew.Muratore@mahouse.gov
Senator susan.moran@masenate.gov

Re: Acceptance of Written Testimony Only

Contact: Testimony.HWMJudiciary@mahouse.gov

WRITTEN TESTIMONY VIA EMAIL ONLY

Dear Governor Baker,

My name is Jane Mauro and I live at 256 Halfway Pond Rd, Plymouth, Mass. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

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

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

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

protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

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

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

Sincerely,

Jane Mauro (for all my voting family)

From: thomas.carey55@gmail.com
Sent: Friday, July 17, 2020 10:47 AM
To: Testimony HWM Judiciary (HOU)
Cc: Driscoll, William - Rep. (HOU)
Subject: Police reform

I am a resident of Milton and a Sergeant for the Norwood Police. I, like any decent person, was horrified to watch George Floyd's murder. I realize that people in my profession have caused a great deal of damage to minority communities in the past, and I am motivated to make law enforcement better in the future. I am saddened that it took Mr. Floyd's murder to get people moving.

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

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

immunity for police will be counterproductive to that. Please consider opposing ending qualified immunity for police.

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

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

Sergeant Thomas Carey
182 Thacher St <x-apple-data-detectors://0/1>
Milton, MA <x-apple-data-detectors://0/1>
7816302318

Sent from my iPhone
From: Ellen Zontini <ellenzontini@yahoo.com>
Sent: Friday, July 17, 2020 10:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

Dear Committee Chairs:

Thank you for considering the concerns and views of all citizens when working to reform police standards and resources. This bill impacts my family greatly as we are a police family and I am a public school educator. My family is fully committed to our community on Cape Cod and across the Commonwealth.

What happened last week in the Senate was incredibly discouraging to all public servants. We were particularly disappointed in our local elected officials who either did not speak with local police departments or chose to "ride the wave" of the media who generalize our population as "Black lives" or "Blue lives." We are also voters; many of whom will be voting differently when our senator's term is up for reelection. But, above all else, we are humans and it is our job to take care of each other. We simply ask that our representatives remain transparent, research this bill from all perspectives before making a decision and consider repercussions of proposed changes to Qualified Immunity.

It is a common occurrence in our home to discuss how we can work as a family to increase awareness of communities of color, particularly on Cape Cod, and increase diversity in our neighborhoods. We also discuss who would choose to become a police officer during these times? Without the support from our elected officials, who understand the challenges and trauma officers (and their families!) face on a daily basis, we are afraid we will not have quality law enforcement to keep us safe. My husband, who has been in law enforcement for over 25 years, has always said, "Everyone deserves to get home safely at the end of the day. That's my number one job." Please consider these words as your job, too, when considering the police reform package. I welcome a conversation with anyone who wishes to hear from a family with a long history of public service.

Warm regards,

Ellen Zontini
Yarmouth Police Family
Barnstable Public School Teacher
Diagnostician at Cape Cod Regional Technical High School (Independent Contractor)
(508) 737-9675

From: Keri Bouthiller <keribout@gmail.com>
Sent: Friday, July 17, 2020 10:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill a 2820

I'm not in support of this bill. Allowing our police to be civil sued and taking money away is not the answer. I back our police and do not support this bill.

Sent from my iPhoneFrom: Bill Massey <wgmassey@comcast.net>
Sent: Friday, July 17, 2020 10:46 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Greetings;

I stand with you as you work to advance the profession of policing to a more fair, just, equitable and transparent system that is free of racism, bias, brutality and injustice. As a veteran police officer with over 20 years of experience I know that all of those things; racism, bias, brutality and injustice, exist in our society.

I believe that black lives matter...black lives are important and they should be valued no more or no less than any other lives. We are one, or at least we should be. I also recognize that for too long injustice has existed on city streets, in small towns, in schools, the

business world, courtrooms as well as other institutions that should discourage and prevent injustice.

When I think of the magnitude of the problems we as a society face, I am frightened at the idea of the size, scale and magnitude of a solution that will be needed for a meaningful impact in our society.

Any process implemented to BEGIN to address these issues must be a reflection of the desired outcome; fairness, equity, transparency...and my favorite word as a police officer; REASONABLENESS.

I urge you to ensure that members of a certification/decertification review board for police conduct are qualified as a professional in a field or discipline that reflects some of the many issues police officers are faced with. These include; law, social services, defensive tactics, de-escalation, mediation, conflict resolution, use of force, psychology, juvenile issues, addiction, domestic violence, etc.

I wish you all the best as you work toward improving and advancing the profession of policing. Your is no easy task.

"with liberty and justice for all"

Respectfully,
William Massey
Harwich, MA resident

From: Lori Kelly <lbkelly812@icloud.com>
Sent: Friday, July 17, 2020 10:46 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to

ask someone who they have stopped about their immigration or citizenship status.

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

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

Sincerely,

Lori Brannigan Kelly
Republican State Committeewoman
First Suffolk District
628 East 2nd Street
Unit #2
South Boston, MA 02127
617-571-2049

From: Michael Allen <moa762@gmail.com>
Sent: Friday, July 17, 2020 10:46 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on S. 2820

Dear Chair Michlewitz, and honorable members of the Committee,

I write today in support of the S. 2820 the Reform, Shift, and Build Act. Please support a strong bill that improves police accountability, including:

- * A ban on racial profiling and racial data collection on all traffic and pedestrian stops, including ones that do not result in a citation;
- * Creation of the Police Officer Standards and Accreditation Committee to certify and decertify police officers, and to ensure that police officers who commit misconduct cannot simply move from town to town and remain officers;
- * A moratorium on the use of facial recognition technology;
- * Restrictions on the use of tear gas (which the Geneva Convention holds to be a chemical weapon, the use of which is banned in warfare) and other use of force policies; and
- * Reform of qualified immunity so that officers are no longer immune from violating our basic constitutional rights.

Most importantly, please retain the qualified immunity reform in Section 10 of S. 2820. Under current law, a plaintiff virtually cannot sue unless a previous court has found that the exact same conduct, in the exact same circumstances—no matter how egregious—was a constitutional violation. This includes situations such as the one Senator Brownsberger described in detail on the Senate floor in which officers in Massachusetts forced a

woman to have her vagina searched. Civilians deserve the ability to hold police officers accountable for egregious violations of their rights.

Sincerely,

Michael Allen
45 Josephine Avenue
Somerville, MA 02144
From: e Golod <privet_123@yahoo.com>
Sent: Friday, July 17, 2020 10:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: re: bill to end qualified immunity for police officers

I agree with the below
I strongly disagree with the bill to end qualified immunity for police officers

Dont pass this unfair law !
Len

If you agree forward this email to Testimony.HWMJudiciary@mahouse.gov

Remove my email address from your forwarding.

Replace Vladimir's name with your at the end your email.

From: Center Makor <centermakor@gmail.com>
Sent: Friday, July 17, 2020 9:49 AM
To: undisclosed-recipients:
Subject: URGENT. PLEASE HELP POLICE!!!

Dear Friend,

This is a letter I sent to MA House of representatives

The similar letter I sent as a testimony to the MA House of representatives. The deadline for testimonies is tomorrow at 11:00 am.TODAY, Friday, July 17, 2020, We still have about 1,5 hour to act.

Their email is Testimony.HWMJudiciary@mahouse.gov

You can also send it to your MA Representative from your town or city.

Vladimir

It came to my attention that last night the MA Senate passed the bill to end qualified immunity for police officers. I am appalled that the legislature of such importance was passed without a public hearing.

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. 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.

A horrible death happened in Minnesota and everybody condemned it. But why the whole profession of policemen is punished for that? I talked to Brookline police and there has been not a single incident of police brutality for the years of existence of Brookline police. Massachusetts police in general is an exemplary organization. Why are you in such a hurry of changing the law? This new law will harm not only police but the whole population of Massachusetts.

In the strongest possible terms, I urge you to keep qualified immunity for MA police officers intact.

Vladimir Foygelman,

58 Rosewood Dr.

Stoughton, MA

--

Vladimir Foygelman

Center Makor, President

(617) 771-4870

centermakor@gmail.com

<http://www.centermakor.org/>
<https://urldefense.proofpoint.com/v2/url?u=http-3A__www.centermakor.org_&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=7KK2jjJNhFl_I5_X2BzyVM9fM6q4izbCYpm4vGnhlpw&s=mL5GU7Vi kuVXJItiROLYwJpYExMfwV3tujxDtKT8Cbw&e=>>

From: Melissa Doherty <MDoherty15@msn.com>
Sent: Friday, July 17, 2020 10:46 AM
To: Testimony HWM Judiciary (HOU)
Cc: Danny Ryan
Subject: Is this really necessary?

To Whom It May Concern;

I write to give testimony on the bill before the House. I understand some points of this bill are to codify actions and non-actions that many of our police departments already do, however I am confused why it is necessary to change the "qualified immunity" of first responders. Why is that necessary when there is already a mechanism in place for victims to sue if there is negligence on the part of the first responder? If there is no negligence - why would it be necessary to sue? Who is going to pay for the first responder's attorney? How long will a first responder's family have to endure a court process for something they did while DOING THIER JOB without negligence? Not only is it unjust, it is going to clog our, already overloaded, court systems with petty lawsuits.

I just don't understand why this is necessary?

I believe limiting qualified immunity is the absolute wrong decision here and will have far-reaching consequences that are not currently apparent. This is a heated world we are living in and there is a rush to judgment here.

By all accounts, we have the finest, most courageous first responders in the entire country - the Boston Marathon bombing was a true testament to that. Please ask yourself do we want that care to change? Do we want their reactions to situations to change because they are concerned about being personally sued?

Is this really necessary?

Sincerely,
Melissa Brennan
8 Chestnut Street

Charlestown, MA 02129
From: Melanie Patten <melp672@gmail.com>
Sent: Friday, July 17, 2020 10:46 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony Regarding S.2820

Dear members of House leadership;

I am writing to you today in regards to proposed legislation S.2820. I am concerned that this bill does almost nothing to prevent state violence against Black people or stop the flow of Black people into jails and prisons.

I believe S.2820 will cause more harm than good by increasing spending on law enforcement through training and training commissions, expanding the power of law enforcement officials to oversee law enforcement agencies, and making no fundamental changes to the function and operation of policing in the Commonwealth. Real change requires that we shrink the power and responsibilities of law enforcement and shift resources from policing into most-impacted communities. The definition of law enforcement must include corrections officers who also enact racist violence on our community members.

Instead of increased funding for police training and commissions, communities need investments in healthcare (including mental health services, trauma healing, and non-punitive non-coercive substance use treatment), dignified and truly affordable housing, access to nutritious food, clean well-maintained parks, art and cultural opportunities, education, and living-wage jobs. We must fund these resources in a way that builds power for members of directly-impacted Black and Brown communities to lead in developing the programs and services that are most needed in their own neighborhoods. Investment in and connection to community, not law enforcement, is the key to true public safety. People need to be able to move safely throughout their communities and stay connected to their neighbors without fear of surveillance or police harassment.

If the Massachusetts legislature were serious about protecting Black lives and addressing systemic racism, this bill would eliminate cornerstones of racist policing including implementing a ban without exceptions on pretextual traffic stops and street stops and frisks. The legislature should decriminalize driving offenses which are a major gateway into the criminal legal system for Black and Brown people and poor and working class people. Rather than limiting legislation to moderate reforms and data collection, the legislature should shut down fusion centers, erase gang databases, and permanently ban facial surveillance by all state agencies including the RMV. In addition we must also support the demands of student-led efforts to remove police from schools.

The way forward is to shrink the role and powers of police, fund Black and Brown communities, and defund the systems of harm and punishment which have failed to bring people of color safety and wellbeing. S.2820 does not help us get there.

Thank you for your attention on this important matter.

Sincerely,

Melanie Patten

98 Fletcher St. #2

Roslindale, MA 02131

From: Nicole M <twixaholic22@gmail.com>

Sent: Friday, July 17, 2020 10:46 AM

To: Testimony HWM Judiciary (HOU); Coppinger, Edward - Rep. (HOU);

DeLeo, Robert - Rep. (HOU)

Subject: Opposed to S2800

My name is Nicole E. Medina and I live at 33 Dietz Road, Hyde Park. 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 strips Constitutional Rights from police officers, the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

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

Those issues are:

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

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act

reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

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

You have been elected to make decisions for US and I urge you to support legislation not motivated serving to retaliate in anger and malice. I also urge you to consider giving up your own legislative immunity to show your confidence if you choose to support this bill.

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 E. Medina

<https://www.google.com/s2/u/0/photos/public/AIbEiAIAAABECIqSgO6ZufjjtwEiC3ZjYXJkX3Bob3RvKihlN2Y2ODA0ZjA4NTU2MDc2OTc5MTQ2NWRiZWVmNmI4MDkzZTQ4MDYyMAELmI7H_ZqcyfOV4SpWtk977xKPdg?sz=40>

From: Michelle Wilson <michellewilson216@yahoo.com>
Sent: Friday, July 17, 2020 10:45 AM
To: Testimony HWM Judiciary (HOU)
Subject: Objections to S.2800

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street

Boston, MA 02133

Dear Chair Michlewitz and Chair Cronin,

My name is Michelle Wilson and I live at 769 Forest Street, North Andover, Massachusetts.

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

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

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

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

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

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought

in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

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

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

Sincerely,

Michelle Wilson

From: Neema Avashia <nba@uwalumni.com>
Sent: Friday, July 17, 2020 10:46 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass S. 2820!

"Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms."

Neema Avashia

41 Boylston Street

Jamaica Plain 02130

Sent from my iPhone

From: Rosemary Kean <rosemarykean510@gmail.com>

Sent: Friday, July 17, 2020 10:45 AM

To: Testimony HWM Judiciary (HOU)

Subject: police accountability

Dear Representative Aaron Michlewitz and Representative Claire Cronin,

Rosemary Kean here with the Greater Boston Interfaith Organization (GBIO). I live at 83 Codman Hill Ave. in Dorchester. I'm writing to urge you and the House to pass police reform that includes:

- * Implement Peace Officer Standards & Training with certification
- * Civil service access reform
- * Commission on structural racism

- * Clear statutory limits on police use of force
- * Qualified immunity reform

Thank you very much for all of your work on this critical issue.

Best Regards,

Rosemary Kean (617-282-7449)

From: David Sullivan <grtoutdrs36@gmail.com>
Sent: Friday, July 17, 2020 10:45 AM
To: Testimony HWM Judiciary (HOU)
Subject: Written Testimony

I would like to thank you for allowing a to submit my thoughts on An Act to Reform Police Standards (S2820). This will shape the future of policing here in the Commonwealth. I have seen my share of changes in the over two decades that I have been a police officer, but I have not seen the kind of vitriol that has been aimed at Police in general over the last month or so. I am a Grafton police officer and take pride in the fact that we in Massachusetts are ahead of the curve in the way we do things and the way we deal people. I believe S2820 is well intentioned, but does actually hinder police officers in their jobs in several important areas. The last thing we need is a police officer hesitating to decide if he can afford to make a life or death decision based on financial reasons and possible liability.

I want to state that I believe that almost all police officers do what they believe is right at the time without malice trying to get the best outcome for everyone involved. I believe the training we receive now is ahead of the curve for most of the country. I am all for more training because a smart police officer is a better police officer but I also don't believe we do not need to reinvent the wheel. The most important issues being the following. The first being Decertification process. If POSAC claims jurisdiction after one year regardless of of any local investigation it will circumvent on the rights of the officer to collective bargaining rights and due process they have negotiated. Next, I feel the the Board for decertification should have a background in such things as law, use of force, defensive tactics, firearms, psychology and social science. Having civilians without experience or expertise to decertify an officer runs contrary to any other such oversight board in the Commonwealth. Are other professionals such as doctors or lawyers are not judged by civilian review boards and neither should professional police officers. Finally, The issue of Qualified Immunity is not cut and dry. It is a very complex issue. It is far from guaranteed for police officers and is only granted if specific criteria are met. This issue

should be addressed very carefully by a board or committee made up of legal experts and the judges who have experience in these matters. They can make recommendations based on their discussions.

Please feel free to contact me with any questions or if you wish further input.

David Sullivan

55 Elmwood Street
South Grafton, MA 01560
508-839-0783

From: Reilly, Peter <PReilly@akfgroup.com>
Sent: Friday, July 17, 2020 10:45 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

To whom it may concern,

I have no other way to express the outrage I feel towards the proposed S2800 Bill.

I am sure you are being inundated with similar emails so I will keep this short:

The lack of due process is appalling. The complete disregard for the challenges and situations that police officers and other first responders are faced with and the decisions they have to make within seconds are being totally ignored. I have serious concerns that passage of this bill will negatively impact the ability of law enforcement and other first responders to properly perform their duties and the public will suffer because of this.

Please take these concerns and all others seriously when voting on this Bill.

Thank you.

Peter Reilly
17 Canterbury Street
Andover, MA 01810

Sent from my Verizon, Samsung Galaxy smartphone

This e-mail may contain information that is confidential, privileged or otherwise protected from disclosure. If you are not an intended recipient of this e-mail, do not duplicate or redistribute it by any means. Please delete it and any attachments and notify the sender that you have received it in error. Unintended recipients are prohibited from taking action on the basis of information in this e-mail. E-mail messages may contain computer viruses or other defects, may not be accurately replicated on other systems, or may be intercepted, deleted or interfered without the knowledge of the sender or the intended recipient. If you are not comfortable with the risks associated with e-mail messages, you may decide not to use e-mail to communicate with AKF.

From: Zhanna Chats <zh.chat19@gmail.com>

Sent: Friday, July 17, 2020 10:45 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin

My name is Zhanna Chatsman. I reside at 422 Boston street, North Andover, MA, 01845.

I've been a naturalized US citizen for decades.

First of all - we appreciate all the great work you personally make for the good of our community.

I write to you today to express my staunch opposition to S.2820, which to me and to many of my friends gives an impression as being 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. Any legislation with such a profound effect on public safety should be brought up to a voters referendum. We, the public whose safety is at stake, should be able to have a vote and say on it.

In addition to the above point, I as a Jew, being born in Soviet Union, who personally experienced antisemitism and racism in the old world, view this bill as racist. We are all equal here in this great country. We have no institutionalized racism and I urge you to keep it that way. A bill that specifically calls out one race is racist.

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

Those issues are:

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

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

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

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

Sincerely,

Zhanna Chatsman
422 Boston street
North Andover, MA. 01845
From: bsa@markalmeda.com
Sent: Friday, July 17, 2020 10:45 AM
To: Testimony HWM Judiciary (HOU)
Subject: I oppose House Bill S2800

I strongly oppose House Bill S28000. I ask that you oppose this bill. It does not address the issues you wish to resolve. The bill passed by the Senate was hurried and the language of it needs to at least be reconsidered in light of the consequences of it passing.

Mark Almeda
1281 Washington Street
Walpole

From: Domb, Mindy - Rep. (HOU)
Sent: Friday, July 17, 2020 10:44 AM
To: Testimony HWM Judiciary (HOU)
Subject: FW: [External]: Please pass a strong omnibus bill to increase police accountability

Attached from my constituent.

Mindy Domb, State Representative 3rd Hampshire District

Proudly representing the residents of Amherst, Pelham, precinct 1 in Granby

Phone/Amherst: 413-461-2060

Information on COVID-19: the state's website <<http://www.mass.gov/covid19>> CDC <<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>> World Health Organization <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979>

Information on Unemployment Benefits: How To Apply For Unemployment <https://www.mass.gov/applying-for-unemployment-benefits?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979> COVID-19 Unemployment Information <https://www.mass.gov/info-details/massachusetts-covid-19-unemployment-information?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979>

Information for Pandemic Unemployment Assistance for self-employed, gig workers, freelancers, independent contractors & others.
<<http://www.mass.gov/pua>>

From: martha.mccollough@gmail.com@mg.gospringboard.io
[martha.mccollough@gmail.com@mg.gospringboard.io] on behalf of Martha McCollough [martha.mccollough@gmail.com]
Sent: Thursday, July 16, 2020 9:43 AM
To: Domb, Mindy - Rep. (HOU)
Subject: [External]: Please pass a strong omnibus bill to increase police accountability

Dear Rep. Domb

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

Massachusetts has an opportunity to be a leader in this nationwide movement—and as your constituent I implore you to take that opportunity to do the right thing. We need to deliver racial justice to Black and Brown people in our state, and that starts with baseline police accountability through robust legislation.

Please work to include the above provisions in the final version of this bill.

Sincerely,

Martha McCollough
47 Pine Grv
Amherst MA, 01002-2740
From: Judith Clementson <clementson.judith@gmail.com>
Sent: Friday, July 17, 2020 10:44 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support for Police Reform, GBIO

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Judith Clementson with the Greater Boston Interfaith Organization (GBIO). I live at 50 Longwood Ave, Brookline. I am writing to urge you and the House to pass police reform that includes:

* Implement Peace Officer Standards & Training with certification

- * Civil service access reform
- * Commission on structural racism
- * Clear statutory limits on police use of force
- * Qualified immunity reform

I strongly believe that these reforms are in the best interest of every citizen, and that ultimately they will restore full confidence in the integrity of all branches of law enforcement in the Commonwealth. I personally believe that a very small number of officers have damaged this confidence, and that because of the current lack of accountability and regulation confidence in the entire system has been eroded. This is unfair to the vast majority of dedicated law enforcement professionals who serve us, often at great risk to themselves.

Thank you very much.

Judith Clementson

clementson.judith@gmail.com

402-309-0092

50 Longwood Ave, #719

Brookline, MA 02446

From: Joseph Maruca <jmaruca291@gmail.com>

Sent: Friday, July 17, 2020 10:44 AM

To: Testimony HWM Judiciary (HOU)

Subject: S2820 & Qualified Immunity - Volunteer Fire Services

Hi:

I realize that the move to modify or eliminate qualified immunity is focused on police and policing, and I fear that without any analysis at all we are going to modify or eliminate it for fire and rescue personnel. I am the chief of a combination fire department (mostly volunteer fire department) and suddenly without any data, analysis, or discussion I'm told that this legislation will eliminate qualified immunity for fire and rescue personnel, including volunteers. (About 40% of Massachusetts firefighters are volunteers.) We in the fire service haven't had any chance to study or consider this issue as it relates to our staff, and in particular how it relates to those departments that rely upon volunteer or call firefighters.

I feel that before making any changes to qualified immunity we need to understand how it will change the rights and responsibilities of fire and rescue personnel and their departments. Will a person be able to bring suit personally against the fire officer commanding a fire if the house burns down claiming some hidden intent? Is that the intent, or will this be an unintended consequence of rushing to judgement on this issue. Will volunteer rescuers have to hire lawyers or worry someone could place on their house while suing them for failing to rescue a drowning family member? There has been no opportunity to explore these issues and their impact on the provision of fire and rescue services, particularly by volunteers.

Please keep in mind, that qualified immunity does not shield fire and rescue personnel from intentional crimes, and that we are not immune from negligence while driving or malpractice while treating patients.

I urge you take the time to look at the potential for widespread unanticipated consequences before enacting this particular change.

Thank you,

Chief Joseph V. Maruca

West Barnstable Fire Department

From: Peter Steele <steele.peter.3@gmail.com>
Sent: Friday, July 17, 2020 10:44 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways and Means and Judiciary Committees,
I'm writing in favor of S.2820 to bring reform to our criminal justice system. I hope you will work quickly to strengthen and pass this important bill. I believe we need to end qualified immunity, introduce strong standards for decertifying police officers, and ban chokeholds and no-knock raids. Thank you.

Peter Steele, Winchester

From: William Warnken <williamwarnken@yahoo.com>
Sent: Friday, July 17, 2020 10:44 AM
To: Testimony HWM Judiciary (HOU)
Subject: Veto Police Reform Bill

Good Morning,

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

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

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

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

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

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

Thank you,

William Warnken

Beverly Rd

Worcester, MA

From: Therese Gallant <tmg209@comcast.net>

Sent: Friday, July 17, 2020 10:44 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

Good morning,

I think what saddens and frustrates me the most about this bill is that it is very evident that those who created it have not taken the time to actually educate themselves about policing in the state of Massachusetts.

Folks, we don't practice nor does any department condone the use of a chokehold. It is not part of our use of force continuum training...educate yourselves please!!

There is language in this bill that requires training of police in Massachusetts in order to de-escalate situations, particularly when encountering people with mental health concerns. It's already being done, and has been part of our training for quite awhile now. Educate yourselves please.

And speaking of education, I wonder if anyone on this committee has ever actually asked to see the levels of education that are held by people in this profession? They might be surprised to learn just how well educated this profession is.

It is extremely insulting, alarming and demeaning to have myself and my colleagues' integrity, professionalism, courtesy, civility, capability, life experience and education, called into question without an actual discussion or educated evaluation before implementing such gross changes to the law enforcement profession.

Hey folks, you represent us ALL and you have done us a HUGE disservice to push such language through without the benefit of educating yourselves as to what services we actually provide and the exceptional work we do within our community, on a daily basis, even in the midst of this maelstrom we find ourselves in currently.

My department has implemented innovative means to deal with homelessness and addiction problems. My colleagues have worked hand in hand with local and state personnel to make these changes. My colleagues, not you, have written grants to get social workers attached to us to help with these programs. WE ARE ALREADY DOING those things that you want to mandate. Educate yourselves please!!

In summary, this push for reform, without any (clearly) intent to educate the decision making members, frustrates, saddens and angers me. There is always room for improvement, opportunity for discussion, opportunity to make changes, but this is clearly not the way to go about it. I will be leaving the profession that I've worked very hard at earlier than I intended as I am tired of being the target of people's wrath, disdain, and ignorance. My family deserves a happier and healthier mom.

Sincerely,

A Barnstable Police Officer
508-775-0387

From: Jessica Goodman <jagoodman13@gmail.com>
Sent: Friday, July 17, 2020 10:44 AM
To: Testimony HWM Judiciary (HOU); Jehlen, Patricia (SEN); Connolly, Mike - Rep. (HOU)
Subject: PLEASE SIGN THE REFORM SHIFT AND BUILD ACT

Hello - my name is Jessica Goodman and I am a resident of Somerville, MA (zip code 02143).

I am writing to urge the House to sign the Reform, Shift and Build Act for several reasons.

* I strongly support the measurements in this act that hold police accountable and creates a process for certifying and decertifying police officers. MA deserves to trust the police officers that are helping to keep our communities safe and to remove officers from duty if they are abusing their power.

* Banning the use of chokeholds and limiting the use of tear gas is an important step to removing these inhumane practices.

* Making school resource officers optional is an important step to reducing the school to prison pipeline that affects so many minority students.

* Creating a Community Policing and Behavioral Health Advisory Council will help give communities the care they need.

I also urge you to add the following provisions to the bill

- * ban the use of no-knock warrants
- * raise the age of juvenile jurisdiction to 21
- * ban the use of facial recognition technology

Please pass a STRONG Reform, Shift and Build Act that prioritizes police accountability and racial justice.

Thank you,
Jessica

From: Lorina Gjino <lorinagjino@yahoo.com>
Sent: Friday, July 17, 2020 10:44 AM
To: Testimony HWM Judiciary (HOU)
Subject: Vote NO to S.2820

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

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

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

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

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

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

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

Thank you,

Lorina Hollow
189 Main Street
Amesbury, Ma 01913

Sent from my iPhone
From: CHRIS <mfbresnahan@comcast.net>
Sent: Friday, July 17, 2020 10:44 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Good morning,

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

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

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

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

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

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

Thank you,

Christopher and Geraldine Bresnahan
10 McGrady Street
Holyoke, MA

mfbresnahan@comcast.net

Sent from Xfinity Connect ApplicationFrom: Domb, Mindy - Rep. (HOU)

Sent: Friday, July 17, 2020 10:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: FW: [External]: Please pass a strong omnibus bill to increase police accountability

Attached from my constituent.

Mindy Domb, State Representative 3rd Hampshire District

Proudly representing the residents of Amherst, Pelham, precinct 1 in Granby

Phone/Amherst: 413-461-2060

Information on COVID-19: the state's website <<http://www.mass.gov/covid19>>
CDC <<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>> World Health Organization <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979>

Information on Unemployment Benefits: How To Apply For Unemployment <https://www.mass.gov/applying-for-unemployment-benefits?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979> COVID-19 Unemployment Information <https://www.mass.gov/info-details/massachusetts-covid-19-unemployment-information?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979>

Information for Pandemic Unemployment Assistance for self-employed, gig workers, freelancers, independent contractors & others.
<<http://www.mass.gov/pua>>

From: caciepiela=amherst.edu@mg.gospringboard.io
[caciepiela=amherst.edu@mg.gospringboard.io] on behalf of Catherine Ciepiela [caciepiela@amherst.edu]
Sent: Thursday, July 16, 2020 9:48 AM
To: Domb, Mindy - Rep. (HOU)
Subject: [External]: Please pass a strong omnibus bill to increase police accountability

Dear Rep. Domb

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

Massachusetts has an opportunity to be a leader in this nationwide movement—and as your constituent I implore you to take that opportunity to do the right thing. We need to deliver racial justice to Black and Brown people in our state, and that starts with baseline police accountability through robust legislation.

Please work to include the above provisions in the final version of this bill.

Sincerely,

Catherine Ciepiela
75 Mill Lane
Amherst MA, 01002-2929
From: Katelyn Pento <katelynpento@yahoo.com>
Sent: Friday, July 17, 2020 10:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reforming Police Standards. House Bill 4398

To House of Representatives,

What do Police, Fire, Ems, Nurses, and Doctors all have in common? They all chose a career path that serves the public. Most of these people chose this path to make a difference. These jobs are stressful and often thankless. Some people say "well they get paid well", and that may be true, however the abuse that first responders deal with is not worth the

money. The positive changes that first responders make in people's lives every day is worth every penny. When you save a life and you are able to tell a family that their loved one is ok is truly the best feeling in the world. But when you have to tell a family member that their loved one did not make it, it is devastating for all involved. First responders are human and have feelings too. They do not deserve the abuse they deal with every day. If you are a victim of a crime you want the police to respond to help you. If you are in car accident you want police, fire, ems, and the medical team to care for you. If you take Qualified Immunity away from these individuals you are taking their protection away. They set out every day to serve and protect. They run towards the emergencies as others are running away. They risk their lives to save others. They should be able to do the jobs they are trained to do without fear and hesitation. They should be able to return home every night to their families. They should be protected.

Qualified Immunity was designed to protect first responders from harassment, distraction, and liability when they perform their duties responsibly. I am not saying that those who commit crimes should not be held accountable for their actions.

I would say most go to work every day and perform their duties responsibly and they never plan on causing harm intentionally. As a nurse taking qualified immunity away would make me hesitate to stop at a car accident to help, because of the fear of if there is a poor outcome what could happen to me.

When a police officer responds to a call they should do the job they are trained to do. They should not have to second guess whether or not they are doing it correctly or what the consequences are if the call ends poorly. They should know that if they do the job they are trained to do then they will be protected and supported. Not crucified.

Taking Qualified Immunity away puts a target on all first responders. People are always looking to make money they will sue anyone they can. They are always looking to put the blame on someone else. Taking Qualified Immunity away will leave first responders second guessing if they should help someone or if they should wait for more support to arrive, in some cases seconds mean life or death.

Every area of public service has review boards and every time there is a question about an outcome the case is reviewed. All of the boards that review these cases are panels of experts that are familiar with that specialty. You can not have regular civilians reviewing these cases because they do not have the knowledge or qualifications to make those judgements.

Instead of taking Qualified Immunity away, why not put more education in place so all first responders can have the best training possible. So they can do the job they all love to do.

Thank you for your time,

Katelyn Pento
87 Bluejay Way
Pembroke, MA 02359
781-831-2217
From: Hotmail <rmaynard34@hotmail.com>
Sent: Friday, July 17, 2020 10:44 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Good morning,

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

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

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

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

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

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

Rebecca Renzette

Belchertown, MA From: S C <shanacottone@gmail.com>

Sent: Friday, July 17, 2020 10:43 AM

To: Dooley, Shawn - Rep. (HOU); Testimony HWM Judiciary (HOU)

Subject: Norfolk Resident, Vote AGAINST S2800!

Dear Representative Dooley,

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

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

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

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

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

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

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

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

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

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unacceptable and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in labor relations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Shana Cottone

From: jane mauro <thorpuppy60@hotmail.com>
Sent: Friday, July 17, 2020 10:43 AM
To: Testimony HWM Judiciary (HOU)
Cc: Moran, Susan (SEN); Muratore, Mathew - Rep. (HOU)
Subject: A.2820

If you live in Plymouth County, they are:
Representative Mathew.Muratore@mahouse.gov
Senator susan.moran@masenate.gov

Re: Acceptance of Written Testimony Only

Contact: Testimony.HWMJudiciary@mahouse.gov

WRITTEN TESTIMONY VIA EMAIL ONLY

Dear Senator HWMJudiciary

My name is Jane Mauro and I live at 256 Halfway Pond Rd, Plymouth, Mass. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

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

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

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

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

protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

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

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

Sincerely,

Jane Mauro (for all my voting family)

From: Claudia Jarratt <pinhill@charter.net>
Sent: Friday, July 17, 2020 10:43 AM
To: Testimony HWM Judiciary (HOU)
Cc: Claudia Jarratt
Subject: Support for Police Reform

Please, please support the inclusion of these measures in your voting today!

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda
<

personally liable if they are found to have violated a person's civil rights.

You know it is the right thing to do. Help protect our citizens of color against systemic racism in the justice system and by supporting excessive force and brutality by law enforcement.

Not only because it is the right thing to do, but also as a way of proving to the country that MA is no longer a racist state.

Claudia J Jarratt
Harvard, MA 01451
From: Ron Madigan <rmadigan@swampscottpolice.com>
Sent: Friday, July 17, 2020 10:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: SB2820

"Dear Chair Aaron Michlewitz and Chair Claire Cronin, please accept the following testimony with regard to SB2820 - An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color".

Please consider the concerns raised below by my fellow Chiefs of Police raised in a letter submitted by Chelsea Police and Major Cities Chiefs President Chief Brian Keyes and Massachusetts Chiefs of Police Association President Chief Jeff Farnsworth. As Chief's we place great value on training and education for our staff and welcome improvements to the existing system in the state. Concerns about altering the longstanding practice with respect to qualified immunity must be carefully considered if there is potential for unintended pitfalls that will adversely impact the quality of police service and exposure to municipalities. Thank you for your consideration.

Ron Madigan

Chief of Police Swampscott

The list that follows corresponds to the Section Numbers in Senate 2820 with the applicable line numbers:

- SECTION 4 (line 230): Under (iv), the provision states that there shall be training in the area of the "history of slavery, lynching, racist institutions and racism in the United States." While we certainly welcome any and all training that enhances the professionalism and understanding of our officers, we are somewhat perplexed as to why law enforcement will now be statutorily mandated to have such a class to the exclusion of any other government entity?

One would believe that based on this particular mandate that the issue of what is inferred to as "racist institutions" is strictly limited to law enforcement agencies which aside from being incredibly inaccurate is also insulting to police officers here in the Commonwealth.

- SECTION 6 (line 272): In terms of the establishment of a POST (Peace Officer Standards and Training) Program, the various police chief's organizations here in our state wholeheartedly support the general concept. That said, the acronym of POSAC (Police Officer Standards Accreditation and Accreditation Committee) is causing significant confusion both in this bill and in the Governor's Bill. POST has nothing to do with Accreditation per se but has everything to do with Certification - and by implication "De-certification". In this state, there currently exists a Massachusetts Police Accreditation Commission (MPAC) for over 20 years which is made up of members of Law Enforcement (Chiefs, Ranking Officers), Municipal Government, and Colleges/Universities (Chiefs) in which currently 93 police agencies are accredited based on the attainment of national standards modeled from the Commission on Accreditation for Law Enforcement Agencies (CALEA). Utilizing the word "Accreditation" in the title is definitely misleading and should be eliminated. To the best of our knowledge 46 other states use the acronym POST which seems to work without any problems or a need to create a new description of the important program.

- SECTION 6 (line 282): The Senate Bill states that POSAC shall be comprised of "14 members", however as outlined there are actually 15 positions. The MCOPA is strongly advocating for two (2) seats on the POSAC to be appointed by the MCOPA Executive Committee.

- SECTION 6 (line 321) : It appears from the language of the POSAC provision that the committee shall have the power to conduct what is referred to as "independent investigations and adjudications of complaints of officer misconduct" without any qualifying language as to how that would be implemented in terms of what type of alleged misconduct (law violations, use of force, injury, rude complaints, etc.) and when and under what circumstances will adjudications be subject to review resulting in a proposed oversight system that could go down the slippery slope of becoming arbitrary and capricious at some point and subject to a high level of scrutiny and criticism.

- SECTION 10(c) (line 570): Section 10 of "An Act to Reform Police Standards and Shift Resources to Build a more Equitable, Fair and Just Commonwealth that Values Black Lives and Communities of Color" (the Act) is problematic, not only for law enforcement in the Commonwealth, but all public employees. In particular, Section 10 calls for a re-write of the existing provisions in Chapter 12, section 11I, pertaining to violations of constitutional rights, commonly referred to as the Massachusetts Civil Rights Act (MCRA). The MCRA is similar to the provisions of 42 U.S.C. § 1983 (setting for a federal cause of action for a deprivation of statutory or constitutional rights by one acting under color of law), except however, that the provisions of the MCRA as it exists today, does not require that the action be taken under color of state law, as section 1983 does. See G.L. c. 12, § 11H. Most notably, Section 10 of the Act would

change that, and permit a person to file suit against an individual, acting under color of law, who inter alia deprives them of the exercise or enjoyment of rights secured by the constitution or laws of the United States or the Commonwealth of Massachusetts. By

doing so, the Senate is attempting to draw the parallel between the federal section 1983 claim and the state based MCRA claims. The qualified immunity principles developed under section 1983 apply equally to claims under the MCRA. See *Duarte v. Healy*, 405 Mass. 43, 46-48, 537 N.E.2d 1230 (1989). "The doctrine of qualified immunity shields public officials who are performing discretionary functions, not ministerial in nature, from civil liability in § 1983 [and MCRA] actions if at the time of the performance of the discretionary act, the constitutional or statutory right allegedly infringed was not 'clearly established.'" *Laubinger v. Department of Rev.*, 41 Mass. App. Ct. 598, 603, 672 N.E.2d 554 (1996), citing *Harlow v. Fitzgerald*, 457 U.S. 800, 818, 102 S.Ct. 2727, 73 L.Ed.2d 396 (1982); see *Breault v. Chairman of the Bd. of Fire Commrs. of Springfield*, 401 Mass. 26, 31-32, 513 N.E.2d 1277 (1987), cert. denied sub nom. *Forastiere v. Breault*, 485 U.S. 906, 108 S.Ct. 1078, 99 L.Ed.2d 237 (1988); *Duarte v. Healy*, supra at 47-48, 537 N.E.2d 1230. In enacting the Massachusetts Civil Rights Act, the Legislature intended to adopt the standard of immunity for public officials developed under section 1983, that is, public officials who exercised discretionary functions are entitled to qualified immunity from liability for damages. *Howcroft v. City of Peabody*, 747 N.E.2d 729, Mass. App. 2001. Public officials are not liable under the Massachusetts Civil Rights Act for their discretionary acts unless they have violated a right under federal or state constitutional or statutory law that was "clearly established" at the time. *Rodriguez v. Furtado*, 410 Mass. 878, 575 N.E.2d 1124 (1991); *Duarte v. Healy*, 405 Mass. 43, 537 N.E.2d 1230 (1989). Section 1983 does not only implicate law enforcement personnel. The jurisprudence in this realm has also involved departments of social services, school boards and committees, fire personnel, and various other public employees. That being said, if the intent of the Senate is to bring the MCRA more in line with section 1983, anyone implicated by section 1983, will likewise be continued to be implicated by the provisions of the MCRA. Notably, the provisions of the MCRA are far broader, which should be even more cause for concern for those so implicated. Section 10 of the Act further sets for a new standard for the so-called defense of "qualified immunity." Section 10(c) states that "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" This definition represents a departure from the federal standard for qualified immunity, although the exact extent to which it departs from the federal standard is up for debate, at least until the SJC provides clarification on it. The federal doctrine of qualified immunity shields public officials of all types from liability under section 1983 so long as their conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would have known. *Harlow v. Fitzgerald*, 457 U.S. 800 (1982). Stated differently, in order to conclude that the right which the official allegedly violated is "clearly established," the contours of the right must be sufficiently clear that a reasonable official would understand

that what he is doing violates that right. *Anderson v. Creighton*, 483 U.S. 635 (1987). It protects all but the plainly incompetent and those who knowingly violate the law. *Malley v. Briggs*, 475 U.S. 335 (1986). As a result, the standard sought to be created under Section 10 of the Act would provide public employees with substantially less protection than that afforded under the federal standard.

"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*, 555 U.S. 223 (2009). Furthermore, although the Senate's version of "qualified immunity" would only apply to state-based claims under the MCRA, what Section 10 proposes is fairly similar to that proposed by the 9th Circuit Court of Appeals in various decisions. In those instances where the 9th Circuit sought to lower the standard applicable to qualified immunity, the U.S. Supreme Court has squarely reversed the 9th Circuit, going so far as scolding it for its attempts to do so. See *Kisela v. Hughes*, 138 S.Ct. 1148 (2018); *City of Escondido v. Emmons*, 139 S.Ct. 500 (2019). Although legal scholars and practitioners have a grasp as to the meaning of qualified immunity as it exists today, uncertainty will abound if this standard is re-written, upending nearly fifty years of jurisprudence. Uncertainty in the law can only guarantee an influx in litigation as plaintiffs seek to test the new waters as the new standard is expounded upon by the courts.

- SECTION 39 (line 1025): The provision to inform both the appointing authority and the local legislative body of the acquisition of any equipment and/or property that serves to enhance public safety makes perfect sense. That said, to have a public hearing available for all in the general public to know exactly what equipment the police departments may or may not possess serves to put communities in jeopardy in that those with nefarious motives will be informed as to what equipment that the department has at its disposal. This is very dangerous.

- SECTION 49 (line 1101-1115): This provision prevents school department personnel and school resource officers (who actually work for police departments), from sharing information with law enforcement officers - including their own agency - when there are ongoing specific unlawful incidents involving violence or otherwise. This quite frankly defies commonsense. School shootings have been on the rise since 2017. Did the Senate quickly forget about what occurred in Parkland, Florida on February 14, 2018? The learning environment in our schools must continue to be safe and secure as possible and information sharing is critical to ensuring that this takes place. Public Safety 101.

- SECTION 50 (line 1116): There seems to be a slight nuance to the amended language to Section 37P of Chapter 71 replacing "in consultation with" to "at the request of." Many police departments have had school resource officer programs in this state for 25 years or longer. The only reason why officers are assigned to the schools are because they have been "requested" to be there by the school superintendents - period. The reality is that many school districts even reimburse the police budgets for the salaries of these officers who serve as mentors for these young

middle and high school students. If the Senate is being told that police chiefs are arbitrarily assigning officers to schools without first receiving a specific request from the school superintendents, they are being misled. The 2018 Criminal Justice Reform Act has very specific language that outlines the qualifications of an SRO, the joint performance evaluations that are to be conducted each year, the training that they shall have

and the language specific MOUs that must exist between the Schools and the Police Department. We are very confused as to why this provision needs to be included.

- SECTION 52 (lines 1138-1251: There are several recommended changes to data collection and analysis as it pertains to motor stopped motor vehicles and pedestrians in this section. The Hands Free/Data Collection Law was signed into law only a few months ago before the onset of the pandemic. The new law contains a comprehensive system of data collection, benchmarking, review, analyses and potential consequences. While we continue to welcome data that is both accurate and reliable, the issue pertaining to the classification of an operator's race has still yet to be resolved. Before any data from calendar year 2020 has yet to be collected by the RMV and subsequently analyzed by a College/University selected by the Secretary of EOPSS, these provisions now look to complicate the matter even further before a determination has actually been made as to whether any problem of racial or gender profiling actually exists here in our state. We won't belabor the point, but this language appears to be what did not make its way into the Hands-Free Law which as you know was heavily debated for several months based strictly on the data collection component.

- SECTION 55 (line 1272)

To be clear, we do not teach, train, authorize, advocate or condone in any way that choke holds or any type of neck restraint that impedes an individual's ability to breathe be used during the course of an arrest or physical restraint situation. That said, we respect the discussion and concern pertaining to what is now a national issue based on the tragedy in Minneapolis. Under part (d) the language states that "[a] law enforcement officer shall not use a choke hold. [...]" What should also be included is a commonsensical, reasonable and rational provision that states, "unless the officer reasonably believes that his/her life is in immediate jeopardy of imminent death or serious bodily injury." There needs to be a deadly force exception to eliminate any possible confusion that this could cause for an officer who is in the midst of struggling for their life and needs to avail themselves of any and all means that may exist to survive and to control the subject. This is a reasonable and fairly straightforward recommendation.

- [Recommended New Section] Amends GL Chapter 32 Section 91(g): In order to expand the hiring pool of trained, educated, qualified and experienced candidates with statewide institutional knowledge for the Executive Directors' positions for both the Municipal Police Training Committee as well as the newly created POSAC (or POST), the statute governing the payment of pensioners for performing certain services after retirement,

shall be amended to allow members of Group 4 within the state retirement system to perform in these two (2) capacities, not to exceed a three (3) year appointment unless specifically authorized by the Governor.

Sent from Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=JYanHJYXDURHEuECVvwB5aBTcy6OorMxqhQ5zUHInBg&s=Fz_uc4do2RQDdFgUivyQQH_DuYQPpDCFKTPGNvvljeQ&e=> for Windows 10

From: Jeffrey Carlson <jcarlson0801@yahoo.com>
Sent: Friday, July 17, 2020 10:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: 2800

Legislators,

Thank you for accepting public testimony on your impending work on wide ranging policing reform. My name is Jeff Carlson and I am a Patrol Sergeant with the Worcester Police Department. I am writing to you as a voter and a citizen with experience in policing.

Writing "bright line" laws with regard to the use of force is rarely a good idea. If I were called to your home due to an emergency and we both feared serious injury or death, you could lawfully use a chokehold but I could not if 2800 was signed today. I could write numerous glaring examples of why firing at vehicles may be necessary but I think you understand my point.

Police Officers currently have two venues to challenge discipline or termination. Removing one of those venues, a neutral arbitrator, flies in the face of organized labor and part of the system that makes Massachusetts well known as a National model for Professional Police Officers. We should all be proud of how we are viewed around the country. We should support and enhance our Civil Service system and not dismantle it.

My co-workers and I know that change is needed and is inevitable. We are not blind to societal issues. We live these issues every day as we serve the members of our community. Experts in policing, use of force, and Constitutional Law should have a seat at a broad table when attempting to endeavor in such sweeping, transformational legislation.

I believe that there are other serious issues with Bill 2800, as currently written, but I will keep this short. I do not believe that this legislation, as is, will have the intended consequences of enhancing the public safety of our Commonwealth.

Thanks and Best Regards,
Jeff Carlson

From: Michael Rooney <nepatriot1@verizon.net>
Sent: Friday, July 17, 2020 10:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: opposition to Bill no. S2820.

Good morning and to whom this may concern...hmmm, which should be everyone. I/we are opposed to Bill no. S2820. This will not only place our law enforcement officers in jeopardy it will jeopardize the lives of those sent in their place and the public who depends on an officer of the Law to arrive....knee jerk reaction is what this is.....rethink it

Regards
Concerned citizen and an Uncle of a Police Officer
From: jksmith519@gmail.com
Sent: Friday, July 17, 2020 10:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reform Shift and Build Act

Hello,

My name is Julia Smith and I am writing to strongly encourage you to pass the Reform Shift and Build Act. This act could stop abuses of power and halt systemic racism in our policing. Now, more than ever, it is essential that we take this step to acknowledge the faults in the system and put a stop to them. So many of my friends and family members have felt the injustice of this system. From POCs being racially profiled, and stopped on streets for no reason other than the clothes they wear, to the deaths of people like George Floyd, Elijah McClain and Breonna Taylor- there is really only one right answer here. Please consider this Act as a small step in the right direction. I urge you to do the right thing.

Thank you for your time,

Julia Smith
From: Kerry Gibson <kjw811@hotmail.com>
Sent: Friday, July 17, 2020 10:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: From a Concerned Citizen of Massachusetts

To Whom It May Concern,

Please allow the Massachusetts Police an opportunity to present their concerns about the recent police reform bill that passed the Senate. This was a rushed legislation that requires a more thorough examination of what the revisions to "Qualified Immunity" will mean to the police and their ability to protect the public with out fearing unjust legal action.

Police deserve to be heard, and share their testimony and concerns because they are the ones out on the streets facing real time situations.

This may also impact many others in how they react to situations where they either choose to step in and help - or walk away in fear of an overly litigious society.

Yes, there are things that need addressing, however rushing something through so it appears you are doing "something" is NOT the right answer.

Respectfully,

Kerry Gibson From: Jennifer Mullin <jmullin1221@gmail.com>

Sent: Friday, July 17, 2020 10:43 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820- Trust and respect for those who put their lives on the line to serve and protect us all

To the Leaders of the House,

My name is Jennifer Mullin. I am a resident of Brimfield in Hampden County.

I write to you today to express my strong opposition to parts of the hastily passed S.2800/ S.2820. I am not typically a very politically-involved person, but the recent events in our country and this bill specifically have been catalysts in moving me toward a much greater interest and understanding of the way things work in our government and the parts of the political process.

In my opinion, there are many traditional practices in this country (and some in this state) that need to be looked at and revised. Unfortunately, time and careful curation of those revisions based on the needs of Massachusetts specifically, has not been provided in the process for this bill.

I spent many hours watching the Senate discuss S.2800 and the recommended amendments. There are parts of this bill that are clearly misunderstood, as evidenced by the information (accurate or not quite so) shared during the debate. There are voices that have not been adequately represented in the short period of time the bill has been available to the public. Based on what I've seen on social media, many people think the goal is to teach the police a lesson, for being bad, more or less. Overwhelmingly, Massachusetts law enforcement officers are not bad when the data is broken down. Nor do they need to be taught a lesson.

Individuals should be held accountable when they do something wrong. I am a third-grade teacher in Sturbridge, and I'm extremely proud to have worked in public education for 15 years. I LOVE what I do. I love helping children grow and learn and discover who they are inside. I help children understand how their actions affect others. I share multiple viewpoints when I teach, especially when it comes to the beginnings of the commonwealth and the country. I model respect.

I'm disheartened when people who don't work in education and are not "in the trenches" get to make many of the decisions.

My husband has wanted to be a Massachusetts State Trooper since he was a little boy growing up in Boston. His dream came true just a few years ago with lots of hard work and dedication. He is a member of the U.S. Coast Guard Reserve who spent most of 2019 away from his family to serve this country. My husband is extremely proud to serve the people of Massachusetts the United States of America.

He's disheartened when people who don't work in policing and are not "in the trenches" get to decide how the future should look in law enforcement.

We have a ten-year-old son. We work hard to teach him to do the right thing even when it's really hard or when no one is watching. We teach him that people are not perfect, nor have they ever been. People make mistakes, but the great thing is- we can learn and grow by making them. A safe future is what I wish for him. I don't know how a future without enough people willing to serve and protect can be safe.

My family does it's fair share to serve others. I dream of a day when more people use their hearts and their knowledge of what's right and just to drive their actions.

I know you know that this is not a popularity contest. It's people's lives and livelihoods on the line.

Thank you for listening. I look forward to your support in treating those who put their lives on the line to serve and protect us all with trust and respect.

Respectfully,

Jennifer Mullin
From: Sydney teelee Teele <teeleio7898@gmail.com>
Sent: Friday, July 17, 2020 10:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition

Sydney Lajeunesse
14 princess rd Marlborough Ma 01752
774-463-6252

I am submitting my opposition to the bill S.2820! It is wrong and I will not stand for this bill.

Get Outlook for iOS <https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_o0ukef&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=-Fc5QPEs7D4qnQgvvvEP-QEb7K_dlByNZt0jL1z4ewc&s=schHiAankm3PHDzBrWvIjQTM7SvOuaFjU3iy0nhbIn8&e=>
From: Jessica Stark <jessica.stark716@gmail.com>
Sent: Friday, July 17, 2020 10:43 AM
To: Testimony HWM Judiciary (HOU)

Subject: Bill S.2820

I am a lifetime member of Massachusetts. I think that it is too soon to pass Bill S.2820. I oppose its passing today.

Jessica Stark
42 Elm St. Baldwinville, MA 01436
978-894-4129

--

"To be beautiful means to be yourself. You don't need to be accepted by others. You need to accept yourself." – Thich Nhat Hanh

From: Domb, Mindy - Rep. (HOU)
Sent: Friday, July 17, 2020 10:42 AM
To: Testimony HWM Judiciary (HOU)
Subject: FW: [External]: PASS S. 2800: outlaw police rape of people in custody, many other things we should not need to legislate against but do

Attached from my constituent to be included in the police reform legislation.

Thank you,

Mindy Domb, State Representative 3rd Hampshire District
Proudly representing the residents of Amherst, Pelham, precinct 1 in Granby
Phone/Amherst: 413-461-2060
Information on COVID-19: the state's website CDC World Health Organization
Information on Unemployment Benefits: How To Apply For Unemployment
COVID-19 Unemployment Information
Information for Pandemic Unemployment Assistance for self-employed, gig workers, freelancers, independent contractors & others.

From: Sarah [smckee57@earthlink.net]
Sent: Thursday, July 16, 2020 12:08 PM
To: Domb, Mindy - Rep. (HOU)
Subject: [External]: PASS S. 2800: outlaw police rape of people in custody, many other things we should not need to legislate against but do

The Honorable Mindy Domb
House of Representatives
State House, Boston, MA

Dear Rep. Domb,

This follows up on my email urging your vote for S. 2800, the police reform act.

It does not do everything needed to preserve our civil liberties, what little is left of them.

However it does a great deal that we, alas, must put solidly in the Mass. General Laws now for the purpose.

You know that I am a former federal prosecutor. So please feel free to cite me if appropriate.

It is shameful that Massachusetts still needs a law to forbid police rape of people in custody.

Let's be real: Someone in custody has no capacity to consent to sex by a police or corrections officer, and no physical or other ability to resist.

For officers, therefore, rape is free. Enough said.

Thanks for everything you are doing to protect your constituents in this strange time!

My you and yours stay safe -

Best regards,

Sarah

Sarah McKee
9 Chadwick CT
Amherst, MA 01002-2825
Land: 413.256.6129

From: Vasundhra Sangar <vsangar23@gmail.com>
Sent: Friday, July 17, 2020 11:02 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: S.2820 - Strong Limits on Qualified Immunity

Begin forwarded message:

From: Vasundhra Sangar <vsangar23@gmail.com>
Subject: S.2820 - Strong Limits on Qualified Immunity
Date: July 17, 2020 at 10:47:32 AM EDT
To: hwmjudiciary@mahouse.gov

Dear Chair Michlewitz, Chair Cronin and members of the Committees:

I write in support of 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 past due for the state of Massachusetts to show up for its Black and POC residents. We've seen from countless efforts and reports conducted throughout the weeks since the murder of Mr. George Floyd at the hands of Minneapolis police that communities in this country have spent far too many resources on policing and not enough of social, mental, educational and vocational resources that will actually make s safe and help us all step toward a better, more inclusive community together.

For S.2820, I support strong use of force standards as set out in Representative Liz Miranda's An Act to save Black lives, including a complete ban on chokeholds, no knock warrants, and all other police tactics using an excessive use of force.

I support strict limitation on qualified immunity to ensure police can be held accountable when they violate another human's civil rights. If we can't do that we have no business pretending the myth of equality in this country is anything more than a myth. I do not believe limiting qualified immunity on any pubic servants is a bad thing - we're being held to standards that these public servants are working to uphold and they should be held to the same in any civilized society.

I further support an unequivocal ban on facial recognition technology that has proven time and time again to have an adverse effect on communities of color allowing racist policing to be supercharged in our neighborhoods.

Thank you all for the work you are doing to safeguard the Commonwealth through the pandemics of COVID-19 and systemic racism. Now that we know better we must do better and it's on you to show up for us all.

Sincerely,
Vasundhra Sangar
44 Whitman Street Somerville, MA 02144

From: Jamie Dalton <jdalton@thinkofmichael.org>
Sent: Friday, July 17, 2020 11:02 AM
To: Testimony HWM Judiciary (HOU)
Cc: jburnham623@gmail.com; Jamie Dalton

From: TJ Ashley <tashleyjr90@gmail.com>
Sent: Friday, July 17, 2020 11:01 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

Good morning,

I am writing to ask that you DO NOT support bill S.2820 as written and presented to the House. This is in line with my opinion regarding the Senate hastefully passing bill S.2800 without public input, debate and thorough review of a 70+ page bill to fully examine the consequences of the bill to ensure they are not unintended.

The senate version of this bill, as written, will significantly (and seriously) undermine public safety by limiting police officer's ability to do their jobs while simultaneously allowing provisions to protect criminals. Furthermore, the process employed by the Senate to push this through with such haste, without public hearing or input of any kind, was extremely undemocratic and nontransparent. Some of the comments made by the members of our own legislature about our police officers was HURTFUL!

I can tell you that police across the Commonwealth support uniform training standards and policies. We have been fighting for more training, as well as appropriate funds for YEARS! As a Law Enforcement officer here in the Commonwealth of Massachusetts over the past 7 years, I can speak from experience when I say that I have been denied training opportunities that I have requested due to inadequate budgets. I receive the bare minimum training as required by the MPTC each year ("in-service training"). I know the legislature had recently voted to add a fee on rental cars that support police training, \$5 surcharge to traffic citations for public safety, etc. however, Cities and Towns haven't seen that money in order to provide additional training.

The Senate version of a regulatory board is unacceptable as it strips officers of the due process rights and does away with the protections currently set forth in Collective Bargaining Agreements and Civil Service Law. The Senate created a board that is dominated by anti-police groups who have a long-detailed record of biases against law enforcement and preconceived punitive motives towards police. ANY police reform bill that is drafted should include the SAME procedure justice safeguards that members of the communities that we serve DEMAND and ENJOY.

The proposed makeup of the oversight board is one sided and biased against law enforcement. It is unlike any of the 160 other regulatory boards across the Commonwealth of Massachusetts and as constructed is incapable of being FAIR and IMPARTIAL. -- I support the Massachusetts Police Association's request for an advisory board that includes individuals from or related to our profession. -- Just like you don't have a civilian oversight board for a doctor.

What the Senate has tried to do is pass a knee jerk reaction to an incident that happened thousands of miles away. I agree that it was egregious (and I don't know one person, one police officer, ANYONE that doesn't think this).

Massachusetts Police Officers are among the highest educated and trained in the country. As a matter of fact, BEFORE DUVAL PATRICK REMOVED THE QUINN BILL, that provided base pay increases for degrees in Criminal Justice. There was an incentive for officers to seek HIGHER education. HOW ABOUT WE BRING THIS BACK?? (10% for Associates, 20% for Bachelors, 30% for Masters)??

This bill directly attacks qualified immunity and due process. Qualified immunity does not protect bad officers. It protects good officers from civil lawsuits. We should want our officers to be able to act to protect our communities without fear of being sued at every turn, otherwise why would they put themselves at risk? A large majority of law enforcement officers do the right thing and are good officers, yet there is a real push to end qualified immunity to open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not be covered by qualified immunity anyway. It just doesn't make any sense why we are endangering the livelihood of many for the actions of a few. Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard and bans unlawful use of force techniques which all police personnel unequivocally support. If the senate bill is passed in its current form the costs to municipalities and the State will skyrocket from frivolous lawsuits and potentially having a devastating impact on budgets statewide.

Sincerely,

Thomas Ashley
East Freetown, MA
Municipal Police Officer - Commonwealth of Massachusetts

From: Sherene Aram <sherene.aram@gmail.com>
Sent: Friday, July 17, 2020 11:01 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony re S.2820

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.

Sherene Aram

66 Seymour St

Concord, MA 01742

978-287-4983

From: Denise McGuiggan <maja044@yahoo.com>

Sent: Friday, July 17, 2020 11:01 AM

To: Testimony HWM Judiciary (HOU)

Subject: Bill S2820

Vote NO on Bill S2820,

I am a concerned Citizen who lives on the South Shore. I support Police Officers from all over Massachusetts and beyond. I was brought up to respect our Police Officers as both my Dad and brother wore the blue uniform. I also am a former 911 Telephone Operator who handled many emergency calls from shootings, robberies, car accidents, house breaks, etc. Working at the Police station has made me appreciate the Police each and every day. For them to be on the front lines risking their lives on each and every call to keep us all safe.

Do you the Politicians have Security, Police Detail, Immunity?

I am so very upset to see what's happening to our Police whether it be in Seattle or New York and now Mass.

STOP THE MADNESS!!

Support our Public Servants. Police, Nurses, Teachers and our Firefighters!!

I have made many calls this week to many Politicians. Let's see how many of you can stand up for what is right.

What happened to George Floyd was wrong and should never have happened and should never happen again. Are we to punish ALL for the actions of one? Police keep us working and Law abiding Citizens safe.

My Family, my Friends and myself are watching how you will proceed so we will keep in mind when voting in the near future.

Back the Blue

Vote NO on Bill S2820.

Thank you,

Denise McGuiggan
Marshfield

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_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=nmQsanrfjHBcEnzIkzFcYpBVe9R2tGC4u7y6L-x3J3M&s=4agqaJlwnnRIAFIdYQnYk12YHHn_E_XXlVOg7BH_2hE&e=>>

From: Keyara Louis <keyarapl@gmail.com>
Sent: Friday, July 17, 2020 11:01 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

To the Massachusetts House of Representatives,

I would like to submit my comments on the police reform bill approved by the Massachusetts Senate. Thank you for putting in the effort to reform police standards and build a more equitable environment for people of color. I am wondering how we will ensure that suggestions made by the commission (Section 72 a, Section 72 d) will be taken seriously and used to create laws by our local and state government officials/state legislature. I don't want the commission's feedback or recommendations to fall by the wayside.

I would also ask that you please maintain a limit (or even better and end) to qualified immunity in order to ensure that police are held accountable for their actions. I need our congress to support police accountability.

Thank you for considering this feedback,

-Keyara Pierre - Louis
Resident of Chicopee, MA

From: Nancy Lowry <nmlowry1977@yahoo.com>
Sent: Friday, July 17, 2020 11:01 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S 2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Nancy Lowry and I live at 35 Woodbriar Road in Wakefield MA. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

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

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

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

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

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

Sincerely,

Nancy Lowry

Sent from my iPhone
From: Karen Lafleche <laflechek@hotmail.com>
Sent: Friday, July 17, 2020 11:01 AM
To: Testimony HWM Judiciary (HOU)
Subject: House bill S.2800. Police Reform Bill

I want to voice my outrage and concern that the bill passed was done in the dark of night without any public input. I am totally outraged that "one bad apple is being allowed to spoil the whole bunch"!! I know many police officers and have nothing but respect for them and the job they do. If there is going to be a true reform, then it must be done during regular hours versus the dead of night, and public input should be allowed. I am afraid if this bill goes through, we will not have any good candidates to become police officers, which in turn would put all civilians at risk!! I beg you to consider the consequences of your action!!!!

Respectfully,

Karen Lafleche

413-584-7212

Sent from Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=r6ULwrQIxsl_-IaPbaT-OfSxZUcQ3lJMK8yAknZkWQ&s=VwehFvA0z5kAsKMSyz0ODpMAOkuLnLLAzrq9DGp5m-8&e=>>
for Windows 10

From: ludmila fridman <milfrid1@yahoo.com>
Sent: Friday, July 17, 2020 11:01 AM
To: Testimony HWM Judiciary (HOU)
Subject: act

Dear representative Aaron Michlewitz and representative Clair D. Cronin,
I strongly believe the Police Reform Act as it is will bring not
repairable harm. We need to improve police work, not to destroy it. We
need to help to educate young policemen, not to turn them off the
profession. They will be less willing to go to the profession and , the
most dangerous, to enforce the laws.

L Friedman

Newton, MA

From: Megan Dupuy-Todd <dupuy.meg@gmail.com>

Sent: Friday, July 17, 2020 11:01 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform

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

Representative Claire Cronin, Chairperson, Joint Committee on the
Judiciary

Hello,

My name is Megan Dupuy-Todd with the Greater Boston Interfaith
Organization (GBIO). I live at 161 South Street, Apt 1, Jamaica Plain, MA
02130. I am writing to urge you and the House to pass police reform that
includes:

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

Thank you very much,

Megan Dupuy-Todd

dupuy.meg@gmail.com

203-218-9104

161 South Street, Apt 1, Jamaica Plain, MA 02130

From: Erin DiBacco <erinfla@gmail.com>

Sent: Friday, July 17, 2020 11:01 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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

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

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

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

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

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

Thank you,

Erin DiBacco

159 Whalen Drive

erinfla@gmail.com

From: Riana Buchman <riribuchman@gmail.com>

Sent: Friday, July 17, 2020 11:01 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,
Riana Buchman

Sent from my iPhoneFrom: Tina Prisco <tina2017ma@gmail.com>
Sent: Friday, July 17, 2020 11:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

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

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

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

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees

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

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

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

Thank you,

-Tina Shea

From: Rich Belliveau <chieb27@aim.com>
Sent: Friday, July 17, 2020 11:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: Concerns with S.2800

To the House of Representatives for the Commonwealth of Massachusetts,

I am writing this letter to voice my strong opposition to Senate bill 2800 in its current form. While the tragedies that sparked this new energy for police reform were saddening, I do not feel that some of the measures taken within this bill are productive in healing, growing, and prospering as a society. Specifically, the compromising of qualified immunity for law enforcement officers does nothing to help contribute to the namesake of this bill. I feel that this erosion of qualified immunity will cause good officers to have fear of frivolous civil lawsuits. This measure is not going to increase good community policing with the ideology that the officers will be individually held accountable. Instead, this is going to make officers hesitant to make arrests, handcuffed so to speak. Criminals will stay on the street with mere court summons and the ability to continue their illegal behavior. It would put even more reliance on a judicial system that is broken and backlogged. Judges setting low or no bail for dangerous actors is already seen regularly in the commonwealth. The solution to police reform is not punishing the good majority of law enforcement personnel for the actions of the few. The solution is

training and community Involvement. But society also needs to be trained. Society needs to work with police and not against. These brave men and women go to a job where they encounter the criminal sect of society. The true "bad apples" that do not follow a moral code and are not complimentary to any call for reform by our state legislatures. If we continue to alienate the people who made an oath to protect us as citizens of this great Commonwealth, I feel that someday in the near future, we will not have those brave individuals there to protect us. If we continue to blame the police while not giving any accountability to bad actors, it will be easier and more appealing for that young aspiring police officer to take a office job or learn a trade. If that happens, we will be left to our own demise.

I ask you emphatically to think about the families of these brave men and woman in blue before you cast your vote on S.2800. Think about the spouse that kisses their loved one before they leave for their shift, hoping they will return in eight hours. Do not think about the narrow example that the media gives you. Think about the officer first on scene to save a choking baby. Think about the officer that stops to play a game of kickball with the youth. The brave individuals of the law enforcement community made an oath to protect us as a commonwealth and you as our legislatures have a duty to protect them. Please vote no on S.2800 in its current form

Richard Belliveau
Ludlow, MA 01056

Sent from my iPhone
From: Thomas Callanan <thomas.v.callanan@gmail.com>
Sent: Friday, July 17, 2020 11:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified Immunity is necessary

Dear Chairman Michelwitz & Chairwoman Cronin,

I am reaching out to you regarding Senate Bill 2820 and its affect on Qualified Immunity. As professional firefighters for the city of Quincy, it's me and my colleague's job to respond along side Police and EMS to calls for help and protect our neighbors regardless of the danger that exists at the source of the call. I can attest for me, my department colleagues, and the Police and EMS that I've worked along side with and have responded to thousands of calls for help with that we do our very best to protect the lives and livelihoods of the citizens of Quincy regardless of their color or creed. It's my professional opinion that if Full Qualified Immunity is removed because of this bill that the Firefighters, Police and EMS that protect our great city will not be able to safely or fully assist our neighbors when they call and need our help. Please help maintain Full Qualified Immunity for our Police, Fire and EMS.

Thank you,
FF. Thomas Callanan
Quincy Fire Department

857-526-1598

From: Colleen Leary <collgill19@gmail.com>
Sent: Friday, July 17, 2020 11:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: Objections to S.2800

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

Dear Chair Michlewitz and Chair Cronin,

My name is Colleen Leary and I live at 4 Hillside Ave in Winchester, Massachusetts.

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

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

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

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

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

laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

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

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

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

Sincerely,

Colleen Leary

From: Julie Tammaro <juliemtammaro@gmail.com>
Sent: Friday, July 17, 2020 11:00 AM
To: Testimony HWM Judiciary (HOU)

Forward to ASAP needs to be sent by 11

testimony.hwmjudiciary@mahouse.gov

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Julie Tammaro and I live at 9 Line St Lynnfield MA. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

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

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

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

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

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

Sincerely,

Julie Tammaro

From: Rodriguez, Rudis R. <RodriguezRR@worcesterma.gov>

Sent: Friday, July 17, 2020 11:00 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Testimony

My name is Rudis Rodriguez (508-735-3827) long time resident and Police Officer for the City of Worcester. I want to express my concerns with the Senate Bill that was passed. I like many others strongly believe that the Senate Bill in question is anti labor and hurts the Police Officer proffession as a whole. As a police officer you are exposed to extremely dangerous, unpredictable and delicate situations on a daily basis. I know that eliminating the right for Police Officers to have Due Process is 100% wrong and will have a negative impact. Removing our right to collective bargaining, qualified immunity and also having a POSAC board with no Law Enforcement experience or training is deeply troubling and will cripple the Police Officer proffession. Please support us and thank you for all that you do.

Get Outlook for Android <[As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.](https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_ghei36&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=HTYq5n0ueXqGv49CRb7tR1dMZEcfqxVgzs--bHceuiQ&s=de2rNaPIofCgyAZSui3tIKsobtp7fnCVh5B9jk0AR10&e=>https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_ghei36&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=HTYq5n0ueXqGv49CRb7tR1dMZEcfqxVgzs--bHceuiQ&s=de2rNaPIofCgyAZSui3tIKsobtp7fnCVh5B9jk0AR10&e=> >
From: sema tekğüç <stekguc@hotmail.com>
Sent: Friday, July 17, 2020 11:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: police reform bill</p></div><div data-bbox=)

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

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

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

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

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

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

Thank you,

Sema Carmichael

Semacarmichael@yahoo.com

Sent from Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=x98C5r-7GSTe3c4FMiq8k7gxDydaBnKv5vCe8mIemMw&s=vTzhMjPQGZKTJ44RrTW_KIWq8Ullp3lEhWO-PQOkLL8&e=>> for Windows 10

From: Deputy Chief Brian Gill <bgill@ayer.ma.us>
Sent: Friday, July 17, 2020 11:00 AM
To: Testimony HWM Judiciary (HOU)
Cc: Harrington, Sheila - Rep. (HOU)
Subject: Senate Bill 2820 Public Input: Professionalize, Not Politicize Policing

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

Thank you for allowing me the opportunity to write in support of all the hard work that public servants of this great Commonwealth do every day,

whether they be elected or appointed. The mere fact that your respective committees, and the House chambers as a whole, are reaching out to the stakeholders throughout the Commonwealth to solicit input as to the implications of a sweeping piece of legislature. Unfortunately, this was not the case, when the Senate put forth S. 2800 and later approved as S.2820. So I thank you.

As a police administrative professional in central Massachusetts, I am concerned that if this bill were to be passed as is, the citizens of this great Commonwealth will ultimately be the ones that suffer the consequences. The many facets of this bill were designed without any input from those in the profession and as such, the bill has serious flaws that will not only set policing in the commonwealth back years, it will set back police and community relations back even further. The mere title of this bill implies that policing in Massachusetts is faulty and needs to be "reform"ed. I respectfully offer that in my 25 years in law enforcement I have only seen policing become more professionalized. Is there room for improvement, absolutely, as there is in any profession; improvements can be realized in every profession, whether it be in policing, medical or governmental.

I look to the body of the Massachusetts House of Representatives to, as they review this bill and what is at stake, continue to Professionalize, not Politicize policing in the Commonwealth.

A major step in the continued professionalization of the policing in the Commonwealth would be to create a Police Officer Standards and Training (POST) system, a system that has successfully been put in place across the country. There is a version of this kind of system in the Senate Bill 2820, but it is problematic as it was created without input from any of the stakeholders that would need to operate within and manage such an encompassing program. The mere title of the proposed Police Officer Standards and Accreditation Committee (as listed in the bill) exasperates the lack of insight that the authors have about policing in the Commonwealth, where we have a Municipal Training Committee (MPTC) and a Massachusetts Police Accreditation Commission (MAPAC). This piece of legislation would create a third governing body to policing in the Commonwealth; I would think that if this important piece of legislation would have followed a more sensible track and allowed for input and study, a successful POST system could be identified and put into place, while at the same time be responsible to the taxpayer by not creating and funding a whole new agency.

I would be remiss if I didn't speak to the proposed changes to qualified immunity. I am not going to any "legal ease", but rather am simply going to point out that there has been so much mis-information as to what Qualified Immunity is. There are two main points that I want to make: 1. Qualified Immunity is a doctrine that has been affirmed and re-affirmed by both the United States Supreme Court and the Massachusetts Supreme Judicial Court, and 2. Qualified Immunity is not a "get out of jail free card".

Processes are already in place at the judiciary level to determine if Qualified Immunity applies to given circumstances. If an officer is civilly sued, a judge will determine if the actions of the officer were

reasonable under the circumstances and not in violation of "clearly established law". Changing Qualified Immunity will not only place officers at the peril of frivolous lawsuits, but will also have negative long term societal effects on the citizens of the Commonwealth because of a lack of qualified and professional officers willing to work under the condition.

There are other items in the Senate Bill 2820 that I can see as being problematic, such as why is there a move to limit, if not eliminate School Resource Officers. Their connection to the students they serve is imperative, and it seems this bill wants to create a divide there.

In closing please take time for Due Diligence...
Professionalize, Do Not Politicize.

Respectfully,

Deputy Chief Brian Gill
Ayer Police Dept.
978-772-8200 ext. 502

From: Allison Trainor <allisondtrainor@gmail.com>
Sent: Friday, July 17, 2020 11:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 bill

I am writing in lack of support for this bill. While there are ongoing issues in the country, Massachusetts remains ahead of the curve when it comes to policing and training. I stand with our police and reject this proposed bill. Further demonizing our police force is going to result in no honorable men and women serving. There will be a mass retirement.

Thank you

Sent from my iPhoneFrom: Meghan <meghan.emmert@gmail.com>
Sent: Friday, July 17, 2020 11:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: support of the Senate police reform bill, S.2800

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

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda bans choke-holds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.

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

Thank you,

Meghan Emmert

15 Glendale St, Salem, MA 01970

From: Badore, Robert <rbadore@capecod.edu>
Sent: Friday, July 17, 2020 11:00 AM
To: Testimony HWM Judiciary (HOU)
Cc: Muratore, Mathew - Rep. (HOU)
Subject: SB29820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

Please accept the following testimony with regard to SB2820 - 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".

MACLEA seeks to include a representative of the Association to serve on the Police Officer Standards and Accreditation Committee created by section 6 of Senate Bill 2820. MACLEA's member departments are responsible for the safety and wellbeing of the hundreds of thousands who live, learn, work, and visit our member institutions. We are in favor of the creation of a Police Officer Standards and Accreditation Committee (POSAC) and our representation on this committee would add valuable insight and information. It would also ensure that the safety and security of all of those on campuses across the Commonwealth are the highest priority. I also urge the congress to review the bill as pertains to Qualified Immunity, which should remain.

Respectfully,

Robert Badore

Campus Police Officer

Cape Cod Community College

2240 Iyannough Road

West Barnstable, MA 02668

E: rbadore@capecod.edu <mailto:rbadore@capecod.edu>

C: (774) 534-2044

Confidentiality Notice | This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential, proprietary, legally privileged and/or CORI information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient or have received this email in error, immediately contact the sender by reply e-mail and destroy all copies of the original message. This email message may be monitored by the Cape Cod Community College Police Department.

From: james franco <jimfranco99@yahoo.com>
Sent: Friday, July 17, 2020 11:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Rep. Aaron Michlewitz

Chair of the House Committee on Ways and Means

Rep. Claire Cronin

Chair of the Joint Committee on the Judiciary

Good morning Chairman Michlewitz and Chairwoman Cronin,

I would first like to take this opportunity to thank you both for your dedicated public service to the people of the Commonwealth and for allowing us the opportunity to submit written testimony on Senate Bill S2820. While I am disappointed it could not be in person, I understand the times we are in and am still appreciative of the opportunity to voice my concerns.

My name is James Franco and I live in Attleboro, MA. I am a police officer in southeastern MA and have 26 years of law enforcement experience. During my career, I have both city and town experience. I have served as patrol officer, detective, school resource officer, motorcycle officer, with local and DEA drug task forces, Sergeant and Lieutenant, and in various other roles. I am also a member of the Massachusetts Fraternal Order of Police and currently serve on the board of both my local and the state lodge. I have been with the FOP for approximately 15 years. I am writing to you today to voice my opposition to S2820 as written and submitted to the House.

In my experience with both the FOP and my career here in the Commonwealth, I have had the distinct privilege to meet some of the best, good hearted, family oriented, service minded men and women you could ever imagine. These men and women put on police/sheriff/corrections uniforms every day and go out and put their lives on the line selflessly for the good of the people they serve. They follow the rules, and treat all people with respect, dignity, and fairness. While I can say there are areas in the country where there is still a large racial divide and much work to be done, in Massachusetts we have always been ahead of the curve in promoting social equality. In fact, Boston Police Department is often cited as being one of the best in the nation in promoting community engagement and building trust and legitimacy within the community.

Which brings me to S2820. While I completely understand the well-intended meaning behind this bill, I truly feel in its current form it does more harm to our communities than good. It was rushed through the Senate without public hearing and without input from the very people it is affecting the most, the law enforcement community. Any attempts at communication were feeble at best.

Conversations could have and should have been had, as there is much agreement on many points. We agree there need to be more training and have been calling for it for years. Yet every time there is a cut it seems police training is at the top of the list. There needs to be standardized training across the commonwealth, again, something police groups have been saying for years. I am not against licensing of officers, but the oversight board as recommended is stacked with groups that have documented anti police histories and the few law enforcement members allowed are large city, minority law enforcement groups and chiefs. Local officers barely have voice or a chance as the system is currently set up. Furthermore, this system absolutely does away with any type of due process for officers. Established systems of appeal through collective bargaining agreements and civil service are rendered void. This board is composed of members whose collective composition is unlike any other of the 160 professional oversight boards around the commonwealth, and this is not showing the law enforcement community the same procedural justice the community members we protect demand and enjoy.

Qualified immunity is also needlessly and senselessly under attack. If uniform standards and policies are put in place, and certain use of force techniques outlawed (which by the way in 26 years I have never seen, heard, or been trained in any type of choke hold in Massachusetts), there would be no need to attack qualified immunity. Also, this offers all civil employees protections so they can do their jobs without fear of being sued at every turn. Without this protection why should anyone put themselves at risk of civil litigation simply for behaving as they have been trained? The increase in litigations will no doubt create huge impacts on the finances of the communities and the commonwealth. I would think we would want our police officers and others to be able to act to protect us and enforce our laws without fear of being sued for doing what they were trained to do and how they were trained to do it. Let's not forget, qualified immunity does not protect bad officers who, by virtue of their actions are not covered anyway, it covers good officers acting on good faith within the scope of their training. Again, I would think we would want them to not fear acting when they need to.

I am sure you are getting many responses and I thank you for your time. In the end, I feel this bill, while well-intended, misses the mark on the type of reform that is really necessary and will expose the good men and women of law enforcement to unnecessary civil lawsuits. I stand against S2820 as proposed.

Thank you

Respectfully,

James Franco

Police Officer

FOP Executive Board Member

(508)567-2797

Sent from Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A_go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk>

13zIs16rchf_GkGDD&m=tORHRq6xyXhFB8w8Q23Sz7xE4PzP8cl4ug_ONq_WtIg&s=-zx3vkuxLcDDuccdsCQL7XU_wPKhjG13AxK-kdHSGKk&e=> for Windows 10

From: Christa Bradley <cjraiter@gmail.com>
Sent: Friday, July 17, 2020 11:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: Feedback: Bill S.2820

Good morning, I implore the lawmakers of the Commonwealth to step back and take into account science, public feedback and law enforcement feedback before passing such a large and impactful bill for police reform.

I also request that the bill remove all items not related to police reform, including the ability for lawmakers to receive monetary gifts of any amount. This inclusion is a misuse of the public's trust that the bill is solely focused on equality and fair treatment of all by law enforcement in the Commonwealth.

In addition, why are lawmakers taking away tools - pepper spray, use of a K-9 - that police officers need in order to do their job safely and are additional ways to assist in the capture/arrest of criminals? Taking away tools and expecting law enforcement to do a better job than what they already are is completely irresponsible. Lawmakers rarely need law enforcement other than to guard you from the public. The public needs law enforcement on a daily basis to assist in preventing crime, responding to crime, and investigating crime. When you take away non lethal tools, all that is left is a leap straight from non lethal force to lethal force.

Having a law that someone cannot be arrested after 24 hours of already being arrested seems to be a ridiculous use of reform. Do we not recall in 2013, Jared Remy was released from jail, where he was arrested for domestic violence, and killed Jennifer Martel? What about the other victims of domestic violence that are now at risk? What about those released on gun charges and continue with whatever crime they were intending to commit because now they are untouchable for 24 hours? Do lawmakers understand the communities they serve and the crimes that are committed?

Lastly, removing Qualified Immunity from police officers, teachers, nurses, firefighters is probably the most irresponsible decision you could make. You have been thanking them for the last few months during this pandemic for their service, their sacrifice and how much you need them. Now you are taking away a protection that means that their whole life and their families life can be taken away because someone is angry? We live in the most litigious country in the world, opening the door for civil litigation because someone was trying to do their job with the correct intentions means lives will be ruined. This needs to be reconsidered and not decided by a jury or a committee. Having others decide what is within the law by those who do not know or understand the law?

Sitting from your seat, passing judgement, and making decisions on a job you know nothing about will cause great harm to the Commonwealth. Taking

the team to really determine what is in the best interest of the Commonwealth, soliciting feedback, taking a ride along, meeting with the community, knowing the stats and the numbers will allow for reform that will help keep the community safe and provide law enforcement the tools they need to do their job.

I am one of many in this Commonwealth who has a voice and I will continue to use my voice for the benefit of my neighbors, my family, and especially my daughter. As the decisions we make today will impact the future of this Commonwealth.

Thank you, Christa Bradley
From: Sarah Brush <sbrush522@gmail.com>
Sent: Friday, July 17, 2020 11:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

To whom it may concern,

My name is Sarah Brush, I am a Massachusetts resident, a registered voter, and I am strongly opposed to S.2820.

I am deeply concerned about the effects this bill will have on the safety and security of the residents of the Commonwealth. This bill could financially ruin the people that risk their lives to protect us - ALL of us. The bill is dividing the state, and painting the officers of Massachusetts in an extremely unflattering light. These are our sons, daughters, significant others, parents, and most importantly our neighbors. Their morale is low, they feel the hate that is spiraling out of control as a push is made to get this bill signed into law and signed in FAST.

We are not in a crisis situation in Massachusetts. The death of George Floyd did not happen here, and it was not condoned by our law enforcement agencies. However, I fear that if this bill gets signed in we very much will be in an emergency situation. We will see good officers walk away from their careers (careers that they love, that they are dedicated to, that they refer to as their "calling") in HUGE numbers. These officers who show up everyday, who ran to Boston after the Marathon bombings when everyone else ran out, who showed up to the Merrimack Valley as fires were erupting EVERYWHERE and offered any and all help they could, that put their lives on the line everyday.

We need to come together, we need to find a way to support all races, all professions. This bill is not the solution to that. Additional training, more mental health evaluation at the academy level, support - these are the things that might help to begin to bridge the divide we are all seeing and all feeling. A well thought out, collaborative response that is develop over time, with input for all sides is what we need. Slow down, work together. Discriminating against police will not erase the emotion that black and brown are feeling. Adding fuel to the fire is not the situation.

We vote for leaders that will speak on our behalf - you speak for ALL of us, not just the loudest of us. Please, take the time needed to find the correct solution, a solution that follows due process, a solution that unifies us rather than divides us. And most importantly, a solution that does not put our safety and the safety of our children, our future, at risk.

Sincerely,

Sarah Brush
508-740-9942
sbrush522@gmail.com

From: Andrei <andreiskorupa@gmail.com>
Sent: Friday, July 17, 2020 10:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 - Public Comment

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

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

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

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

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

In closing, I remind everyone 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 that S.2820 be amended and corrected so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Andrei Skorupa

104 Doane Street

andreiskorupa@gmail.com

From: Libby Corbo <lcorbo@hanoverschools.org>
Sent: Friday, July 17, 2020 10:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on Bill 2820

Please accept this written testimony regarding House Bill 2820.

My name is Elizabeth Corbo. I am a resident of Hanover. I am a former municipal attorney and am currently an elected official within the Town of Hanover. I am familiar with the doctrine of Qualified Immunity (hereinafter abbreviated as "QI") and the standards required to invoke that protection under the Massachusetts Civil Rights Act. In my legal experience, I have relied upon the doctrine to defend municipal officials and employees from questionable, often frivolous, lawsuits. In my experience as an elected official, the doctrine protects my good faith efforts on behalf of the residents within the town of Hanover. Please note I speak only as an individual, not on behalf of the Hanover School Committee.

The current legislation seeks to change the existing QI standard. In simple terms, the current standard protects a defendant unless there is a demonstrated violation of a clearly established constitutional right which a reasonable person should have known existed. The proposed standard would only allow QI protection if a defendant could demonstrate every reasonable person would have known that their conduct was lawful. The proposed standard, in my opinion, makes it nearly impossible for a public employee or official to involve the protection offered by QI - even when

they are acting in good faith. I am aware that my concerns regarding the significant changes to the Qualified Immunity standard are shared by many and I do not need to repeat those concerns as others can undoubtedly express them more eloquently than I can, but I will share briefly why I may have a unique perspective on why this change should not be enacted.

Prior to working at a municipal law firm where I defended public employees and officials, I worked as an attorney for the Massachusetts Commission Against Discrimination. I am fiercely committed to protecting the civil rights of all citizens and believed working for the Commission was my "dream job." In fact, I was so committed to the mission, while many other recent law school graduates were seeking high paying jobs to pay their oppressive student loans, I accepted a decrease in salary to work for the Commission. Unfortunately I left what I believed was my dream job after only a year and moved to defending municipal employees. For someone devoted to protecting civil liberties it may seem like a drastic change of heart to move to defending employers - but it wasn't. While working as an attorney for the Commission, I vetted discrimination complaints submitted by employees - against employers. In a year's time I was astonished by the amount of frivolous claims submitted by disgruntled employees hoping to deflect attention from their own performance or seeking a nuisance settlement from the employer's insurance company. Many insurance companies will settle a claim - even those that are clearly baseless - rather than pay attorneys fees to defend it. The amount of time required to process these frivolous claims, as well as the stress these claims put upon employees, employers and the expense involved in defending these suits was disheartening. I soon came to the realization that my efforts would be better spent defending employers against baseless claims, advocating training and education programs for employees and finding a solution to cases that truly had merit. By relaxing the QI standards, it invites additional frivolous claims that will only serve to clog the courts, burden municipalities, public employers, employees and officials - and most importantly - distract from meritorious claims.

I have worked professionally and in my volunteer capacity with members of municipal police departments, fire departments, department of public works, selectmen, school committees and officials, and municipal boards and committees. I know the vast majority work diligently to protect the rights of all citizens and the vast majority operate with good faith belief that their actions are helpful, lawful and necessary. I hope that you will consider the effect this legislation has on those individuals and the overall public good as you consider the implication of this Bill. While there may be portions of this Bill that have merit and are beneficial to the public good, the Bill as written is not in the best interest of the public.

By the way, I'm still paying those oppressive students loans, so any efforts to mitigate those insane burdens on our graduates would be greatly appreciated.

Please do not hesitate to contact me if I can be of further assistance.

Warm regards,

Elizabeth Corbo
70 Cape Cod Lane
Hanover, MA 02339
(781) 336-6275

The information contained in this electronic communication is intended to be sent only to the stated recipient and may contain information that is CONFIDENTIAL, privileged or otherwise protected from disclosure under applicable law. If the reader of this message is not the intended recipient or the intended recipient's agent, you are hereby notified that any dissemination, distribution or copying of the information is strictly prohibited. If you are not the intended recipient, please contact the sender at 781-878-0786 and delete all copies.

N.B. The Massachusetts Secretary of State has determined that Email is a public record.

From: Jennifer Donas <jdonas5712@gmail.com>

Sent: Friday, July 17, 2020 10:59 AM

To: Testimony HWM Judiciary (HOU)

Subject: Qualified Immunity for officers, Due process/arbitration and having members of law enforcement experience on the POSAC board

Hello,

I am in favor of the Mass Law Enforcement stance on those issues.

Thank you,

From: SHAWN PORTRAIT <nizwiz@comcast.net>

Sent: Friday, July 17, 2020 11:00 AM

To: Testimony HWM Judiciary (HOU)

Subject: Vote NO to S.2820

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

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

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

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

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

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

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

Thank you,

Carol Portrait
11 Woodsom Dr
Amesbury, Ma 01913
From: Michele Ingalls <mdi77@me.com>
Sent: Friday, July 17, 2020 11:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to S.2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Michele Cole and I live at 6 Baldwin Lane, Lynnfield. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

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

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

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

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

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

Sincerely,

Michele Cole
From: Paul Brancato <pfbrancato@gmail.com>
Sent: Friday, July 17, 2020 10:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and

women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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

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

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

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

Thank You,

Paul Brancato
pfbrancato@gmail.com
93 Adams St.
Dedham, MA 02026
From: Rebecca Lydon <reblydon@gmail.com>
Sent: Friday, July 17, 2020 10:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Representatives,

My name is Rebecca Lydon and I live at 67 Magnolia way in Bridgewater, Ma. As a professional in corporate America, and from my professional point of view, there are items in the this bill that are disturbing. For example providing access to an officer's medical files under a misconduct investigation. This violates their HIPPA protection and, if the information isn't relevant to the investigation, the Commission shouldn't have access to it.

In addition, the Permanent Commissions on the status of African Americans and Latinxs should include representation of Law Enforcement people of color as they are able to provide a unique perspective as part of those communities. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. This would be the same type of professional oversight applied to certifying bodies for medical and legal professionals. The Commission members need to complete the same classroom training curriculum that MPTC will require for officers, so that the Commission is familiar with the training that MA Law Enforcement officers receive.

The Commissions shouldn't receive settlement funds. When you incentivize something to drive a certain behavior, there are often unintended consequences and behavior that result from that incentive system. I think you need to take more time to think through what those potential pitfalls might be especially because the Commissions will be new as well.

While an understanding of the historical impact of slavery and lynching is good for setting context, the type of training that should be happening is Unconscious Bias training. This is what they use in most professional workplaces to drive a culture of Diversity, Inclusion and Belonging. In addition to law enforcement, all elected representatives including yourselves should also go through the same training.

On the topic of the review of the municipal police training committee's curriculum, the minimum requirement should be at least 3 people affiliated with an academic institution and make sure you have representation for each: expertise in law enforcement, expertise in criminal law, expertise in civil rights law.

If the independent police officer standards and accreditation committee is for law enforcement standards and accreditation then you should have an even split between the 14 members between law enforcement and non-law enforcement and at least have 2 officers nominated by the MA Association of Minority Law Enforcement Officers. Also, you shouldn't limit the MA Black and Latino Legislative Caucus from nominating law enforcement individuals for their list if those are candidates they wish to nominate.

The info in the police officer standards and accreditation database with regards to complaints against officers shouldn't be public record. They should have the same due process rights as every other American citizen. The information regarding complaints should only be available to the committee in the course of it's work.

As the wife of a law enforcement officer I ask that you do not eliminate qualified immunity. The appropriate protections are there currently and

eliminating this will result in many frivolous civil lawsuits that could bankrupt law enforcement families. In addition you are putting law abiding citizens at risk by creating a situation that makes officers have to second guess taking action at the risk of being sued. You put EMTs and fire at risk for civil suits for not being able to save someone's life. Eliminating qualified immunity doesn't improve the conditions for the African American community in MA - you can better accomplish that through improving access to education, housing, employment and community improvement programs.

If despite the vocal opposition you've received on this topic you still proceed with eliminating qualified immunity, then you need to eliminate it for all elected officials including yourselves, judges, the Attorney General and district attorneys given that you are also part of the system that develops and enforces the laws of the Commonwealth.

As for treating all citizens of the Commonwealth fairly, if a law enforcement officer is in a self defense situation, they should be able to use a choke hold if that is the only means available to prevent the loss of their life. Also, the use of a vehicle should constitute imminent harm. You should all attend use of force training so you have better understanding of how these situations unfold as you contemplate how to change these laws.

In closing, I agree that police reform is important and needs to be addressed but passing a poor bill for the sake of passing a bill isn't in the best interest of the Commonwealth. Those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Respectfully,

Rebecca Lydon From: MrJimRS ---/ <jimrshaughnessy@gmail.com>
Sent: Friday, July 17, 2020 10:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Dear Mass Legislators,

I am a Massachusetts citizen and I believe that bill S2820 still needs revisions before being put into effect. I feel that the bill ignores Mass law enforcement voices and that the law makers should hear more input from our many officers, who serve and protect people like you and I.

I understand with the current political climate distrust with law enforcement is on the rise but to rush a bill that does not let regular officers have their voices be heard is not right. I just heard about this bill this morning and I feel as though this bill is going to cause a lot of change to how police can operate for many years to come. I am not saying that all of the bill is bad but I feel as though rushing a bill that has only been up for the public to read for a couple of days and if

it were to be rushed in the same week is irresponsible. Let us have more debate and have discourse and see if there could be a compromise. Now more than ever do we need police and communities to work together and have positive relationship and this bill I feel will make officers feel like they are not having their voices be heard.

I urge you to please reconsider and hear some of the grievances of our officers and maybe we can find some common ground.

James Shaughnessy,

259 King Caesar Road,
Duxbury MA, 02332 781-934-9815
From: James Sullivan <jamess@admin.umass.edu>
Sent: Friday, July 17, 2020 10:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 testimony

Representatives Michlewitz and Cronin

Massachusetts House of Representatives|
24 Beacon Street
Boston, MA 02133

Dear Chair Michlewitz and Chair Cronin,

My name is James Sullivan and I live at 18 Plantation Road in Hatfield, Massachusetts.

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

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

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

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

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

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

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

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

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

Sincerely,

James Sullivan

Sgt. James Sullivan
University of Massachusetts Amherst Police Department
585 East Pleasant St.
(413) 545-2121
Jamess@umass.edu

From: Connolly, Mike - Rep. (HOU)
Sent: Friday, July 17, 2020 10:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on S.2800

Via email to Testimony.HWMJudiciary@mahouse.gov
<mailto:Testimony.HWMJudiciary@mahouse.gov>

The Honorable Aaron Michlewitz The Honorable Claire D. Cronin

Chair, House Committee on Ways and Means Chair, Joint Committee on the
Judiciary

July 17, 2020

Dear Chairs Michlewitz and Cronin,

Thank you for accepting written testimony on 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, the Reform, Shift, Build Act.

After 400 years of white supremacy in Massachusetts, in this moment when millions of people are standing up and demanding an end to racial oppression, police brutality, and all of the structures that maintain the status quo of systemic racism, I want to encourage all of us in the House of Representatives to embrace the inspired movement to abolish the police and recognize that an understanding of the history, structure, and implications of the institutions of policing in our Commonwealth compels us to take swift action for systemic change. For too long, Black people, Indigenous people, and People of Color (BIPOC) have been criminalized for

simply existing — and as legislators it is our duty and our responsibility to meet the demands of this moment and advance proposals to drive systemic change.

We should also look to embrace calls to defund the police and shift funding to the programs and social supports that will help to reduce crime in our Commonwealth. We need to shift funding away from militarized police departments and toward healthcare, housing, trauma centers, drug and alcohol treatment programs, and restorative justice programs. We need fewer first responders with guns, and more social workers and other professionals trained in de-escalation and mental health intervention.

With that as my starting point, I want to recognize and acknowledge the efforts of our Senate colleagues in engrossing the Reform, Shift, Build Act earlier this week. This bill contains provisions designed to 1) strengthen the use of force standards for law enforcement; 2) create a majority-civilian Police Officer Standards and Accreditation Commission with the power to decertify law enforcement officers; 3) set a moratorium on facial surveillance technology; 4) establish a Justice Reinvestment Fund to shift resources away from policing and prisons and into education and other social programs; 5) prioritize student safety over criminalization; 6) remove barriers to expungement of juvenile records; 7) ban racial profiling in law enforcement, and 8) clarify that police officers and other law enforcement officers can never obtain consent to have sex with someone in their custody. In sum, the Senate bill is an admirable starting point for our efforts next week. I support these provisions, and along with many other reform provisions found in the Senate bill.

Furthermore, I want to encourage us in the House to follow the lead of members of the Black and Latino Legislative Caucus. We should be particularly grateful to the leadership of Caucus Chair, Rep. González. I fully support the legislative efforts of Rep. Holmes to advance a Peace Officer Standards and Training Commission, and I am proud to be an original co-sponsor of Rep. Miranda's bill, HD.5128, An Act to Save Black Lives by Transforming Public Safety, which would limit the use of force by police and other law enforcement in our state. Among its many provisions, this legislation includes a necessary ban on the use of chokeholds, rubber bullets, tear gas and other chemical weapons. It also establishes a "duty to intervene" when an officer witnesses an abuse of force and makes public the records of police misconduct investigations and outcomes, and it prohibits "no-knock" warrants, roots out abusive officers, and establishes that unnecessary use of force is a civil rights violation. Additionally, I encourage us to advance measures to stop surveilling juveniles with police in schools and to further promote expungement of criminal records.

Finally, I ask that we in the House take a strong stand in support of ending qualified immunity. For far too long, the doctrine of qualified immunity has been used to protect police officers who have clearly committed serious civil rights violations, resulting in disproportionate

impacts on BIPOC. The shielding of law enforcement from accountability for violating people's rights is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity.

Thank you for your consideration of this testimony.

Yours in service,

Rep. Mike Connolly

From: Amy Poliakoff <acpoliakoff@gmail.com>
Sent: Friday, July 17, 2020 10:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms.

Amy Poliakoff
14 Burr Street
Boston 02130
From: sheilaanderson <sheilaanderson@verizon.net>
Sent: Friday, July 17, 2020 10:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bills2820

Dear Chairpersons Michlewitz and Cronin,

My name is Sheila Anderson, I reside in Avon Mass, (508) 588 -5127.

I am typing furiously to meet the 11 a.m deadline to let my feelings be known as a concerned citizen , mother/ mother in law.

Over the last few days I have tried to educate myself by reading the bill, reading about Qualified Immunity, Watching the local news which I was appalled to find that the day of the Senate vote ,Channel 5 made no mention of the results. In my search I came across the video of Senator Fattman who so eloquently put into words my feelings on this bill. Reform is necessary, this Extremely important bill that will affect so many is being rushed through without public hearings, The issue of Qualified Immunity needs to be studied further for the ramifications that could have for so many.

Sincerely yours, Sheila L. Anderson

Sent from my Verizon, Samsung Galaxy smartphone

From: joebpqc@aol.com
Sent: Friday, July 17, 2020 10:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

Dear Representative Chairperson Ways & Means,

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

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

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

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

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

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

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

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

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

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

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unacceptable and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in labor relations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Joseph Cheevers
140 M Street
South Boston, MA. 02127
617-269-4969