

From: Hawkins, James - Rep. (HOU)
Sent: Friday, July 17, 2020 10:15 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 testimony

I want to share my concerns about S2820.

I am proud of the forward thinking police department in Attleboro which is my district. They have the "POP" team that has officers without guns help people suffering from addiction and other mental health concerns locate treatment and, if necessary, even drive them to treatment. They co-organized with Fuller Hospital a monthly drop in center with local non-profits including addiction and domestic violence. And when there was a BLM protest in Attleboro there was no uniformed presence. When they marched to the police station the chief came out and listened and in the end took pictures with protesters arms around him.

Like most of us, they welcomed the Black And Latino Caucus goals. Training has always been a priority even if limited by budget constraints. Every one of them is just as sickened as all of us by the George Floyd death. Certification would only label them as one of the 99% of police who have never punched someone in the face. And added training would help them be more aware of racial bias and racial injustice. Most saw this as a way to make policing better, more effective, and more sensitive to the community.

However, the changes to QI in the Senate bill sent a chilling message to them. Now they are scared. Suddenly senior police are filling out retirement papers. Younger officers are talking about divorce so their assets can be in the wife's name. And many are thinking about previous careers and maybe there is a safer way to earn a living. I've been to the local police roll calls and all of them feel betrayed. They worked through COVID. Daily they deal with the craziest and most confrontational people in our community. And they would like to know that we have their back.

As a current union member I am troubled by parts of this bill that limit disciplinary appeals and takes away bargaining rights. These are hard won rights that generations of teachers, carpenters, steelworkers, and firefighters count on. As a teacher I feel that unless you have been in

a classroom last period on a hot Friday afternoon with 30 fifteen year olds trying to convince them that Pythagorean theorem is way cool you don't know my job and I should have a voice. Much the same policing is a very different job and they deserve a voice. We should not ever be diminishing these rights for anyone. Even the groups that represent minority police do not support these changes. They do little to advance racial justice but take a lot away from a small group of workers.

I think my biggest concern is the changes to Qualified Immunity. I've listened to lengthy explanations of the historical context and the legal cases and maybe there is reason to change it. But this is way, way too hasty. ACLU claims it only affects police but MMA lawyers claim it affects every public employee including teachers nurses and others. I know that when I was a teacher lawsuits were always a threat that we dealt with.

Also the changes in this bill around QI clearly negate the role of civil service. The police chief in Attleboro has complained that civil service procedures have made it difficult to hire and we are presently short staffed. And it's possible that by changing civil service we could change hiring and promotion procedures to help balance racial injustice. Maybe we should tackle this but not with a week's notice.

And ACLU may claim that indemnity clauses will protect police officers from financial harm but that is not true. I listened to a detective yesterday who was sued and exonerated but, while the case was pending for two and a half years all his assets were frozen. This was a young, married officer with children. He may not have had the threat of paying any possible judgement but he he certainly suffered financially during the process. And I can't confirm but I'm hearing that not every community has this indemnity insurance.

I really, really appreciate all the hard work you are doing on this legislation. It would be very wrong to ignore the George Floyd incident and the very real issues of the BLM movement. But I cannot support hastily decided changes to QI that would have such a detrimental effect on all public employees. There are so many unintended consequences to that and we really need a more deliberative and comprehensive review. Please advance this legislation without QI.

Thank you,

Jim Hawkins

State Representative 2nd Bristol/Attleboro

Cell (508) 2260-1436

Jim Hawkins

State Representative

2nd Bristol District | Attleboro

State House | Room 472

Boston, MA 02133

Tel: (617)722-2013 ext. 8932 | Cell: (508)226-1436

James.Hawkins@MAhouse.gov

From: Traci Obrien <omrscubby1610@aol.com>

Sent: Friday, July 17, 2020 10:16 AM

To: Testimony HWM Judiciary (HOU)

Subject: procedure

Sent from my iPhone

From: Mark Ryan <markvryan@verizon.net>

Sent: Friday, July 17, 2020 10:15 AM

To: Testimony HWM Judiciary (HOU)

Subject: Fwd: Qualified Immunity

Dear Chair Michlewitz and Chair Cronin,

My name is Mark Ryan and I live at 25 Nevada Road, Tyngsborough, MA . I own and operate Ryan Automotive Service located in Tyngsborough, MA. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

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

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

Sincerely,

Mark Ryan

From: Kim Alpuerto <kalpuerto@comcast.net>
Sent: Friday, July 17, 2020 10:15 AM
To: Testimony HWM Judiciary (HOU)
Subject: SB 2820 comment

Good Morning Chairs Michlewitz and Cronin,

Thank you for your efforts on SB 2820.

I ask that you please add a requirement to make special police officers subject to public records requests.

It is vital that they too be held accountable to the public, just like any other police officer. There must be transparency in any law enforcement matters.

Thank you for your consideration,

Kim Alpuerto
66 Jay Rd
North Andover MA

From: Sargent, Sarah E. <SargentSE@worcesterma.gov>
Sent: Friday, July 17, 2020 10:15 AM
To: Testimony HWM Judiciary (HOU)
Cc: Ferguson, Kimberly - Rep. (HOU)
Subject: Police Reform Bill 2820

Good morning,

I'd first like to introduce myself... my name is Sarah Sargent, I am 31 years old, living in Princeton, Massachusetts & I am a Special Crimes Detective for the Worcester Police Department. I am the proud daughter, granddaughter, niece, and cousin of Law Enforcement Officers.

I have always had a passion for social work, but as I journeyed through obtaining my Bachelors Degree in Sociology & Criminology from Suffolk University, I realized that I would have the most effective and positive impact on my community while being on the front lines, as a Police Officer.

Once on, I helped to start the Crisis Intervention Team, the Opioid Task Force, I worked directly in our poorest neighborhood with the highest crime rates, and I eventually became a Detective, solely investigating crimes against our most vulnerable... Sexual Assaults victims, Children, the Elderly, and the Mentally Disabled, as well as being one of the few specialized investigators for Human Trafficking.

Aside from work, I am approaching 10 years with my "Little" from Big Brothers Big Sisters. We were paired together before I became a police officer and she has seen me through it all. As she goes into her Senior year of college, studying Criminal Justice, I am so proud to say that she will be doing an internship with me this fall, as she hopes to continue a profession in the Criminal Justice system upon graduation.

I don't say any of this to boast, I say this all to show you a GLIMPSE of what can be accomplished in under 6 years of being on the job...Six. The good that can be done, the change that can be made, the lives that can be positively impacted, the people who can be helped.

I also say this to you so that you can understand, that despite all of these things I have listed, I write this letter to you, defeated, heartbroken, and disappointed. I never thought at any time in my career, I would consider stepping away... and especially not after only 6 years.

This Senate Bill that has been passed puts myself and my fellow Officers throughout the Commonwealth in great danger & I can promise you that, if

passed, Policing as we know it will change forever. The Bill is an anti labor legislation and it removes our right to due process, collective bargaining and inserts a board that has no training, experience or background in law enforcement. We need the amendments that were filed in the senate bill to be adopted.... Qualified immunity, Due process/collective bargaining and the make up of the POSAC board.

I fear if you allow this bill to pass, we will see what has happened in other parts of the country... Officers retiring early, low staffing, uneducated applicants. And beyond that, crime rates raising, proactive policing minimized, the trust between the police and the public, wash away.

I am proud of the Worcester Police Department for always being one that goes above and beyond; setting the standards for others and always striving for excellence. We work hard, we are good people, and we love our city... and I think that easily shows in our crime rates, community outreach, & repeated positive responses to our ever-changing world.

I have read and reread the bill many times. I know for a fact that we are willing to sit down at the table and be a part of this. But this is not a bill that should be taken lightly and this is not a bill that should be rushed through.

I thank you for allowing written testimonies to be submitted for this public hearing and I hope that you will take the time to really listen to the voices coming through on them.

I love my job and I hope to continue helping people for the rest of my career... but, right now, we need you to help us. There is a better way to do this.

Thank you.

-Sarah Sargent

(508) 340-5134From: Kristen Bowes <kmbowes@gmail.com>

Sent: Friday, July 17, 2020 10:15 AM

To: Testimony HWM Judiciary (HOU)

Subject: S2820

I have been a Quincy Police Officer for 15 years and proudly serve the citizens of Quincy. This was a job a dreamed of since the age of ten. I have held positions in patrol, school resource, detectives and various community outreach programs.

I strongly urge you to not pass this bill which will have a negative impact on my professional and personal life. I took this job knowing that my life is on the line but now to have to worry about frivolous lawsuits is difficult to accept. I am married with two children and I am scared that we could lose everything by a lawsuit filed against me for doing my job. As you are aware, qualified immunity protects police officers who are NOT violating statutory or constitutional rights. By abolishing this, police officers will be sued at a rapid rate. These frivolous lawsuits

could be used as a form of harassment against officers who acted responsibly. This could cause an officer to second guess themselves and hesitate. Our jobs require split second decision making and allows no room for hesitation when your life is on the line. Please consider voting no on this bill for me, my family and all the other police officers in Massachusetts.

Sincerely,

Kristen Bowes
Quincy, MA
617-291-4420

From: Traci Obrien <omrscubby1610@aol.com>
Sent: Friday, July 17, 2020 10:15 AM
To: Testimony HWM Judiciary (HOU)

Sent from my procedure
From: Donald Allison <donaldallison@comcast.net>
Sent: Friday, July 17, 2020 10:15 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reform Bill Friday 17 July 2020

Legislatures,

I offer the following for your immediate actions, put this Police Reform Bill into committee where it can be discussed equally and fairly in order to structure a "Bill" which is solid, not one that in its beginnings is roaring for amendments/changes almost immediately.

We, in Massachusetts have the great opportunity to have a snap shot of what the future will look like, ie; New York City-the prominent minority civic leaders are calling for a re-do because of a knee jerk reaction. They are not the only jurisdiction.

Several years back, law enforcement was mandated to complete an extra form when encountering the public on traffic/pedestrian stop, basically it was a state wide and to answer the question, racial profiling by police. A year or so after this began. law enforcement was told they can stop. I can not offer an explanation as to why it was stopped because, no information as to why was given. My own speculation, its was determined after totaling the numbers, there was no evidence of systemic racial profiling in a illegal or criminal manner. Has any member looked for this information and if not, why not, and maybe that information should be brought up in this discussion.

The following are some issues I see from what I have been able to gather from the Senate bill and hope the House does not follow suit;

POSA Governor's Bill H.4794 - In current form, Officers are not entitled to a Fair and Professional Process that respects Constitutional Due Process

Due Process (DP)- Failure to modify appropriately to ensure Constitutional protection will lead to lengthy litigation

- Continue utilizing the processes that have been in place for decades to ensure due process: o IA/Discipline by Chief?Independent Arbitration/Appeals?Then the Oversight POSA Board. They can then review ALL facts/investigations/facts & questions of the case.

- Revocation shouldn't be mandatory - what's point of a process if outcome is pre-determined?

- Sustained IA findings alone cannot trigger revocation - employee is entitled to Due Process and Sustained IA is simply a charging document. Process should not be instituted until discipline is final.

- Non-appealed termination cannot trigger revocation - should wait until process is finalized.

- By allowing municipalities to complete disciplinary process, Committee will receive full record to consider. This will AVOID the need for a COSTLY new bureaucracy. If Committee is going to adjudicate first, there will need to be an entirely new system created, which will be costly and infeasible in the middle of a recession/possible depression.

Composition of the Committee

- Recommending from 14 to 13-person make-up. Boards should always have odd number for appropriate voting when needed. We have been suggesting 8 LE Members and 5 Non-LE members.

- Suggestions for Non-LE: Retired Superior Court Justice, Experts in Use of Force and FA analysis and discharges and Criminal Justice Academic

- Suggested LE- Stayed with much of the Gov proposal based on largest departments and calls for service daily. AG or designee, Colonel of SP or designee, Commissioner of Boston Police or designee, Massachusetts Minority Law Enforcement Designee, Mid-size Dept. Chief. And, instead of

one LE Labor Group, we are suggesting three. We want fair representation, diversity and input on the panel. Who knows the needs and reality of the men and women on the street, then the labor leaders themselves?

For the eight law enforcement members, we recommend:

- The Attorney General or her designee;
 - The Colonel of the State Police
 - The Boston Police Commissioner
 - The Chief of a Mid-sized Municipality who is a Person of Color
 - The President of MAMLEO
 - The President of SPAM
 - The President of the BPPA
-
- A representative from the Massachusetts Law Enforcement Policy Group
-
- Officers should be judged by those with LE experience - Same as Doctors, Lawyers, Nurses, Teachers, etc. You don't have independent oversight boards made of community activists to revoke certifications for any of these professions, why would policing be any different?
-
- Committee should not be dominated by Chiefs - must include more representation from Police Employee Orgs that know the day to day realities of street duty.
-
- Non-Law Enforcement Members should have experience with CJ system

Use of Force - So called "choke-holds" are currently barred by many depts, including Boston. However, any prohibition should recognize an exception for when the use of deadly force is authorized. There should be "no absolutes". We can never say never. In life or death situations, chokehold may be better than use of a duty weapon.

Accreditation: Process of standardizing policies across the Commonwealth using industry best practices. It is currently overseen by the Massachusetts Law Enforcement Accreditation Commission, which was established in 1994. If all depts. will now be accredited, then should be overseen by this Commission.

Qualified Immunity (QI): Should not be changed. This is truly a false narrative and seems to be a money grab. If a police officer commits a crime and or acts not in good faith, AS YOU ARE AWARE, they are not covered. QI 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 law.

I am curious why there are two standards unlike police officers who are only protected by QI in certain situations -- usually where they have to make split-second decisions in tense and dangerous situations -- some governmental officials such as judges, prosecutors, and members of Congress get absolute immunity.

As you can see throughout the Country, officer's of all ranks are retiring before they ever thought they would and not all because they had a urge to go fishing. I also have had personal conversations with law enforcement officer's in this State and they are ready to pull the plug because everything is being stacked up against them (wouldn't you). I am not saying some reform or change is not a good thing but do it in a manner that takes all the factual information into account to make respectable reform. If not it will certainly end in court.

The few thing above about amendments are not all inclusive of the issues in the Senate bill and I am sure you have heard from plenty of law enforcement so I wont get into that anymore.

I deplore you to bring everyone to the table, social distance, keep your masks on and actually meet. Have a discussion with all interested stake holders. Just do not throw those that are attempting their best to keep all our communities safe under the proverbial bus. Its the unattended consequences that do more damage, as mentioned above regarding New York City or potentially worse. This State may have some flaws but overall is better State than most.

Respectfully,

Donald Allison
2 Victoria Ave
Weymouth, Ma

From: glosecresources <glosecresources@gmail.com>
Sent: Friday, July 17, 2020 10:14 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony S.2820

Chair Aaron Michlewitz and Chair Claire Cronin,

I am writing to submit testimony regarding S. 2820. I am very concerned with many of the provisions that could endanger police officers' lives, the lack of public involvement and transparency. Our goal for creating this new law is to make people safer and more accountable that includes everyone, including police officers. There is no reason to rush a bill based on a reaction to a political movement. We need to hear from experts. We need to hear from black and brown police officers. We need to

hear from the public. Together in a timely manner, we can make significant changes that will help all our communities.

Sincerely,

Carrie Pasquarello
857-389-0033

<mailto:info@globalsecureresources.com>

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_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=Wr4UrJamHsAwhTu7bNMD_8cEDQtWx-Tx206BXGCWoDo&s=9vs-d94RqiOqobQOdqKg2dELsL1r6VULWVjNPmmd-J8&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_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=Wr4UrJamHsAwhTu7bNMD_8cEDQtWx-Tx206BXGCWoDo&s=9vs-d94RqiOqobQOdqKg2dELsL1r6VULWVjNPmmd-J8&e=> 07/17/20, 10:13:26 AM

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From: Kathy <kathybweinman@gmail.com>
Sent: Friday, July 17, 2020 10:15 AM
To: Testimony HWM Judiciary (HOU)
Subject: Policing Reforms

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

Good morning. My name is Kathy Weinman and I am writing as a member of the Greater Boston Interfaith Organization (GBIO). I live at 21 Adelaide Street, Jamaica Plain. I urge you and the House to pass police reforms that include:

- Peace Officer Standards and Training with certification
- Civil Service Access reforms
- Commission on Structural Racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Kathy B. Weinman

kathybweinman@gmail.com

617-477-9972

21 Adelaide Street

Unit 1

Jamaica Plain, MA 02130

From: marc maffeo <m.maffeo717@gmail.com>
Sent: Friday, July 17, 2020 10:14 AM

To: Testimony HWM Judiciary (HOU)

Subject: Officer Concerns for our well-being

We are writing to express our position on Massachusetts Senate bill S.2800. We support holding our public servants accountable and addressing systemic racism in society. However, the bill proposed by the Senate has been written without consideration of all parties involved. It paints all law enforcement across the country with the same brush not considering how it applies locally. We need to identify the problem using research and data locally to make informed decisions on changes to the law. Furthermore, the bill will have a significant impact on already strained state, city, and local budgets. Moreover, there are numerous unintended consequences of what this bill will do to our society that need to be discussed.

This bill creates a certification board that needs offices, a large number of personnel, vehicles, and employs its own investigators, all of which will be an enormous cost to taxpayers. We do not support the Senate's proposed system and rather support the POST system that was proposed by Governor Baker. Our second concern is the bill appears to eliminate the reserve intermittent police academy. This academy trains part-time town, city, and college police officers and sheriffs. Without this academy it will by default abolish small town and college police departments across the Commonwealth and defund many other departments. Small towns and cities will not be able to afford to hire full-time officers. These small departments are critical to providing community policing on the local level.

We do not support any changes to qualified immunity. The institution of a body camera program statewide is not practical as it is not needed in many areas of Massachusetts. This is because the vast majority of departments have very few serious use of force incidents and few if any citizen complaints. The institution of a body camera program is an unfunded mandate that does not address the costs to local taxpayers for the purchase, storage of data, maintenance, processing of court and public record requests, etc.. Lastly, a lateral vascular restraint aka chokehold should be restricted, however it should not be eliminated from use and left for those life threatening and deadly force situations.

We ask that this bill be tabled until adequate input is provided by local and state officials as well as conduct thorough research and utilize

evidence based methods of instituting a wide sweeping new law. Further, an economic impact study should be completed to help fully understand the cost of all the changes outlined in this bill.

Respectfully submitted,

The dedicated Men and Women of the Duxbury Police Department.

From: Kelly Macdonald <kmacsunshine@comcast.net>

Sent: Friday, July 17, 2020 10:14 AM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

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

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

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

Sincerely,
Kelly Macdonald

Sent from my iPhone

From: Helen McCrady <helen@oldsouth.org>

Sent: Friday, July 17, 2020 10:16 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 Helen McCrady with the Greater Boston Interfaith
Organization (GBIO). I live at 346 LaGrange Street in West Roxbury. 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.

Helen McCrady

helen@oldsouth.org

978.879.9282

346 LaGrange St., #2

West Roxbury, MA 02132

Helen McCrady

Old South Church

978.879.9282

Pronouns: She/Her

From: Carolyn Caveny <caveny3@gmail.com>

Sent: Friday, July 17, 2020 10:14 AM

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

Dear Representatives Michlewitz and Cronin:

My name is Carolyn A. Caveny, and I live at 70 Pearl Street #1210 in Brookline. I am also connected with GBIO.

I am writing to urge you and the House to pass Police Reform that includes: 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 in advance for your anticipated support.
Carolyn A. Caveny

From: MANDI SAFFORD <manwil98@yahoo.com>
Sent: Friday, July 17, 2020 10:14 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Honored Representative,

For as far back as my children can remember, they have been attending award ceremonies honoring the heroic actions of my husband, their father, Trooper Keller Williams. He is named in the 150th Anniversary Massachusetts State Police Commemorative Book as "one of the most highly decorated troopers on the State Police".

My husband has given his heart, soul, blood, sweat and tears to serving the Commonwealth of Massachusetts for over the last 16+ years. His service has taken him away from our family countless times so that he could aid in the assistance and ensure the safety of others. To say that the high stress of his job has been a hardship on my entire family would be an understatement.

We are his biggest supporters and to us he will always be our hero. The S2820 Bill not only further jeopardizes the safety and well-being of an already high risk situation, but also paints these heroes out to be villains. That is deplorable. It also speaks mountains to my very impressionable, newly registered voters, 21 and 18 year old daughters who have lived their entire lives, growing up watching these heroes risk their lives every single day, only to be stripped of their rights by the very government we elected to keep them safe.

I ask you, What is their incentive to leave their families everyday and risk their lives to serve a community, when the cost of helping could put their entire families livelihoods at risk? Who will save us from heinous acts of crime and violence if the criminals have more rights than the enforcers of the law? What will this do you the mental health of the heroes that have sacrificed everything only to be betrayed by their leaders?

I implore you to respect and protect them from the unreasonable and excessively punitive amendments (immunity) to S2028.

Sincerely, Mandi Safford Williams (wife of Trooper Keller Williams and sister of Trooper Chelsea Safford)
9 Callender Ave

East Longmeadow, MA 01028
413-348-2035

Sent from Yahoo Mail for iPhone

<[From: Elizabeth Siracusa <\[elizabeth.siracusa@gmail.com\]\(mailto:elizabeth.siracusa@gmail.com\)>
Sent: Friday, July 17, 2020 9:58 AM
To: Testimony HWM Judiciary \(HOU\)
Subject: S.2820 Opposition](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu k13zIs16rchf_GkGDD&m=vDbu_qnOM7OQF9YFdC-g4GUWW4we2gLkuCxnBhpr0w&s=bVCw24yXm3e6JGS1HeUBunvD3XALtupJYFPLC-U6Nww&e=>></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 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. My husband, uncle and brother being some of them. Do not turn your back on the very ones who risk their lives daily to protect everyone, including those who do not have respect or care for them.

Thank you.

Elizabeth Proctor
6 Wentworth Road,
Canton, MA

From: Maria Gage <mariatgage@gmail.com>
Sent: Friday, July 17, 2020 9:58 AM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition of 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:

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

Thank you for your time,

Maria Gage
4 Emerson Avenue
Peabody, MA

From: marc kadis <majoka1@hotmail.com>
Sent: Friday, July 17, 2020 9:58 AM
To: Testimony HWM Judiciary (HOU)
Subject: Don't defund the Police

It would be very dangerous to the public and the economy to defund the police. So I request no Police defunding. I would however eliminate the tremendous waste and inefficiency within the department. One example is to eliminate over staffed police detail. Which is a problem that has been going on for many years. And make the Police that are there do their job. And not be on their cell phones. Another answer is to use lower paid workers to do the same job. All this waste is passed down to the consumer. Run the police department like a company that is worried about their bottom line. Marc Kadis 617 686 3268

From: michael sylvester <mjsylvester1029@gmail.com>
Sent: Friday, July 17, 2020 9:57 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: neeley martin <neeley martin@gmail.com>

Sent: Friday, July 17, 2020 9:57 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

Dear Sir,

My name is Neeley Martin and I live at 577 Main Street, South Dennis MA 02660. . 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,

Neeley S. Martin

From: Telles, Courtney A. <CTELLES@PARTNERS.ORG>
Sent: Friday, July 17, 2020 9:54 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:

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

Thank you,

Courtney Telles

46 Wyman Road

Abington MA

02351

Courtney Telles MHA, R.T. (N) (CT), CNMT

Technical Manager, Nuclear Medicine and PET

Massachusetts General Hospital Imaging

55 Fruit Street, Boston, MA 02114

ph. 617-726-8350, pager 34160

ctelles@partners.org <mailto:ctelles@partners.org>

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From: JOHN NOBERINI <jnoberini@comcast.net>
Sent: Friday, July 17, 2020 9:57 AM
To: Testimony HWM Judiciary (HOU)
Subject: Written Testimony Re: S 2800

Good morning,

My name is John Noberini and I reside at 6 March Rd., Wilmington, Massachusetts. I am writing to you to voice my concern again that again no public hearing was held on S. 2800 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 Qualified Immunity 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 supporters 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!! The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unaccepted and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

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 need to affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you so for your attention to this extremely important matter.

Sincerely,

John Noberini

(508) 922-7321
jnoberini@comcast.net

From: Dalton Boglisch <dboglisch@gmail.com>
Sent: Friday, July 17, 2020 10:14 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:

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

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

Thank you,
Dalton Boglisch
Agawam, MA

From: Dan Totten <dantotten@gmail.com>
Sent: Friday, July 17, 2020 10:13 AM
To: Testimony HWM Judiciary (HOU); Michlewitz, Aaron - Rep. (HWM); Cronin, Claire - Rep. (HOU)
Cc: DiDomenico, Sal (SEN); Connolly, Mike - Rep. (HOU)
Subject: pass S.2820 without amendments

Hello Chairman Michlewitz and Chairwoman Cronin,

I am writing to ask you to pass S.2820 without removing any critical sections including (but not limited to) ending qualified immunity, banning no-knock warrants, and banning tear gas. This bill does not go nearly far enough, but it needs to pass as is, and all eyes are on you.

Thank you,

Dan Totten
54 Bishop Allen Drive #2
Cambridge, 02139
From: Carla Coan <ccoan4@gmail.com>
Sent: Friday, July 17, 2020 10:13 AM
To: Testimony HWM Judiciary (HOU)
Cc: Gobi, Anne (SEN); Durant, Peter - Rep. (HOU)
Subject: S.2820 opposition

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

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Carla Coan

49 Daniels Rd

Charlton, MA

From: Carl Jaena <cjaena36@icloud.com>

Sent: Friday, July 17, 2020 10:13 AM

To: Testimony HWM Judiciary (HOU)

Subject: Voicing my Opposition to S.2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Carlos Jaena Jr. and I live at 21 Hart Street, 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

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.

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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.

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

Sincerely,

Carlos Jaena Jr.

From: Chief Jody Kasper <jkasper@northamptonma.gov>
Sent: Friday, July 17, 2020 10:13 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.

I am the Chief of Police for the City of Northampton. I support, and many in my police department and community support, policing reform initiatives including the addition of mental health crisis responders,

the addition of a POST program that creates a database of former and current police officers and that certifies and de-certifies officers, and improving training and education opportunities in the area of fair and impartial policing, the history of racism in the United States, and procedural justice.

Under my leadership at NPD, we joined President Obama's White House Police Data Initiative and committed to making policy and police data transparent. We completed the IACP's One Mind Campaign to improve how we are responding to people in mental health crisis. We brought educational courses to our agency to learn more about Fair and Impartial Policing, De-escalation, and Implicit Bias. We started the Drug Addiction and Recovery Team (DART) program, which provides follow-up harm reduction services to individuals struggling with addiction. We adopted a model policy on Use of Force that includes all of the elements in the "8 Can't Wait" reform initiative. We've changed our recruitment and hiring practices and have increased the diversity of our staff. We made these changes on our own over the past five years motivated not by outside reformers, but based on our own insight from working within the field.

I'm sharing this with you because we are a progressive department that is always striving to best serve our community by providing professional and respectful public safety services to all. While some aspects of SB2820 are reasonable, the proposal to dramatically change and potentially abolish qualified immunity for police officers and other public servants, is something that I strongly oppose. My concerns include the potential dramatic rise in the number of state court actions, the significant financial impact on municipalities, public employees working in a state of uncertainty until courts interpret the new qualified immunity language, and the increased challenge of retention and recruitment of highly qualified officers. That last concern is my most significant. In a time when very few people are seeking to enter the field of policing and when the applicant pool is already shrinking, this change has the likelihood to decrease applicant numbers even further. This would be coming at a time when we are seeing people leaving the field completely by retiring early or transitioning into new career fields after years in policing. There is a critical need for exceptional individuals with a service-oriented, guardian mindset to join the field of policing.

We embrace reform. We value the need to examine and assess how policing services can be improved. However, it is imperative that any reform measures be thoughtfully studied and that there is an opportunity for input from many stakeholders. Change is more likely to be successful if it is evidence-based and is born out of a collaborative effort.

Thank you.

--

Chief Jody D. Kasper
City of Northampton Police Department

29 Center Street

Northampton, MA 01060

413-587-1115

<https://www.northamptonpd.com>

<[https://urldefense.proofpoint.com/v2/url?u=https-](https://urldefense.proofpoint.com/v2/url?u=https-3A_www.northamptonpd.com_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu)

[3A_www.northamptonpd.com_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-](https://urldefense.proofpoint.com/v2/url?u=https-3A_www.northamptonpd.com_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu)

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From: keith.greener78 <keith.greener78@gmail.com>

Sent: Friday, July 17, 2020 10:11 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony re: Qualified Immunity

Dear House Representatives,

I write you as a concerned Braintree citizen and ER nurse at the Carney Hospital. I feel altering qualified immunity alienates the very people this bill is trying to represent. Scaling back policing, or scaling back the incentive to do real work, is going to be detrimental to the safety of neighborhoods already struggling. I've worked 15 yrs at Carney and have seen several young men and a few women die in my trauma room from gunshots and stabbings. One thing I have heard from families is why couldn't the police have stopped it. I'm sure the police are trying hard. I see the gang and drug units as well as marked cruisers all over the place. Doing stops, using dogs to search, and trying to get that next gun off the street. I feel, if qualified immunity is gone, proactive policing will be gone with it. Why would these fine officers who do the right thing risk their families financial future ruffling feathers and risking lawsuits? Now they can simply respond to 911 calls and process crime scenes and maybe go find a bad guy. Either way, they get paid. The last thing I want to see is increases in violence and lawlessness which I truly fear if qualified immunity is altered. Remember, any public official or officer who breaks the law forfeits their immunity. So taking this away only hurts the good officers!

Respectfully,

Keith Greener

Sent via the Samsung Galaxy S7, an AT&T 4G LTE smartphone

From: Christopher Bradley <cbradley@marlborough-ma.gov>

Sent: Friday, July 17, 2020 10:13 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

Dear Hon. Representatives,

The Massachusetts Senate has recently passed a massive police reform bill without a public hearing. This bill was largely authored by people who consistently oppose police services. As a constituent, I request that you take the following action before your colleges on the House side vote on any such bill:

1. READ THE BILL;
2. ASK HOW POLICE DEPARTMENTS IN YOUR DISTRICT ARE ACTUALLY PERFORMING AND THE COMMONWEALTH PERFORMS AS A WHOLE.
3. AT A MINIMUM, HOLD A PUBLIC HEARING ON THE BILL TO HEAR WHAT THE PEOPLE A BILL LIKE THIS WILL EFFECT/IMPACT.

THESE ARE VERY MINIMAL REQUESTS BEFORE PASSING SUCH MASSIVE LEGISLATION THAT HAS SUCH A HUGE IMPACT.

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

- ? changes dozens of laws, creates and funds many new agencies and Commissions
- ? eliminates collective bargaining rights of police officers
- ? removes authority from City's and Town's to control their own employees
- ? removes the rights of police to monitor gang activity in schools
- ? removes the due process rights of public safety officers
- ? exposes police officers and their families to personal liability even when acting in good faith
- ? will open the floodgates for frivolous lawsuits against Municipalities and increase the cost to taxpayers to defend those cases
- ? puts the lives of police officers in danger unnecessarily
- ? creates a police licensing board that is staffed by organizations who sue our communities and advocate for the elimination of police services

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

DO NOT OVERLOOK THE SUCCESS OF MASSACHUSETTS POLICING

Don't believe the misinformation about the alleged need for emergency police reform here in Massachusetts - in reality, Massachusetts is a success story on Police Training and use of force results - even according those groups advocating national police reform. Our educated police force, competitive wages and mandatory training have produced excellent results.

For example, Massachusetts is among the very best in the nation when it comes to police use of deadly force:

? Massachusetts has one of the lowest annual rates for deadly use of force incidents in the Nation - at only 1.2 incidents per million people.

? Massachusetts Cities have excellent records when it comes to deadly force - In Worcester, there have been ZERO deaths caused by police since 2013 (excluding a taser related incident which was ruled a drug overdose) - in fact, Worcester has an annual citizen complaint rate of only .0002% out of 140,000 calls for service. In Lowell, there has been only one police related death (justified) in that same time period.

? In Marlborough, where I am a police officer in the last 10 years there has been only one law enforcement related death. The shooting was found to be justified. We have an average of over 500 arrests a year and less than 100 of them each year requires any use of force. The stats of our department show that the use of force incidents are highest among Caucasian population, followed by Hispanic and then finally Black population at less than single digit percentage.

? During this span, the police have successfully handled many millions of calls for help, often involving, volatile and violent individuals, without incident.

? Most Massachusetts Towns have had no law enforcement related deaths during the tracked time period. In almost 8 years of being a law enforcement officer in Marlborough there have been zero Law enforcement related deaths.

? When anti-police groups present data of people killed by police, they include people like the Boston Marathon Bomber, and others who murdered police officers during incidents.

Before passing a bill creating new state agencies and destroy the morale and success of our public safety officers - is it too much to ask that you first take a look at how police in Massachusetts are performing? Have you looked at your own constituencies - the Towns in your district to see what needs changing, and what is working?

WHAT DOES THE PROPOSED POLICE REFORM BILL DO?

The proposed massive Police Reform Bill IS NOT BASED ON MASSACHUSETTS performance history and NOT BASED ON MASSACHUSETTS DATA.

The proposed bill will destroy the morale of our police departments, will put our officers' safety at great risk, and will expose them and their families to personal liability, will generate thousands of frivolous lawsuits to be paid for with taxpayer money, and even has provisions to pay the lawyer's fees for people who sue our communities.

For example - the legislation:

? Creates and funds at least 6 new Agencies, Commissions or Committees

? Eliminates Civil Service Protection only for Law Enforcement Officers; (Sections 41-43)

? Prohibits School Department Personnel from Providing Information to Law Enforcement regarding gang activity and affiliation; (Section 49)

? Expands the rights of individuals convicted of multiple crimes to expunge records of those crimes

? Requires that a lengthy record (receipt) be generated related to virtually any interaction between a police officer and a member of the public; (Section 52)

? Creates - but does not fund - mandates upon municipalities to gather, track, organize and report data, as well as unfunded training mandates; (Section 52)

? Creates a Police Officer Standards and Accreditation Committee to govern the conduct of police and judge police officer conduct but - unlike every other professional licensing board - is made up of individuals nominated by groups which openly advocate against law enforcement. It would be similar to staffing the Board of Pharmacy with anti-vaccine advocates or staffing a medical board with lawyers who sue doctors. The Board of Plumbers is made up by a majority of plumbers. The Board of Accountancy is made of by a majority of Accountants. Same goes for nurses, electricians, etc. Law Enforcement should be no different and the committee that can take away our careers should not be populated with nominees that include law firms who claim to have made millions suing cities and towns and their police departments (Lawyers for Civil Rights, Inc.) or the ACLU. (Section 6).

? This bill effectively eliminates collective bargaining rights for police officers - the employees that need it most given the difficulty of their job. This anti-labor, anti-employee bill essentially removes (only for police) the right to be disciplined only where there is just cause - a right enjoyed by virtually every other public employee in our state. (Section 6)

? This bill creates a cottage industry for lawyers and another unfunded mandate upon Cities and Towns by greatly expanding liability on municipalities and officers. Under this Bill, every time a Court grants a motion to suppress evidence - because of any technical violation of the Fourth Amendment for instance - a per se violation of the Massachusetts Civil Rights Act will be created. The proposed Bill even provides for

attorney fees to prosecute these actions. (Section 9). Even officers acting in good faith will be liable.

? This bill purports to regulate the Use of Force by Law Enforcement Officers without any recognition that police officers often must make split second decisions, often under extreme stress. Good faith actions will result in lawsuits and can result in the loss of a career. Even if those actions were deemed appropriate by an internal or District Attorney's review, the new committee can decide on their own to end a career. Nowhere in the bill is there acknowledgement that the reasonableness or necessity of a particular use of force must be judged from the perspective of a reasonable officer on the scene and not from the perspective afforded by 20/20 hindsight. (Section 55). It is easy to make decisions in the comfort of a lawyer's office with the benefit of video, hindsight and knowledge of the actual outcome an event. The law has recognized for years that hindsight judgment is unfair and not practical for the officer who may be faced with life or death situations in the heat of the moment.

These are only a few items of concern. Passing of this bill without a public hearing by the Senate, without considering how we are doing here in Massachusetts, without considering the impact of this massive legislation, without even a thought of how it will impact that thousands of police officers and their families, is not only negligent, but will have a residual negative impact that our state and our families cannot afford.

As your constituent, I request and expect that you will represent me, and that you will do your due diligence. Please read and understand the bill. Please research how your own district's police officers are actually doing. Please hold a hearing. If you would like or need to I would be happy to discuss the issues and policing in general, via e-mail, phone (508)272-7324 or in person at your convenience.

We intend to hold ourselves accountable, and we trust that you will do the same.

Sincerely,

Resident of 105 Prospect St, West Boylston, MA and Registered voter.

Ofc Christopher Bradley 100CB

Marlborough Police Department

355 Bolton St

Marlborough, Ma 01752

Phone # 508-485-1212 ext 36821 <tel:508-485-1212;36821>

Get Outlook for iOS <https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_o0ukef&d=DwMFog&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu k13zIsl6rchf_GkGDD&m=Uczwud8SL_jD7TB8cUm6UjRy4RJ518cAifNPkfEYUOM&s=5a9-UF6MmQphNnxwbW3jtoOvPenR0j-QeceHLiRDKbg&e=>

From: Clarissa <clarissa_mr@aol.com>

Sent: Friday, July 17, 2020 10:13 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony re S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing in support of S.2820, the Senate's police reform bill. The House must enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July. I have engaged in multiple conversations on the Senate's policing reform bill in many online venues since May 25 2020.

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

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools, as 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 S.2820, 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 taxpayers in their municipalities. However, if police officers engage in egregious misconducts, they should be immune to prosecution, even if case

law has not previously established that this particular form of misconduct is egregious.

Most importantly, I trust that a good police reform bill will be enacted by the end of July.

Thank you for considering my testimony, and giving attention to this important priority, in addition to all the other important issues the House is addressing at this time.

Sincerely,

Clarissa Rodriguez
First Parish Unitarian Universalist of Arlington, MA

Phone: (339) 221-8578

From: Andrea O'Donnell <andreadodonnell@icloud.com>
Sent: Friday, July 17, 2020 10:13 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony: S.2820

Chairman Michlewitz, Vice-chair Gartlick & Ways and Means Committee members,

I am writing to urge the committee to reconsider passage of S.2820. The bill was hastily written and has too many dire consequences for the citizens of the Commonwealth and for police officers. I am not against some reforms and review of current policies and procedures, but reactionary legislature, without thoughtful consideration of the complexities and consequences is irresponsible, reckless, and negligent; it does no justice for our citizens or our public servants.

I urge that you vote no for this bill, as submitted and currently written.

Andrea O'Donnell
North Andover

617-480-0974

From: Donald Johnson <donald.johnson303@gmail.com>
Sent: Friday, July 17, 2020 10:13 AM
To: Testimony HWM Judiciary (HOU)
Cc: Shayok Chakraborty
Subject: Strong 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 Donald Johnson with the Greater Boston Interfaith Organization (GBIO). I live at 46 Kings Way Unit 802B Waltham, 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.

Donald Johnson
donald.johnson303@gmail.com
(617) 875-9319
46 Kings Way Unit 802B
Waltham, MA 02451
From: j c <grf41102003@yahoo.com>
Sent: Friday, July 17, 2020 10:13 AM
To: Testimony HWM Judiciary (HOU)
Subject: Written testimony for S2820

My name is John T. Clark and I have been a police officer in the State of Massachusetts for 26 years. During this time, I have seen the job change immensely. I became a police officer because I believe in the system and in protecting the citizens of the Commonwealth and visitors to the best of my ability. I have performed this job with honor and integrity, serving as a detective for 20-plus years, and I now as a police supervisor. Never once have I ever treated anyone any different related to their race, sexual orientation, financial status, or for any other reason. I treat people the way I would have wanted to have been treated if the roles were reversed. I am not a judge and have faith in the jury system, due process, the constitution, and the rights of the accused.

Having said this, I have reviewed this legislation that is being proposed and cannot believe this is the path that Massachusetts is taking, specifically qualified immunity. I feel that if a police officer does not have the protections under qualified immunity when they are doing their job in a honest and constitutionally correct manner and still have the ability to be personally sued by someone when they have done nothing wrong is alarming. This will handcuff police and from doing amazing work they already do, and honest police officers shy away from doing their job due to the fear of an unsubstantiated and frivolous

lawsuits. Officers will be in fear that any action will result in a lawsuit and this will diminish the ability for victims to be protected and for communities to be safe. If an officer is constantly paying to defend themselves for doing their job, they will not be able to survive financially with the little money made doing this work. Officers do this job in the care of serving the community and making them safer for every citizen.

I do not believe that this will change the few officers in this nation who are police officers for the wrong reasons and actions obviously have effected all police by tarnishing the profession by being involved in egregious acts against other human beings. These individuals and acts make me disturbed and I question how these people ever became police officers or even why they did in the first place. Obviously for the wrong reasons. I am proud to say that the training received by police in Massachusetts is by far the best in the nation. This bill was forced through with little transparency or collaboration with police stake holders. Please consider taking the time to really study the effects purposed in the bill and how it will effect the safety of our communities.

Respectfully Submitted,

Sgt. John T. Clark
181 Colrain Road
Greenfield, MA 01301

From: Jonathon Carpenito <jon.carpenito@gmail.com>
Sent: Friday, July 17, 2020 10:13 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,
Jon Carpenito
Salem, MA

From: Morgan, Keith N <knmorgan@bu.edu>
Sent: Friday, July 17, 2020 10:13 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support for strong 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 Keith N. Morgan, a member of the Greater Boston Interfaith Organization (GBIO). I live at 505 Tremont Street in the South End, one of the most racially, ethnically and economically diverse areas of the city, as you know, and therefore a district that is watching the police reform legislation closely. 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.

Keith N. Morgan
knmorgan@bu.edu
(617) 351-2649
505 Tremont Street, Unit 411
Boston, MA 02116

From: Rena Lukoski <lrluko41@hotmail.com>
Sent: Friday, July 17, 2020 10:12 AM
To: Testimony HWM Judiciary (HOU)
Subject: Regarding S.2820

Good Morning

My name is Rena Lukoski and I live at 82 Hillside Circle in Hanover, MA. I write to you today with regards to S.2820. This is a bill that has become the focus of many in our Commonwealth. Most particularly, it has become the focus of Police/Law Enforcement officers, those that love them and those that support them.

I write to you as a supporter of Police/Law Enforcement Officers. When I look at S.2820 as it stands now there are pieces that are acceptable and appropriate when I think of the bill as one with an end goal of constructive Police/Law Enforcement reform. While here in our Commonwealth we have some of the best trained Police Officers in the country I do still support enhanced training and appropriate certification standards that apply to individual officers. There is always room for more training and education in any job. I also support accreditation of police departments. Certification of individual officers and accreditation of departments both help with the maintenance of high professional standards for all. I also support the proposed 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 seem to me to be what a bill about constructive police/law enforcement reform should aim for.

Unfortunately when I look at S.2820 as it stands now there are also pieces of it that do not provide for fair and unbiased treatment of Police Officers. Most importantly, the removal of Qualified Immunity for Police Officers is unfair and potentially dangerous. The removal of Qualified Immunity will not serve to stop misconduct of Police Officers. It will not serve to change those Police Officers who are not inherently good. It will, instead, impact the ability of Police Officers to do the job they were trained to do in a safe and effective manner. The removal of Qualified Immunity will impact good Police Officers. The removal of Qualified Immunity will also impact all public employees, even those who are not Police Officers. This part of S.2820 is not reflective of a bill

about constructive police/law enforcement. 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 to be included in a bill with an end goal of constructive Police/Law Enforcement reform. The full package of the bill as it currently stands before you is NOT acceptable. 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. Quick and rushed decision making like that which occurred in the Senate passage of this bill does not serve the all the citizens of our Commonwealth. It only served to hurt some citizens of our Commonwealth and promote personal and political agendas. I do appreciate the willingness of the House to hear from the citizens of the Commonwealth prior to beginning debate and discussion on it. Input from the public is important with regards to a bill that stands to potentially impact all of the public.

I urge you to take the time that is necessary to make the best decision for ALL citizens of our Commonwealth, including Police Officers and their families. S.2820 as it stands now is NOT just and equitable. S.2820 should NOT be passed in the House as it is currently written. 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,

Rena Lukoski

82 Hillside Circle

781-826-4667

From: Ashley Austin <ara4791@gmail.com>

Sent: Friday, July 17, 2020 10:12 AM

To: Testimony HWM Judiciary (HOU)

Subject: S. 2820 Public Comment

Hello,

My name is Ashley Austin and I am a resident of North Adams, MA. I am writing to express that we need to put an end to qualified immunity. Police accountability is extremely important and the public has a right to know that when the people hired to keep us safe are the ones in fact harming our communities that justice will be served. No one is above the law. This is priority number one and a bill needs to be passed that benefits the greater good and not a group that has decided time and again that they are abusers of power.

Thank you for taking the time and urge you to think of ALL of Massachusetts residents in regard to this issue.

Sincerely,
Ashley Austin
From: Nancy Hyde <nancyhhyde@gmail.com>
Sent: Friday, July 17, 2020 10:12 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,
Nancy H. Hyde

Salem MA

Sent from my iPad
From: Nancy Gallant <nancy.gallant@comcast.net>
Sent: Friday, July 17, 2020 10:12 AM
To: Testimony HWM Judiciary (HOU)
Cc: Hill, Brad - Rep. (HOU)
Subject: Public Hearing Statement re Senate 2820

To the House Committee on Ways and Means, while written statement on such an important topic is a poor substitute for actually verbally voicing our input as "We the People," I submit this statement in lieu of actively sharing it in a public hearing regarding Senate 2820...

The "war on cops," is a scourge on our country since the false narrative that police are the primary threat to the safety of black lives, that they are racist monsters in search of the opportunity to abuse and even kill people who are black. This "war on cops" is alive and well in the over-reaching bill the Massachusetts Senate rushed through under cover of darkness and with no public hearing.

I am Nancy Gallant, wife of a Massachusetts State Police Sergeant Rob Gallant who has 26 proud years of service to our commonwealth and his fellow citizens that has included plenty of risks assumed during 18 years at Logan International Airport where he transferred immediately after 9/11 when the risk of anthrax and the threat of terrorism in the then soft target of airports were so great. He spent 13 of his years at Logan as a bomb detection dog handler including many hours spent in the city during those harrowing hours and days following the Marathon Bombings. He fits the now-forgotten saying of our public safety heroes who run toward the danger.

Rob recently was promoted to sergeant and now works the midnight shift in A Troop, often as the shift supervisor for the entire troop overseeing a large number of squared-away, young troopers who are the age of our own young adult children. I have NEVER feared for his safety more than now, the very real figurative target on the backs of LEOs never bigger because of the false narrative of law enforcement being permanently tainted as being born out of slavery and basically a bunch of uneducated, poorly trained and racist thugs. Rob's is the same position worked by Tulsa PD's Sgt. Craig Johnson, recently shot repeatedly and killed at a "routine traffic stop" one of so many LEOs murdered in the last 2 months that I have lost count. Sgt. Johnson was backing up a young, rookie officer who survived gun shots to his head and has a long rehab road ahead but at least he isn't paralyzed like 2 other LEOs who recently survived attacks on their lives including Officer Mark Priebe who was run over by a man who woke up and decided to "run over a cop" a few weeks ago.

When Rob leaves for work, I think about Sgt. Johnson and all of the departed LEOs killed in the line of duty, many assassinated, even set up in ambushes, these intentional murders of cops being on the rise since this marxist-led BLM's false narrative against the police started. Along with all of the physical assaults happening to LEOs every single day at

"peaceful protests" like the one this week where baseball bats were handed out and NYPD cops beaten, the murders of so many "good cops" are on the hands of all of those who, knowing the real stats, still feed into that "false narrative" that "all cops are [racist] bastards" and can be disrespected, attacked, beaten and killed and certainly should be stripped of any authority and protections they have to do their job.

This "war on cops" rages on right here in Massachusetts. Now, instead of acting on the opportunity to develop more training to improve already high police standards, instead of efforts to foster more positive relationships between law enforcement and the inner-city disadvantaged communities and instead of shining a light on the needs there where gang violence is destroying the lives not only of the gang members but of all of the innocent people robbed of their rights to live their lives fully, we saw in the Massachusetts Senate an inflation of the false narrative against the police and a shift that now also includes actually empowering and protecting the criminals even as the increase in crime, violence and lawlessness is destroying our country.

It isn't just possible but necessary as you show respect and concern for the black community to show respect and concern for the vast majority of law enforcement while adding more training on de-escalation and other important skills and putting in place measures to identify those who tarnish the badge.

I am not just concerned about the diminished safety of our LEOs that will only get worse with the passage of an over-reaching bill, but also the safety of my fellow citizens. No demographic will be impacted more by a weakened police force than inner-city disadvantaged communities as evidenced by the horrendous increase in crime and murder that has taken place in the last several weeks in other cities across our country as police have been forced by "democrat" mayors to stand down and their funding and protections have been stripped.

Further to that concern for the inner-city communities, as well as all of our commonwealth's youth, removing school resource officers or reducing their ability to effectively perform their duties is yet another over-reach that ignores not only the value of those SROs as a positive community connection with young people but ignores, normalizes and even seems to accept and then expunge the criminal activity of some young people in schools. That is just shocking in the backdrop of lawlessness we are all witnessing. The police are not the bad guys. Ignoring the real sources of lawlessness and crime is a disservice to the citizens of our commonwealth who respect and abide by the law, appreciate the role of law enforcement and just want to live our lives with the freedoms our Constitution provides us to life, liberty and the pursuit of happiness.

Respectfully Submitted,

Nancy Gallant

(As a public safety family living on the North Shore, I do not feel comfortable listing my street address. I am a constituent of Brad Hill's. Email a reply if my address info is needed.)

From: Eric Smith <sl0908@yahoo.com>
Sent: Friday, July 17, 2020 10:11 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Eric Smith
Riceville Rd Athol Ma
978-230-2986

Please except this email as my strong OPPOSITION to bill S.2820. It would take me too long to list all the reasos why I am OPPOSED to this bill in its current form. I am strongly OPPOSED to the specific group of listed professions that are at risk of losing qualified immunity. Please don't allow this bill to pass the way that it is currently proposed. PLEASE VOTE NO ON HOUSE BILL S.2820

Thank you

Sent from my iPhone
From: Deb Deb <snopuoc@yahoo.com>
Sent: Friday, July 17, 2020 10:11 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reform Bill before House of Representatives

Good morning,

I am writing regarding the Police Reform Bill before the House of Representatives. I am concerned that it was hastily written because of current events, instead of being written clearly and unbiased for the best situation for all (citizens, first responders, etc.).

Police officers should not be judged for the actions of a few situations. I do believe it is unfair to take immunity protection away for police officers. Singling police officers out is hypocritical. Other first responders, as well as government officials and employees are indemnified. Should it be eliminated for them, as well?

There seems to be a lack of support for the positive acts (protecting citizens, solving crimes, diffusing domestic disputes, community policing, etc.) by police officers.

Please do not not vote hastily based on the current environment, but with serious thought and insight. Thank you.

From: Gain Robinson <gain.robinson@gmail.com>
Sent: Friday, July 17, 2020 10:11 AM
To: Testimony HWM Judiciary (HOU)
Cc: Livingstone, Jay - Rep. (HOU)
Subject: Support for S. 2820 (Reform police standards, shift resources, and value Black lives and communities of color in MA)

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.

Gain Robinson

158 Magazine Street #36

Cambridge, MA 02139

From: Madeline Boyce <modean.b@gmail.com>
Sent: Friday, July 17, 2020 10:11 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support for S2820

Dear Chair Michlewitz and Cronin, I am writing to you to voice my strong support for S2820. It's imperative that we make this first step towards racial justice. We've seen too many times the abuses of our neighbors at the hands of law enforcement. I ask that you preserve the language creating an independent and civilian majority police body, limit qualified immunity, and reduce the school to prison pipeline by removing barriers to expunge juvenile records. I also ask that you strengthen the use of force standard, fully prohibit facial surveillance technology and lift the cap of the justice reinvestment fund. Thank you for taking the time to review my input. Madeline Boyce Hopkinton MA

From: Sophia Snyder <spsnyder@post.harvard.edu>

Sent: Friday, July 17, 2020 10:10 AM
To: Testimony HWM Judiciary (HOU)
Subject: testimony re: police reform bill

Hello,

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 absolutely 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 65, which bans tear gas, a chemical weapon banned in warfare.

Thank you for your attention,

Sophia Snyder
7 Silloway St, Dorchester Center, MA 02124
857-928-3847
From: Elizabeth Ullman Cohen <elizabethucohen@gmail.com>
Sent: Friday, July 17, 2020 10:11 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support Strong Police Reform in the House

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 Cohen with the Greater Boston Interfaith Organization (GBIO). I live at 29 Green Street, Unit 1, Brookline 02446. 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.

Elizabeth Cohen

elizabethcohen@gmail.com

203-988-0225

29 Green Street, Unit 1

Brookline, MA 02446

From: Leah Velleman <leah.velleman@gmail.com>

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

To: Testimony HWM Judiciary (HOU)

Subject: Testimony for today's Ways and Means committee meeting

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 in particular, I feel strongly that the House should include the same limits to qualified immunity that the Senate included.

There is now clear and abundant evidence that qualified immunity puts community members in danger by allowing police in many cases to ignore public safety, the letter and spirit of the law, and even citizens' constitutional rights. If we want our rights and our safety respected, we need our government to limit qualified immunity. Please follow the Senate's lead in doing this.

Thank you,

Leah Velleman, Medford, MA

(734) 545 0731

From: Nickie Poznauskis <nickiepoz@gmail.com>

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

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

Good Morning

My name is Nicole Poznauskis and I live at 16 Hillside Circle in Hanover. I write to you today with regards to S.2820. This is a bill that has become the focus of many in our Commonwealth. Most particularly, it has become the focus of Police/Law Enforcement officers, those that love them and those that support them.

I write to you as a supporter of Police/Law Enforcement Officers. When I look at S.2820 as it stands now there are pieces that are acceptable and appropriate when I think of the bill as one with an end goal of constructive Police/Law Enforcement reform. While here in our Commonwealth we have some of the best trained Police Officers in the country I do still support enhanced training and appropriate certification

standards that apply to individual officers. There is always room for more training and education in any job. I also support accreditation of police departments. Certification of individual officers and accreditation of departments both help with the maintenance of high professional standards for all. I also support the proposed 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 seem to me to be what a bill about constructive police/law enforcement reform should aim for.

Unfortunately when I look at S.2820 as it stands now there are also pieces of it that do not provide for fair and unbiased treatment of Police Officers. Most importantly, the removal of Qualified Immunity for Police Officers is unfair and potentially dangerous. The removal of Qualified Immunity will not serve to stop misconduct of Police Officers. It will not serve to change those Police Officers who are not inherently good. It will, instead, impact the ability of Police Officers to do the job they were trained to do in a safe and effective manner. The removal of Qualified Immunity will impact good Police Officers. The removal of Qualified Immunity will also impact all public employees, even those who are not Police Officers. This part of S.2820 is not reflective of a bill about constructive police/law enforcement. 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 to be included in a bill with an end goal of constructive Police/Law Enforcement reform. The full package of the bill as it currently stands before you is NOT acceptable. 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. Quick and rushed decision making like that which occurred in the Senate passage of this bill does not serve the all the citizens of our Commonwealth. It only served to hurt some citizens of our Commonwealth and promote personal and political agendas. I do appreciate the willingness of the House to hear from the citizens of the Commonwealth prior to beginning debate and discussion on it. Input from the public is important with regards to a bill that stands to potentially impact all of the public.

I urge you to take the time that is necessary to make the best decision for ALL citizens of our Commonwealth, including Police Officers and their families. S.2820 as it stands now is NOT just and equitable. S.2820 should NOT be passed in the House as it is currently written. 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,

Nicole Poznauskis

16 Hillside Circle

Hanover, MA

617-861-7957

From: Roger Stolen <rstolen@upseu.org>
Sent: Friday, July 17, 2020 10:10 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate police reform bill testimony

To whom it may concern,

I am a Labor Relations Representative from United Public Service Employees Union that represents employees in Massachusetts that would be affected by the senate police reform bill. We represent dedicated employees in all aspects of service to their towns from drinking water, water treatment, to police and dispatchers. They play a vital role for their community to keep people safe. They go above and beyond in the performance of their duties each and every day, but like all of us they are not perfect. They can make a mistake, and that is why the law has protection built in for these individuals. They go to work each day using their training and licensing that they have acquired over the years to protect and serve the public but now we are talking about taking away their protection. How is this fair to these people who were recently hailed as heroes during the height of the pandemic in our state. They perform a vital role in our society and deserve your backing for their protection. This bill would not serve the greater good and would unintendedly hurt these individuals. We strongly urge you to reconsider enforcing this bill due to the impact that this will have on these dedicated workers.

Thank you,

Roger Stolen

Labor Relations Representative

CONNECTICUT

130 Research Parkway, Suite 201

Meriden, CT 06450

MASSACHUSETTS

20 Maple Street

Springfield, MA 01103

Phone: (203) 235-4485

Cell: (860) 462-2786

Fax: (203) 235-4507

Email: rstolen@upseu.org <mailto:rstolen@upseu.org>

<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_UPSEU.union&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu k13zIs16rchf_GkGDD&m=KWdMCbCXIEPus3rb7cE03XstEZQfWnMSfNxD7BkufCM&s=27IgKstc_IBx-ZtDSil04r0LsxlSmHCBHBy0hdT4KBg&e=>>

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From: Laura Spooner-Fleming <lauraspoonerfleming@gmail.com>
Sent: Friday, July 17, 2020 10:10 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Hello, my name is Laura Spooner-Fleming with the Greater Boston Interfaith Organization (GBIO). I live at 802 Center Street in Jamaica Plain. I am emailing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Laura Spooner-Fleming

lauraspoonerfleming@gmail.com

773-573-0245

802 Centre St, Boston, MA 02130

From: Alyssa Rao <arao@gbls.org>

Sent: Friday, July 17, 2020 10:09 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,

Alyssa Rao
222 Washington St Apt 5
Brookline, MA 02445
arao@gbls.org

From: Bethany Li <bli@gbls.org>
Sent: Friday, July 17, 2020 10:07 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,

Bethany Li
20 Arlington St Apt 2
Somerville, MA 02145
bli@gbls.org

From: John Callahan <jcallahan523@gmail.com>
Sent: Friday, July 17, 2020 10:10 AM
To: Testimony HWM Judiciary (HOU)
Subject: OPPOSITION TO BILL S. 2800

To the Ways and Means Committee of the Massachusetts House of Representatives:

My name is John Callahan and I live in Hyde Park, MA. I am writing this letter to voice my concern that again no public hearing was held on this matter and it lacks transparency.

The people I know who are police officers are the most compassionate and caring people I know. I trust them to protect my family and community. The police departments in Massachusetts are some of the best in the country and represent what policing should look like around the country. This bill is a slap in the face to the hard working and professional police officers and their families. This bill is not reform. It is a rushed bill to pander to the few who believe what happened across the country applies to Massachusetts. It is disheartening and shows the lack of respect the politicians of Massachusetts have for their constituents.

I am submitting this letter as my written testimony. I write to you today to express my strong opposition to the hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote AGAINST Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

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

The proposed changes to QI will have a serious impact on critical public safety issues. Unintended and unnecessary changes to QI will hamstring police officers in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

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

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

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

The Governor and support 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 laborrelations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

John Callahan

From: Emily Saucier <esaucier19@gmail.com>
Sent: Friday, July 17, 2020 10:10 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,

Emily Saucier

Sent from my iPhone
From: Austin A <cn507688@hotmail.com>
Sent: Friday, July 17, 2020 10:10 AM
To: Testimony HWM Judiciary (HOU)
Subject: SB2820 Reforming Police Standards

To whom it may concern,

I am writing as a resident of Massachusetts who is concerned with the unintended consequences of many portions of this bill. I have been in public service for 15 years and have a graduate degree in Public Administration. I have also been involved in collective bargaining, grievance processes, disciplinary hearings, and observed criminal court cases involving public servants.

Since learning that the Massachusetts Senate passed this bill, I have been trying to read through it in its entirety. The bill is extensive and has widespread impacts on policing in the Commonwealth. There are also implications for all public servants in the Commonwealth. Over the course of the prior few days I have only had an opportunity to read through the bill once. I would need to read this bill again in its entirety several times and have extensive time and discussion to get a clearer sense of what the implications of passing this legislation would be. However, the deadline for public comment at this stage has been open for barely over 24 hours and ends in close to one hour. That is not sufficient time to absorb this material and understand the related impacts.

I am curious how many of you have read this bill in its entirety and understand all the related implications?

There are racial inequities throughout this State and Country that obviously need to be dealt with. These issues have come to a head over the prior 8 weeks, bringing much needed attention to the issue. However, from what I have read this bill radically changes what is already a very taxing occupation. Police officers, like fire fighters and other public servants, become a "catch all" responding to the many and varied calls for service from residents of the Commonwealth. The incidents that are responded to require a great deal of training and documentation. While the oversight and training that is described in this bill is at its core well intentioned to strip away bias and inequity, it adds a burden to police officers that is going to have long term, negative repercussions.

In addition to the burden on police officers is the issues that this creates in regard to collective bargaining, discipline, and civil service. This bill institutes a wide array of changes that represent material changes in the working conditions of law enforcement. At the local level, the impact of the changes will result in contractual negotiations becoming bogged down with attempts to find common ground with municipalities on how to implement and compensate for the sweeping changes outlined in this bill. As an example, mandating an additional 40 hours of training annually and completing a State recertification process, while continuing to complete all of the already required training for law enforcement and EMT duties is going to be extremely costly to municipalities that are already struggling to balance budgets in the face of the impacts from COVID-19. The Town of Nahant, where I reside, is barely able to address the many competing budgetary needs in a good year. This year will bring about service cuts and delayed infrastructure projects. A community like Nahant cannot absorb the costs associated with this bill. The 11 person police department in Nahant does not have the staffing to take on the additional required reporting and statistical data gathering that this bill requires.

Removing civil service from the process of discipline of a civil service employee is wrong. Civil Service is a necessary protection for employees of the Commonwealth. In addition to creating a level playing field for job applicants, and for promotional opportunities, it allows for a process to review disciplinary action. Stripping away those steps in the process creates an unbalanced system. I have seen poor employees who were correctly disciplined and discharged through this process. I have also seen this process provide a check against an individual who was abusing their public position to attempt discipline and discharge employees who were exercising their right to speak up against policies that placed the public at risk. Removing that process is dangerous and shortsighted.

This bill should not be moved forward towards legislation without a much more involved discussion regarding its impacts. That discussion must involve all stakeholders. All sides must be allowed to be heard and the public must have an opportunity to fully understand what each portion of this bill will mean for their community and their law enforcement. As

elected public servants yourselves, you owe the residents of the Commonwealth that opportunity.

Thank you,
Austin Antrim
88 Fox Hill Rd.
Nahant, MA
From: STANLEY HOFF <yelnatsh@comcast.net>
Sent: Friday, July 17, 2020 10:10 AM
To: Testimony HWM Judiciary (HOU)
Cc: Walsh, Thomas - Rep. (HOU)
Subject: Fwd: police legislation

Gentlemen:

Below is a letter I sent to Rep Thomas Walsh concerning the police legislation under consideration.

To summarize, I suggested that police not be used to compromise a person's rights of self defense: Illegal seizure of firearms from legal gun owners and legal protection of the police from retribution by the officer's superior for refusing to obey an unconstitutional order.

Also, in this crazy environment I would like to suggest that frivolous complaints against police be treated as a crime and penalties be imposed on the fraudulent complainer.

Thank you for considering my ideas. I trust that the Committee enact a meaningful solution.

Sincerely,

Stanley A Hoff

----- Original Message -----

From: STANLEY HOFF <yelnatsh@comcast.net>
To: "thomas.walsh@mahouse.gov" <thomas.walsh@mahouse.gov>
Date: 07/12/2020 2:44 PM
Subject: police legislation

Hi,

It's me again. This time with a question and opinions.

Question: In this period when police are subject to blatant criticism and abuse, why do they engage in unlawful actions against the people who would support them? I am referring specifically to the case in St Louis where two law abiding people, Mark and Patricia McCloskey, were harassed by police after they protected their lives and property against an unruly mob while armed with a rifle and a handgun. The police seized the legally owned firearms based on an illegal, politically motivated 'search warrant'. This action rendered the McCloskey's absolutely vulnerable to onslaughts by the mob. 'Only acting on orders'. That defense became obsolete as the Nazi War Crimes Trials in Nuremberg in 1945. A policeman is sworn to uphold the constitution and obey the 'Lawful' orders of his superior officers. The order was in direct violation of the 4th Amendment. Bad news.

Any law presently under consideration should have specific safeguards against confiscation of a firearm from a citizen who is threatened in like manner. There should also be protection for an officer who refuses to obey an illegal order.

There! I've said my piece.

Sincerely,

Stan Hoff

From: Nick Pasquarosa <nautnick@gmail.com>
Sent: Friday, July 17, 2020 10:09 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, and 52, as well as amend Section 63 to have more police representation. Sincerely,

Nick Pasquarosa
Bewton Burlington
From: Ellen Glisker <eglisker@verizon.net>
Sent: Friday, July 17, 2020 10:09 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform legislation

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

Hello, my name Ellen Glisker with the Greater Boston Interfaith Organization (GBIO). I live at 56 Porter, Cambridge. I am writing to urge you and the House to pass police reform that includes:

1. Implement Police Officer Standards & Training with certification
2. Civil service access reform
3. Commission on structural racism
4. Clear statutory limits on police use of force
5. Qualified immunity reform

Thank you very much. (Stay safe and healthy.....and wear your masks!!!!)
Ellen Glisker
eglisker@verizon.net
56 Porter Rd, Cambridge

Sent from my iPad
From: Cole Springate <cole.springate@gmail.com>
Sent: Friday, July 17, 2020 10:09 AM
To: Testimony HWM Judiciary (HOU)
Subject: In support of the current Police Reform bill

I would like to write in support of the police reform bill that is being considered. I urge you to pass the bill. While I support many elements of the bill, here are the parts that resonate most with me:

Licensing: Police officers have a job that requires a tremendous degree of professionalism and they wield great power - this should be a licensed profession. Good police officers who follow the law and their operating procedures will no doubt have no problem maintaining their license.

Allow communities to not have police officers in schools: This is a very important point for me. My daughter will be starting school soon and I am

very afraid to have her attend a school with a police officer. The "tools" available to police are violence and or detention / arrest. This is an appropriate tool set for some situations, but it is completely inappropriate for a school setting. I do not want my daughter and her classmates to live under the constant threat of state sanctioned violence.

Requiring officers to intervene if another officer is using unnecessary force: How this is not already a law is concerning, so there is no time to waste in getting this passed. If I was in an airplane where the pilot was disregarding safety procedures, I would be horrified to learn that the expectation was the co-pilot would not intervene. Given that if a police officer is using unnecessary force it is illegal for the victim to attempt to stop the officer, it is clearly up to the other police officers to intervene.

On a personal note, I would like to add that the current level of police violence, blatant disregard for the law, us vs. them mentality and a shocking lack of accountability has created a situation where I am personally afraid of all police.

Thank you,
Cole Springate-Combs
20 Acadia Park, Somerville MA

971 - 533 - 7455

From: Elizabeth Ross <lizloganross@gmail.com>
Sent: Friday, July 17, 2020 10:09 AM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to 2028

I'm writing to express my opposition to S. 2820 The hard working men and women of Massachusetts Law Enforcement deserve an open hearing on this legislation. The selfless individuals who serve our diverse communities have earned the right to be heard on these issues. Forcing this legislation through without careful consideration will not accomplish what it's intended to. Improvement can always be made but the problems with regards to today's issues are not a result of policing in our Commonwealth.

Our minority communities are not calling for these changes and they will be the ones hurt most by them. Officers deserve basic protections from frivolous law suits to enable them to do a difficult and dangerous job. I fear the lack of these protections will paralyze our police and prevent them from serving our communities for fear of second guessing and the unfair liability to their families.

We need to support our law enforcement and stop treating them like the enemy. The call for this "reform" is based on lies and I hope the good men and women that we have elected will see the truth, acknowledge the facts and choose to make the necessary amendments to this bill.

Thank you,
Elizabeth Ross
Dover, MA

Sent from my iPhoneFrom: Sergei Skorupa <sergeiskorupa@gmail.com>
Sent: Friday, July 17, 2020 10:09 AM
To: Testimony HWM Judiciary (HOU)
Subject: PLEASE USE COMMON SENSE REGARDING THE POLICE REFORM BILL

To the members serving in the Massachusetts State Senate & House of Representatives:

I am extremely dismayed with the contents of the recently passed Senate Bill S.2820. I am very supportive of improving standards and requirements for police officers in our state so long as they are reasonable and feasible. I am not alright (nor are most people) with arbitrarily changing MGL in what is essentially an attempt to handcuff and limit the ability our 14,000+ highly educated and highly trained police officers here in Massachusetts to safely and effectively perform their jobs - which is to enforce the rule of law in a fair and impartial manner.

Make no mistake about it, the underlying premise of this rapid and sustained push for upheaving the longstanding rules, regulations and legal protections codified by statute is to discredit our hardworking police officers and attempt to make their jobs impossible to do. Massachusetts is already among the top of all 50 US states when it comes to police standards and training. California is one of the only other states that comes close to our current standard on a statewide level. We currently require all of our full time police officers - from Barnstable to Boston to Pittsfield and everywhere in between - undergo rigorous training and screening and selection regimen as dictated by the state Municipal Police Training Committee. They are required by MGL and CMR to attend an MPTC Academy program that is 800+ hours length and includes a wide ranging and thorough curriculum.

Similar to that, Massachusetts State Police troopers attend a separate residential police academy that lasts just under six months in duration and is more than 1,100+ hours in instructional time. The MSP training academy is extremely rigorous and challenging. It is among the best in the nation. The residents of our commonwealth should be extremely proud of the men and women that we currently have working in law enforcement to serve our communities on a daily basis.

As far as reform, the eye of the Legislature should focused on the bloated and mismanaged state Trial Court system - which is in desperate need of "reform". In addition to that, the various (11) state run Sheriff's Departments perform an admirable and noble job, but they are also in dire need "reform" as they operate with little to no oversight. They are each an independent state agency, each of which is incredibly expensive to operate - especially considering they all perform duplicate tasks that are simultaneously being administered and payed for by the state Department of Correction.

I am EXTREMELY concerned at the proposed legislation as it targets fundamental protections such as due process and qualified immunity. This bill is straight up OUTRAGEOUS 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 several areas of concern that need to be revised and addressed:

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

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

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

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

Thank you for your consideration,

SERGEI SKORUPA

MONTAGUE, MA

From: Stephanie LaShoto <s.lashoto@gmail.com>
Sent: Friday, July 17, 2020 10:09 AM
To: Testimony HWM Judiciary (HOU)
Subject: Public testimony for Police Reform - GBIO

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

Representative Claire Cronin, Chairperson, Joint Committee on the
Judiciary

My name is Stephanie LaShoto-Westfield with the Greater Boston Interfaith
Organization (GBIO). I live at 120 Bay State Rd in Melrose 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.

Stephanie LaShoto-Westfield

s.lashoto@gmail.com

774-219-5147

120 Bay State Rd, Melrose MA 02176

From: Katie Hallett <katie.a.hallett@gmail.com>
Sent: Friday, July 17, 2020 10:08 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

Hello,

I am writing in support of this legislation. As a member of the League
of Women Voters, and in line with my strongly held principles and
beliefs, I advocate against systemic racism in the justice system and
support preventing excessive force and brutality by law enforcement. No
one is above the law, and that includes those who enforce the law.

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 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.

It is imperative that action is taken on the issue of police violence. I implore you to act and include these measures.

Thank you,
Katie Hallett
Secretary, LWV-Salem
From: luey1210@gmail.com
Sent: Friday, July 17, 2020 10:08 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Good Morning,

My name is Lori Masciovecchio and I live in Bridgewater, MA. I write to you today with regards to S.2820. This is a bill that has the attention of many in our Commonwealth. Most particularly, it has the attention of Police/Law Enforcement officers, those that love them and those that support them.

I write to you as the wife of an active Weymouth Police Officer. Years ago, Police Officers were respected and appreciated for the job they did. As the wife of a Police Officer in today's world things are different. Like all police wives, I watch my husband leave and hope and pray that he comes home safely every day. My last words to him every time he leaves are "be safe - I love you". In our world this is "normal" but not everyone lives in the same world we do, not all wives and children need to say "be safe" when their loved one leaves for work.

I also write to you as a member of a larger family - the Blue Family. This week, Wednesday July 15 to be specific, my Blue Family and I remembered one of our own, Sergeant Michael Chesna. On July 15, 2018 this husband, father, son, brother and uncle who just also happened to be a Police Officer was murdered. I will never forget where I was when I received the initial call about Mike. I will never forget where I was when I learned that news that Mike had died. I will never forget attending Mike's wake and funeral with my husband, my Blue Family and the Chesna Family. Sitting in St. Mary of the Sacred Heart Church in Hanover with my fellow police wives is something none of us will ever forget. A police wake and funeral are things NONE of us ever want to attend again.

As I noted above, S.2820 has caught our attention. There are pieces of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform. Like many, I support enhanced training and appropriate certification standards that apply to individual officers. I also support accreditation of police departments. Certification and accreditation both serve as a commitment to excellence in training and promote each individual's and department's maintenance of the highest professional standards. Certification and accreditation also

serve to enhance public confidence. Public confidence, and I might offer respect, is critical to police officers being able to do their job on a daily basis. I also support the ban of the use of excessive force by police officers as well as the proposal that every individual officer has the duty to intervene if they witness excessive force. These parts of S.2820 all make sense when we focus on the idea that this bill is about constructive police/law enforcement reform.

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

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

Commonwealth. I also appreciate the willingness of the House to hear from the citizens of the Commonwealth. Legislation such as S.2820 impacts all citizens so all of those citizens should be allowed to share their thoughts.

In closing, I urge you to take the time that is necessary to make the best decision for ALL citizens of our Commonwealth. We have some of the most well trained Police/Law Enforcement Officers in the country. They need to be able to do the job they were trained to do in a safe and effective way. I urge you to correct S.2820 so as to treat the men and women in Law Enforcement with the respect and dignity they deserve.

Sincerely,

Lori Masciovecchio

Bridgewater, MA

617-697-0634

<

Hello,

I am a resident of Boston, MA and I fully support the Reform, Shift + Build Act (S.2800). It is time to pass legislation that supports the people that live here and makes it a safer place for all residents. Massachusetts has often set the standard on "radical" and progressive decisions - like being the first state to legalize gay marriage - and I hope you will continue to set the standard by passing much needed police reforms. I hope to see this legislation pass so I can continue to be a proud resident!

Thank you,
Natalie

From: glosecresources <glosecresources@gmail.com>
Sent: Friday, July 17, 2020 10:07 AM
To: HWMJudiciary@mahouse.gov; Testimony HWM Judiciary (HOU)
Subject: Testimony S.2820

Chair Aaron Michlewitz and Chair Claire Cronin,

I am writing to submit testimony regarding S. 2820. I am very concerned with many of the provisions that could endanger police officers' lives, the lack of public involvement and transparency. Our goal for creating this new law is to make people safer and more accountable that includes everyone, including police officers. There is no reason to rush a bill based on a reaction to a political movement. We need to hear from experts. We need to hear from black and brown police officers. We need to hear from the public. Together in a timely manner, we can make significant changes that will help all our communities.

Sincerely,

Carrie Pasquarello
857-389-0033

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From: Terrence Downing <tdowning@tauntonpd.com>
Sent: Friday, July 17, 2020 10:07 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

Dear Chairs Aaron Michlewitz and Claire Cronin.

My name is Terence J. Downing, a 13-year patrolman with the City of Taunton Police Department. Thank you for allowing me to provide testimony on House Bill 2820. Taunton is a diverse community with a population close to 60,000 and I am proud to wear the police uniform and serve the community where I was born and raised. Police want to be included in the discussions that have a direct impact on our health, safety and livelihood. In the midst of all the debate, police officers are still being ambushed, attacked, shot at and killed at an alarming rate. We have concerns over stripping away our legal collective bargaining rights and opening to the door to allowing police officers and their families to be subjected to frivolous, nuisance and retaliatory lawsuits seeking revenge against an officer who made a lawful decision. I've raised my three children to respect and honor everyone, and they have done the same with their own children. I lead by example on the streets of Taunton along with my brother and sister officers. I ask that you listen carefully to the police officers of Massachusetts and adopt a bill that includes our concerns. Thank you for listening.

Patrolman Terence J. Downing #397

Taunton Police Department

508-824-7522

From: Steven Leibowitz <steven157@gmail.com>

Sent: Friday, July 17, 2020 10:07 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony in Support of Reform - Shift - Build Act

Thank you for this opportunity. I urge the Ways & Means Committee and the House to support this bill, with some revisions.

First, the language on choke holds is not sufficiently specific in order to achieve its goal of removing that as a response option. It should be amended to do so. The same could be said for the use of tear gas.

Facial recognition needs to be banned permanently.

Qualified immunity is a practice that actually reduces trust in police.

It's a simple concept - if I do not trust an officer to protect all members of the public, at all times, regardless of the situation, then there is an inherent barrier to essential trust.

Finally, the review board must be independent and any move to reduce that independence would again reduce trust.

Thanks for your attention to these matters

Kind Regards,

Steve Leibowitz

1 Independence Way, Brewster, MA 02631

774-521-9384

From: Dorothy Stoneman <dstoneman@youthbuild.org>

Sent: Friday, July 17, 2020 10:07 AM

To: Testimony HWM Judiciary (HOU)

Subject: Support for S. 2920 and for a comparable bill in the House

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill and get it signed into law by the end of July.

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

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

I also support the Senate bill's small modifications to qualified immunity for police officers.

Most importantly, I hope the House and Senate can agree on a good police reform bill which 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.

Dorothy Stoneman

617 645 1366; 617 484 3441
366 Marsh Street

Belmont, 02478

From: Jodi <jlavita2@verizon.net>
Sent: Friday, July 17, 2020 10:07 AM
To: Testimony HWM Judiciary (HOU); Tarr, Bruce E. (SEN)
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.

Jodi LaVita
2 Oxford Road
Wilmington

Sent from my iPhone
From: ernesto andrade <vern233@yahoo.com>
Sent: Friday, July 17, 2020 10:07 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 17, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Ernesto Andrade and I live at 13 Harrison st New Bedford, MA 02740. I work at Bristol Country Sheriff's Office and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

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

Sincerely,
Ernesto Andrade

Sent from Yahoo Mail for iPhone
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From: Rachel Hawkins <rachelhawkins815@gmail.com>
Sent: Friday, July 17, 2020 10:07 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support S. 2820 and Reform Qualified Immunity

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,

Rachel Hawkins
929 Broadway #1
Somerville, MA 02144
From: D Pink <dp3341@gmail.com>
Sent: Friday, July 17, 2020 10:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Good morning,

I just learned that the public hearing/ email will only be accepted until 11:00am today. 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. In these times knee jerk reactions are not needed. Those will have unintended consequences. What we need is civility on all sides of the issue to address matters and not make rash decisions.

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,

David Pinkham

2 Leslie Ln

Millbury, MA 01527

email: dp3341@gmail.com

phone: 413-262-1036

From: Jessica Strasnick <jmstrasnick@gmail.com>

Sent: Friday, July 17, 2020 10:07 AM

To: Minicucci, Christina (HOU); Testimony HWM Judiciary (HOU); Nguyen, Tram - Rep. (HOU)

Subject: S 2820

Dear Representatives,

Thank you for taking the time to read and consider my input as it relates to S.2820. My name is Jessica Strasnick and I live in North Andover. I am the mother of three small children and my husband is a police officer. In addition, I have the honor and privilege of working each and everyday with law enforcement officers throughout the Commonwealth and with victims of violent crimes.

Last week when I first read the proposed bill being presented to the Senate I was in shock that members of our Commonwealth, people that were elected to make sound and responsible decisions to better our communities actually thought this bill was a good idea. That shock has turned to anger, sadness, confusion and fear over the past week. There has not been a night that I don't wake up thinking about it and worrying about the catastrophic effects this is going to have on our communities, our children and our safety.

The supporters of this bill are talking about stripping police of qualified immunity as if qualified immunity protects police and allows them to do bad things. That is not the case at all and if any of you are sitting here and believe that you should be ashamed of yourselves. The only ones that have that type of immunity are you. Qualified immunity protects GOOD police officers for doing what we as a society hope and expect them to do. Bad officers who do bad things already aren't protected and can be held liable. Our law enforcement officers need and deserve qualified immunity to properly do their jobs and protect the citizens of the Commonwealth. Please remember OUR police are who we are talking about, not those in other parts of the country. Massachusetts is NOT Minnesota.

Another important consideration that no one in favor of this bill seems to be talking about or caring about is the detrimental effect this will have on victims of crimes in our communities. Without qualified immunity police will not arrest or investigate anyone. Why would they with the risk of being held personally liable?

Think about the child rape victim who finally has the courage to report to police the years of abuse she has been living with. All the police officer has is her word. Unfortunately this is the case with most child sexual abuse cases because of delayed disclosures. Now that perpetrator likely won't be charged because if the officer can be held personally liable for arresting the perpetrator if he is found not guilty or the case gets dismissed why would he take the chance? That child's voice and safety will be taken away as a result of this bill.

We are still in the midst of a huge opiate problem. People are dying throughout the Commonwealth at an alarming rate because of these drugs. Do you think police officers are going to risk liability for executing a search warrant on a fentanyl dealer's home? Absolutely not! In the back of their mind there will always be the concern a judge may suppress what was found and they will be sued. Drugs will run rampant on our streets and people will continue to die.

Everyone is complaining about fireworks going off at all hours and want the police to get them to stop. Have you talked to any police officers about how they are being treated when they respond? They are being threatened and sworn at all these calls. If they try to stop people for lighting them off and get attacked and someone gets arrested an officer should risk being personally liable? Why should someone be put in that position?

I could go on and on. The reality is that the people who are going to be the most harmed are the people this bill is supposed to be protecting. Take a look at who makes up the majority of murder victims, the rape victims, and other serious assault victims.. day in and day out our police work tirelessly for justice for them and their families. This bill is not looking out for victims at all.

The supporters of this bill want to prohibit school officials and school resource officers from sharing gang information with police. Do you have any idea how dangerous this is for our communities? Law enforcement officers are able to prevent so many shootings and so many deaths in our communities by having this valuable information and being proactive. This information protects our communities and saves lives.

I think more training is a great idea and I am sure every law enforcement officer would agree. Training makes people better and we can always be better no matter what our job is. I think a review board could be a good idea if set up properly. The way it is written now is not the right way to do it. You are going to have a police review board made up of people that have no law enforcement background or experience? Are they going to attend a police academy? Are they going to participate in the same training as our police? Have these people ever even done a ride along? I have. I have watched how our police are treated, what they have to deal with and how dangerous the most innocent seeming encounter can actually be. Until you have the knowledge, training and experience as to what really happens you can not and should not be the person making passing judgment. When a doctor's judgment is called into question isn't his/her conduct reviewed by other doctors to see if it was reasonable? When a lawyer's judgment is called into question isn't his/her conduct reviewed

by other lawyers to see if was reasonable? Why should police be treated any differently?

I can only imagine the pressure you are all receiving from all sides. The way I see it is if a bill creates such a divide in our communities from all views it is not a bill that is in the best interest of anyone. There is so much potential with a bill like this if it was done properly and responsibly. Throwing this together without any real or meaningful research or discussion is not only irresponsible but it's dangerous. This is really a missed opportunity for some real and positive change in our communities.

I urge you to take a step back and get this right because what is currently before you is far from that. Both our communities and police are depending on you to put your political motivations aside and do what is actually right for the Commonwealth of Massachusetts.

Thank you for your time.
Jessica Strasnick
(978)655-5374
From: Comcast <captain.bob@comcast.net>
Sent: Friday, July 17, 2020 10:07 AM
To: Testimony HWM Judiciary (HOU)
Cc: Bruce.Tarr@state.ma.us
Subject: Bill S2820

Chair Michlewitz, Chair Cronin,
I'm writing to state my opinion that Bill S2820, has many excellent sections; however,
a Bill of this importance with longterm consequences, should be fully vetted, hearings held, and input from the law enforcement community enlisted. The Senate passage of this Bill, in the wee small hours of the morning, without benefit of the proper usual procedures, does not reflect well on our democratic system.
I urge you to delay passage of this Bill until it can be carefully researched, vetted, and amended as necessary.
Thank you very much,
Robert M. C. Smith, Private Citizen
88 Marmion Way
Rockport, MA 01966
508-284-0382
captain.bob@comcast.net
Sent from my iPad
From: Becky Wright <becky.c.wright@gmail.com>
Sent: Friday, July 17, 2020 10:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: police reform bill testimony

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, including the limits to qualified immunity and the ban on

tear gas. It is imperative that the House include those provisions in their version of the bill.

Rebecca Wright
610-416-8204
Northampton, MA
From: Arnotis, Andrew (HOU)
Sent: Friday, July 17, 2020 10:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Good morning,

Please see Rep. Walsh's testimony below, it bounced back from his original email.

Thank you!

Andrew Arnotis

Office of Representative Thomas P. Walsh

12th Essex District

State House, Room 276

617-722-2676 Ext.7115 <tel:617-722-2676;7115>

Begin forwarded message:

From: "Walsh, Thomas - Rep. (HOU)" <Thomas.Walsh@mahouse.gov>
Date: July 17, 2020 at 8:58:51 AM EDT
To: Testimony@HWMJudiciary@mahouse.gov
Subject: S2820

?

Dear Chairman Michlewitz and Chairwoman Cronin,

It should come as no surprise that I too am hearing from my constituents through email, and many more in person, about their concerns regarding the magnitude of this bill and the timeframe with which we are expected to enact this legislation. While many acknowledge that there are positive sections of the bill, I share the concerns of many about now eliminating qualified immunity. As you know, an individual can currently access the federal court system to file a complaint against a police officer or department. We should not eliminate qualified immunity.

Additionally, I need clarification on the impact this bill has on civil service and about the appeals process on decertification. It is my opinion that we need a full vetting of this legislation and that we should take advantage of the next several months to craft a comprehensive bill where all stakeholders have the opportunity to participate.

I appreciate the time, hard work and emotion so many have expended to get to this point. I am hopeful that we will ultimately come to a fair resolution for all.

Thank you,
Tom Walsh

Sent from my iPad

From: Curtis Weaver <curtisweaver00@gmail.com>
Sent: Friday, July 17, 2020 10:06 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,

Officer Curtis Weaver #4-3
Bernardston Police department
256 South Street, Bernardston, MA 01337

Sent from my iPhone From: Steven xiarhos <steven.xiarhos@gmail.com>
Sent: Friday, July 17, 2020 10:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Public Testimony Concerning the Police Reform Bill (S. 2820)

Steven G. Xiarhos
67 Saddler Lane
West Barnstable, MA 02668
E-mail: steven.xiarhos@gmail.com
Tel. (774) 205-5956

Via e-mail to: Testimony.HWMJudiciary@mahouse.gov

July 17, 2020

Hon. Aaron Michlewitz, Chair
Cronin, House Chair
House Committee on Ways and Means
Massachusetts State House
House
24 Beacon Street, Room 243
Room 136
Boston, MA 02133
02133

Hon. Claire D.
Joint Committee on the Judiciary
Massachusetts State
24 Beacon Street,
Boston, MA
02133

Re: Public Testimony Concerning the Police Reform Bill (S. 2820)

Dear Representatives Michlewitz and Cronin:

I write to provide public testimony to you, and through you to the Honorable Members of the House Ways and Means Committee and the Joint Committee on the Judiciary, regarding 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" (the so-called "Police Reform Bill").

First off, I would like to sincerely thank you for opening up an opportunity for the public to provide comments to your committees regarding this legislation prior to its consideration by the House of Representatives. I respect your willingness to hear from different public viewpoints before this bill is debated by the House. I am extremely concerned and troubled by the lack of accountability and democratic process demonstrated by your colleagues in the Senate when they recently debated and passed this bill without any opportunity for public comment. Public input on legislation is essential to the success of our democratic process. On all matters, our government must live up to its foundational purpose of being, in the words of Lincoln, an institution "of, by, and for the People."

I also would like to make it very clear up-front that I have serious concerns about certain specific provisions of the existing Police Reform Bill, but that I generally support the passage of legislation to reform standards applicable to policing in our Commonwealth.

I spent forty years working as a police officer in the Town of Yarmouth up until my retirement in late 2019. I rose up through the ranks of the Department from working as a seasonal Summer Reserve Police Officer to eventually becoming Deputy Chief of Police. Essentially, I spent a great deal of time as a rank-in-file officer and then working in a supervisory capacity, so I saw different viewpoints within the law enforcement system. My son, Alex, also continues to work as a police officer in the Town of Yarmouth.

During my many years of police work, I can honestly say that I was always proud to wear the badge of a police officer, and that I constantly regarded the men and women around me as not only persons of integrity and professionalism, but also as true heroes. Police officers go to work every day not knowing if they will return home safely due to the hazards of their occupation. They work long hours and staggered shifts, often away from their families overnight and during holidays. They venture out to patrol the streets when darkness and inclement weather keep everyone else indoors. They subject themselves to enhanced risk of cardiovascular disease and mental illness due to the stressful circumstances they deal with every day. They volunteer themselves to answer the call whenever something goes tragically wrong in the normal routine of daily life which we all take for granted. Incredibly, police officers do all of this for one noble and selfless purpose - to protect and serve their community.

As someone who wore the badge and blue uniform of a police officer for four decades, these words are more than just mere platitudes. In my days of service, I responded to countless motor vehicle accidents and serious crime scenes. I was there for people to talk to when they were the victim of a crime or when they or a cherished loved one were seriously injured. And, tragically, I know what it feels like when a police officer within your own department is murdered in the line of duty.

One of the best ways to prepare officers to deal with such rigors in the field is to provide law enforcement with adequate training. For years, I worked with the Massachusetts Municipal Police Training Committee (MPTC) to train fellow police officers on issues including proper crisis intervention, the use of force, the investigation of crimes, and the prevention of cruelty to animals. In my opinion, officer training is essential to the successful performance of officers' missions. This is an area that has been seriously neglected over many years. To the extent the Police Reform Bill increases resources, support, and opportunity to better train police officers for the challenges that await them in the field, I wholeheartedly agree we need such training.

Obviously, there is also more at stake. Our state - our nation - has been profoundly moved by the recent deplorable acts of certain police officers in Minneapolis responsible for the killing of George Floyd, together with similar tragedies elsewhere. These acts were committed by bad people, people who dishonor the badge they wore and the community they swore to protect and serve, and who do not represent the high integrity of the people I was privileged to work with. Nevertheless, their acts have not only shaken our communities to their core, but also caused law enforcement to re-examine best practices.

Again, I believe training is key to help officers prepare to deal with difficult situations appropriately and to avoid tragic acts like those in Minneapolis. I also strongly condemn any act by any officer that constitutes police brutality, or the application of force or abuse of power on the basis of racial bias or any other suspect classification. There is absolutely no place for hate or bias in our society generally, much less in our police departments. And, while I trust that the horrible wrongs committed by officers in Minneapolis are rare and not indicative of police generally, that does not make them acceptable.

It is a worthy goal of the Police Reform Bill to make sure that we do everything possible to prevent racism and police brutality, and that any such incidents are dealt with appropriately. There are some provisions of the bill, such as a ban on choke holds, that make sense and should be passed. However, I also believe the Legislature should take care not to over-regulate police in the performance of their duties in the best interest of public and officer safety. Let us be careful not to overstep and overreact to current events, however well-intentioned our response. Current events bring forth a needed opportunity for reexamination and reform, and there should be a demand for the highest levels of accountability by all public servants, including our police. But, we should resist calls to defund our police or undermine their ability to properly and responsibly perform their work as professionals while in the field.

One example is the amendment added to S.2800 by Senator Jehlen, which would severely restrict the ability of local school districts to share information with police departments, even if there is reason to suspect a student is a gang member. I do not expect teachers to act as cops. However, policies like this are reckless and irresponsible. In the name of public safety, this amendment should be removed from the bill. Likewise, as a former school resource officer myself, I strongly

encourage you to maintain a police presence in our schools. School resource officers perform an incredibly important function in the name of school security, and they build important bridges between police and youth. These relationships are very important in the name of restoring trust and confidence between officers and students.

Massachusetts is one of few places where there is not a certification / de-certification program for police officers. I am not necessarily opposed to the creation of such a system here, so long as it is well-composed. It goes without saying that any officer who is not properly credentialed or who falls out of favor with expected standards should not serve as an officer, whether or not there is a certification system. However, I also believe this system should rely heavily on professional expertise to make its judgments. Also, the system should be crafted such that it does not undercut existing civil service and collective bargaining rights. In my view and experience, not only does civil service generally work, it also provides important local discretion while also giving a hiring preference to veterans who have served our nation.

With that in mind, I also have concerns about the removal of qualified immunity protections for law enforcement. Right now, qualified immunity protects a variety of public employees from having to defend themselves against frivolous lawsuits and claims that are without merit. This is an important protection. Qualified immunity does not shield fundamentally bad people from real claims lodged against them for actual wrongdoing - nor should it. While I am open to the idea that our Commonwealth might need a better system to determine the merit of individual claims to make sure that wrongs are properly addressed, I also believe that qualified immunity protections should not be entirely removed for law enforcement officials in the performance of their duties.

Our police serve a critical function to preserve order and protect citizens in our society. As such, they must always represent the highest and best standards of our community. Constant reexamination of best practices, along with the adoption of reforms when needed, is a good thing. This is personally very important to me, both as a former police officer and also as the parent of someone who still wears the badge. But, police officers must not be undercut in the performance of their work. As a general matter, police deserve our support and encouragement, not our ire. While I acknowledge the need for certain reforms, I also proudly continue to "Back the Blue." I sincerely hope the end product of your deliberation will be a bill that supports these principles and of which we can all be proud.

Thank you for your consideration of these comments.

Sincerely,

Steven G. Xiarhos
Former Deputy Chief of Police (Ret.), Town of Yarmouth

From: Walter Sweeney <walter.sweeney@hanover-ma.gov>

Sent: Friday, July 17, 2020 10:06 AM
To: Testimony HWM Judiciary (HOU)
Cc: DeCoste, David - Rep. (HOU); Joseph Colangelo; John Tuzik; DeLeo, Robert - Rep. (HOU); Cronin, Claire - Rep. (HOU); Michlewitz, Aaron - Rep. (HWM)
Subject: Police Reform Testimony

July 17, 2020

Chairman Aaron Michlewitz

Chairwoman Claire Cronin

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 write to express my desire for you to consider some information during your hearing on the above proposed legislation. I have served as a police officer in the Town of Hanover for the past 40 years, 38 of those years as a full-time police officer. I have been the Chief of Police for the past 12 years. I am a level 3 instructor in multiple subjects (cultural diversity, hate based crimes, problem solving, community policing, juvenile issues and domestic violence) at several MPTC police academies. I hold a BA in Criminal Justice from Stonehill College (1982) and a MS in Criminal Justice Administration from Western New England University (2002). I currently serve on the Board of Directors of Plymouth County Outreach. I have presented in 2019 at the U. S. House of Representatives Office Building on behalf of Plymouth County Outreach specifically regarding community engagement and partnerships. In March of this year I presented at the Bureau of Justice Assistance Opioid Abuse Program National Forum in Arlington, VA.

In Hanover, the department similar to many other departments has adopted the principles established in the President's Task Force on 21st Century Policing. All officers have completed training on fair and impartial policing, implicit bias, leadership, procedural justice, mental health first-aid and de-escalation tactics. These specific topics support many of the principles that were established in the President's Task Force.

We have a very robust and cooperative School Resource Officer Program with our partners in the Hanover Public Schools and the South Shore Technical High School. Our partnership is guided by the legislation enacted in 2014 under the Safe and Supportive Schools Law. These

officers serve as role models in our schools and community while providing safety and security.

The Hanover Police Department participates and reports to the FBI National Use of Force Data Collection Registry. The department began reporting monthly when the initiative was launched in 2019.

The Hanover Police Department is a member of Plymouth County Outreach. Plymouth County Outreach is a multi-faceted collaboration of the 27 municipal police departments in Plymouth County, as well as Bridgewater State University Police Department, working together to make treatment more accessible to those suffering from Substance Use Disorder. Each department commits to assign Outreach Officers, who will respond, usually within 12-72 hours to the residence of the overdose victim in plainclothes and an unmarked cruiser, alongside a PCO Recovery Coach, licensed clinician and/or social worker. Each department also assigns data designees to work to keep the Critical Incident Management System updated. All officers are certified to administer Naloxone and the department provides this important overdose reversal drug. The program was recognized and the department received the International Association of Chiefs of Police Leadership in Community Policing Award in 2018 for these efforts.

Through a grant from South Shore Health, P.A.A.R.I. is partnering with Plymouth County Outreach to enhance their program to launch the nation's first county-wide Hub model. The HUB model aims to assist those struggling before they reach a crisis point, and to provide outreach and linkages to care for individuals at acutely elevated risk for a variety of behavioral health concerns. The new model is designed to increase collaboration, reduce calls for service, and improve access to care for those struggling with substance use disorders, mental health concerns, and a variety of other risk factors. The model launched earlier this month during five days of training for Plymouth County law enforcement officers and field personnel (outreach officers, recovery coaches, resource and partner clinicians, social workers and others). Representatives from ten police departments outside of Plymouth County also attended the training to prepare to launch the model in their own communities in the future.

While serving on the Southeast Massachusetts Police Chief's Training Advisory Board I have supported and lobbied for improvements to police training facilities, increased course offerings and regular funding sources for essential police training. I agree with and have endorsed a fair and comprehensive Police Officers Standards and Training (POST) certification process for all police officers in Massachusetts.

In 2010, the Commonwealth of Massachusetts saw fit to eliminate the police career education incentive program, commonly referred to as the

"Quinn Bill". The elected officials in the town of Hanover worked in a collaborative manner to fund the program locally in order to maintain a well -educated, professional police department. This was a true collaboration with members of the police department bargaining unit forgoing any salary increases for a period of 3 years in exchange for continued local funding of career education incentive funding by the town. The objective has been achieved. In a department of 30 officers, 9 officers hold Master's Degrees, 14 officers hold Bachelor's Degrees, 3 officers hold Associates Degrees and 2 officers are working towards degrees.

I strongly oppose any attempts to categorically label police officers in Hanover or the Commonwealth of Massachusetts as being discriminatory or inherently bias. Attempts through legislation to interfere with the police department's ability to protect our communities or provide professional services are not acceptable. Much of the current discussion involves actions and responses which occurred thousands of miles from Massachusetts.

I am committed to efforts that are supported by evidence based improvements to our profession. If there is to be any effective change in the profession of policing, all aspects of the criminal justice system must be involved. Courts and corrections should be considered relative to any systematic change. Government must commit to adequate funding for costs associated with any requirements placed on local communities.

I believe the mission statement which was a collaborative effort of department members best describes the department's objective in the community. It provides a standard each and every officer is held to every day. Interestingly these are not new words, the mission statement was adopted in 1999.

The Mission of the Hanover Police Department is to prevent crime, preserve order, and to protect the rights, lives and property of the citizens of Hanover. We will cultivate partnerships within our community to identify and effectively respond to the diverse, ever-changing social and cultural demands. Together we will accomplish this with emphasis on integrity, fairness and professionalism.

It is my hope that as the House of Representatives debates this proposed legislation some of the important information provided by professionals in the law enforcement community will be considered and debated in an open and public forum. It is important that both citizens and members of the legislature have an accurate understanding of what law enforcement standards are in the Commonwealth. This is a debate which deserves to be open and available to members of the public as well as the profession of policing and public safety.

Thank you for taking the time to consider this testimony.

Walter L. Sweeney, Jr

Chief of Police

E911/Emergency Dispatch

Hanover Police Department

781-826-3811

Secretary-Treasurer Southeast Massachusetts Chief's of Police Association

From: Chief Ted Ross <tross@norwellpolice.com>

Sent: Friday, July 17, 2020 10:06 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".

I stand with the Mass Chiefs of Police on this matter. There are many sections of the Bill that will have a detrimental impact on Norwell if not addressed, including sections having to do with Special Police Officers (POST), School Resource Officers, Accreditation, Qualified Immunity and training. The negative impact this will have on our profession will be catastrophic. The amount of officers that will leave will the profession will be dangerous for cities and towns never mind the recruitment will be near impossible-who would want this job?

Thank you for the opportunity to weigh in with our concerns and recommendations and hope that you would give due consideration to what we has been proposed and outlined in more detail with the Mass Chiefs of Police letter. It is truly a critical time for Public Safety.

Sincerely,

Chief Ted Ross

Norwell Police Department

300A Washington Street

Norwell, MA 02061

1-781-659-7979 (phone)

1-781-659-2496 (fax)

Chief@norwellpolice.com <mailto:Chief@norwellpolice.com>

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From: Robert Aufiero Jr <rob821af@yahoo.com>
Sent: Friday, July 17, 2020 10:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

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

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

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

Sincerely,
Robert Aufiero
From: Blossom Francis <bloss1602@yahoo.com>
Sent: Friday, July 17, 2020 10:06 AM

To: Testimony HWM Judiciary (HOU)
Subject: Passing 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.

Blossom Francis

166 Carl Ave,

Brockton, MA 02302

617-980-2799

From: Caitlin B <cbyrne12345@yahoo.com>
Sent: Friday, July 17, 2020 10:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Immediate attention for bill S.2800

Dear Aaron Michlewitz and Claire Cronin,

?I am writing in great opposition to Bill S.2800. I believe this bill was hastily thrown together in an attempt to please protestors. I fully believe there is always room for reform and the actions of a few cops have been despicable, but this bill will not solve the problem. Not to mention, it not only negatively effects police officers, it also effects fire fighters, nurses, educators, etc. I am disgusted by the lack of respect the men and women who put their lives on the line are receiving from politicians. Do you not remember when Barack Obama praised the Boston Police Department?

Below are three issues that need to be revisited and rewritten.

(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. Due process and the appeal process are fundamental rights for all US citizens. You cannot take this right away from one job sector.

(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. This is not be limited to police officers. Getting rid of qualified immunity will effect firefighters, EMTs, nurses, teachers, etc.

(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.

(4) Schools can no longer give information about students to law enforcement officers. Youth spend majority of their time in schools, so teachers learn a lot about their personal lives. Sometimes they learn things that must be reported. Taking this option away from educators can put the teachers and youth at risk.

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,

Caitlin Byrne

From: Katelyn Griffin <katelyngriffin34@gmail.com>

Sent: Friday, July 17, 2020 10:06 AM

To: Testimony HWM Judiciary (HOU)

Subject: S2820

Dear Honorable Committee Chairs:

I am a resident of Hudson, MA and I oppose the Senate bill that was passed with regard to police reforms. It is not a reform bill it is a dismantling of law enforcement in our communities and it will make communities unsafe.

Just a mere 8 weeks ago we were applauding our first responders for working through a worldwide pandemic. We were requesting they drive by with their lights and sirens on to lead "Happy Birthday" car parades during stay at home orders.

Unfortunately the vast majority of our judges and elected DA's act more like criminal advocates than part of the criminal justice system. There is no telling how damaging or far reaching this legislation could be. Below are some issues to consider related to actual Law Enforcement issues. Bills like this will result in more violence, lower quality policing, and greater divide between police and the community.

BILL:

Allows a person to institute and prosecute a civil action for injunctive and other appropriate relief for infringement upon their rights by a person acting under color of law.

Specifies that qualified immunity shall not apply to claims of monetary damages under the Massachusetts Civil Rights Act unless no reasonable defendant could have had reason to believe that such conduct would violate the law.

Consequence:

The consequences of this portion of the bill reach beyond our streets and into the court rooms. When someone envisions a civil rights violation they picture Rodney King being arrested in the street. They don't think of a gang member stopped for a legitimate reason. Having his vehicle towed because the registration is expired. Then subsequently being charged with the illegal large capacity firearm located under his seat during a motor vehicle inventory prior to towing.

Unfortunately when a judge decides that the towing of the vehicle may have violated department tow policy for some reason the inventory is invalid or dismissed. Now the firearm, which is still very real, is lost and the charge disappears. It used to end there....cops lose in court, the defendant is not punished, and the gun is off the street.

Under this new Bill however, it appears the Officer may be "per-se" guilty of a civil rights violation for search and seizure. That individual officer, back-up officer, or supervisor may now be liable for "appropriate relief" all because a judge disagrees with the towing of a vehicle. Further cops will now push ADA's for enhanced prosecution of formerly "dismissable" violations. Charges like resisting arrest,

disorderly conduct, and A&B on a police officer were all likely to be dismissed based on the severity of the act or resulting injury. Now it is unlikely any officer will agree to have charges dismissed, especially when force was used, and potentially expose themselves to financial liability. Unfortunately this will likely affect those members of the community this bill seeks to protect at a much higher rate.

BILL:

*Clarifies that a person may petition for expungement of more than 1 record pertaining to certain charges or cases that occurred before the person's twenty-first birthday.

- Allows a person to re-file a petition for expungement if such petition was denied before the effective date of this act solely because the petitioner had more than 1 record as an adjudicated delinquent or adjudicated youthful offender or of a conviction.

But.....

- Requires the Police Officer Standards and Accreditation Committee to maintain a publicly available searchable database containing information about a law enforcement officer's appointing authority and certification status.

- Requires the Police Officer Standards and Accreditation Committee to maintain a publicly available searchable database containing de-identified information about complaints filed against individual law enforcement officers.

Consequence:

This is simply the concealment of criminal records and exposure of non-criminal complaints against officers. Cops are criminals and Criminals are not. This is also a nice response to the likely outcome of the previously discussed portion of the bill. While now more likely to be charged with crimes those individuals can also have them expunged from their record. All it means is more court/overtime/waste and fundraising for the criminal justice system. All on the backs of minority communities. In addition if there is a database the likelihood of bad actors and paid activists to assert a complaint against individual police officers will skyrocket in an attempt to remove as many of them from serving the public as possible in this climate of defund the police. It is a back door way to accomplish that goal.

BILL :

- Requires law enforcement officers to record statistical data whenever a person is stopped and frisked or searched.
- Requires a law enforcement officer to provide a receipt after a stop of a vehicle or pedestrian that did not result in a citation.
- Requires a police department to do a quarterly review of each officer's stop and search documentation and the entire department's stop and search data.

Consequence:

Any legislation regarding motor-vehicle stops has a direct effect on proactive policing and the seizure of Drugs and Guns. Restrict or hamstring police in the use of interdiction stops and you will see an immediate rise of gun violence and violence specifically related to gangs and drugs. Increased liability and rumored "per-se" civil rights violations, if seizures/searches are dismissed in court, will destroy violent gang suppression and VICE Narcotic units.

For politicians and wealthy communities this rise in violence will only be seen on TV. For those, largely minority black/hispanic communities, the violence will be in their neighborhoods taking their children. This is seemingly a simple concept but not the only unintended consequence for poor minority communities.

The legislature has also sought to eliminate the "verbal warning" from the tool belt of Officers. As the assault on officer discretion continues this is another element of the bill that is completely ill conceived.

-Minority Black/Hispanic communities account for some of the poorest areas in our State. Poor people drive older model vehicles.

-Those vehicles are more likely to have a broken windshield or rear view mirror, no blinker, headlight taillight out, no blue tooth capability. The people living in those communities are also struggling to pay for vehicle registration, inspection stickers, and license fees. All are reasons for potential stops.

-Now those stops under new legislation will require detailed paperwork and a receipt. The recourse for officers, to protect themselves from unfounded complaints, will be to issue a citation and allow the operator to fight it in court.

-As tickets pile up on drivers from poor communities they see their licenses suspended and are now subject to arrest while simply driving to work to pay their tickets.

How is this helping? It is a nice fundraiser for the state and Courts though.

You're seeing the direct effects of this in New York City as the city spirals into chaos, infants and children in minority neighborhoods shot and killed, all to further a political agenda. Now we're seeing leaders of the Black community asking for those units disbanded by the Mayor of

NYC be reinstated so halt the bloodshed. Is that what we want for Massachusetts? I know it's not what I want to see as someone who resides in one of the poorer communities in Massachusetts.

Who will want to be a police officer if our lawmakers continually make them the scapegoats and villains? I have many friends who are officers and family members. They want out and they're the good ones. They're going to bide their time, avoid making any arrests, and retire or find a new career. Enough is enough. Every person with an ax to grind and those with political motives will sue cops indiscriminately.

If you pass this, which I plead you not to, include a database of those individuals that sue every police officer so that the officers know what they're dealing with. If you don't I can assure you one will be created by the officers themselves since these are personal civil lawsuits. I guarantee you it will be the same names over and over. This will also open up the ability of officers to sue the people they arrest if they are injured as well. It's a double edged sword.

Officers are acting on behalf of their communities i.e. "the state". They can't afford to pay for "malpractice" insurance like a doctor who can add it into the cost of doing business and pass that on to insurance companies. Officers do not make a lot of money. This bill also takes qualified immunity away from firefighters, EMT's and nurses. What a way to treat those individuals on the front lines of a pandemic. It's so disheartening.

I ask that you reject this ill conceived bill and maintain qualified immunity for our police, fire, EMT's, nurses and all of those folks that are serving our community and trying to make it a better place to live for everyone.

Sincerely,
Katelyn Griffin
Hudson, MA
978-888-4961

From: Lauren Saunders <laurensaunders85@gmail.com>
Sent: Friday, July 17, 2020 10:05 AM
To: Testimony HWM Judiciary (HOU)
Subject: opposition to Bill S.2820

I am writing to express my opposition to Bill S.2820. First responders must be protected!

From: Mark Benoit <markbenoit14@gmail.com>
Sent: Friday, July 17, 2020 10:05 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Testimony

Dear Chairman Michelwitz and Chairwomen Cronin,

Please allow me to introduce myself. My name is Mark Benoit. I am the father of three, a husband and a brother. I spend many of my off hours working with the youth of my community. I have been a Police Officer for twenty years and I am the Vice President of the Grafton Police Alliance, the union that represents the Patrol Officers and Sergeants of the Grafton Police Department. I am writing to you on behalf of the Men and Women of the Grafton Police Alliance. Thank you for allowing us to be heard.

This legislation is attempting to fix a problem that we do not have in Massachusetts. Let me explain further. To the best of my knowledge the last time a Massachusetts Police Officer shot an unarmed person was more than 40 years ago, June 21, 1979 to be exact. That Police officer, Hiram Estremera, was prosecuted and sent to State Prison. I have attended the Police Academy and yearly in-service training for approximately twenty years and I can tell you that in all my years on the job "chokeholds " have never been part of the training and is not an approved technique. Moreover, I do not know of any incident in which a Massachusetts Police Officer used a choke hold. What has been part of the training is dealing with the mentally ill, Procedural Justice, Use of Force and De-escalation...

While on the topic of De-escalation, this is nothing new. When I was starting my career in law enforcement in the late 1990s it was called Verbal Judo. But there is one important factor, both the Police Officer and the suspect must both de-escalate for it to work.

This Bill will also severely limit Qualified Immunity leaving Police Officers personally liable. It is unreasonable that Police Officers be held personally liable for split second decisions made in the line of duty. This will result in officers hesitating and putting themselves and the public at risk. The Supreme Court has ruled that the Police have no duty to protect individual citizens, therefore why would any intelligent Police Officer put themselves in harms way, due the right thing and lose everything to a civil lawsuit, when there is no liability in inaction.

Another major issue with this Bill is the lack of due process for Police Officers facing discipline or decertification. Police Officers like all public employees are entitled to have a fair, reasonable and objective investigation into any accusations of wrongdoing. This includes the ability to appeal any decision to a neutral arbitrator. This bill removes these basic protections afforded to all public employees.

S. 2820 creates the Police Officer Standards and Accreditation Committee. This in itself is not an issue however; this Bill will create a Licensing Agency that will NOT be made up of a majority of industry professionals. Massachusetts has various Licensing agencies and boards for many trades and occupations and they are made up of professionals from their respective occupations with a minority stake on such boards made up of lay people. 2820 does just the opposite with the overwhelming majority of the 15-member committee having ZERO experience in policing. This would be like having a Police Officer make up the majority of the Board of Registration in Medicine, or having Landscapers in charge of the Board of State Examiners of Plumbers and Gas Fitters. It makes no sense whatsoever.

I can tell you that in more than 20 years as a Police Officer I have never seen morale this low. Every Police Officer I know, myself included, is talking about retirement or contemplating changing careers. The Police Reform Bill is nothing short of an attack on Police Officers and it will be those we serve and protect who will be most affected.

Respectfully,

Mark Benoit

145 Millbury St

Grafton, Ma

774-696-7346

Vice President Grafton Police Alliance

<https://ssl.gstatic.com/ui/v1/icons/mail/no_photo.png> ReplyForward

From: Karen Cruz <kamaccruz16@gmail.com>
Sent: Friday, July 17, 2020 10:05 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony re S.2800

Representatives;

I'm writing in support of the Police Reform bill passed in the Senate yesterday, S.2800. I urge you to pass this through the House 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. These reforms will be a very important step in lessening the disastrous effects of systemic injustice in the treatment of non-white minorities in the Commonwealth.

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.

Karen Cruz
6 Main St. Extensión 263
Plymouth MA 02360
774-297-3832
From: Judy Zaunbrecher <jrzaunbrecher@gmail.com>
Sent: Friday, July 17, 2020 10:05 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony in support of S.2800

Dear Chairs Michlewitz and Cronin,

I write to you in support of S.2800.

Blacks, indigenous, and people of color suffer systemic racism in our society, including in Massachusetts. The police is one of the primary tools used to enforce white supremacy against BIPOC. The video of George

Floyd's murder at the hands of a police officer is example of police violence against Blacks.

The only way this violence will stop is for the government, who is the organization responsible for the police, to set new rules and stop this violence. S.2800 is a start to prevent the use of excessive force and brutality by law enforcement.

I also urge you to include the following measures in the comprehensive bill:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda

<[HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.](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-5Fh5TYPotPwTxxZ2JtqfZoMTFI-2D1fSGgJE-5FAdM69hnlW0GxpWGCmB-2DDeQIkK4gMQFDv9KdbZTqybbTQab81GKdWQqCJl6NpVz0rWrm5Tat7OE-2Dj1U99acZZdP8YctIDWcI-2DQfxYjvYfn5aO-5F-2DtZqgE1N7OCvfaYTnFPi6&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu k13zIs16rchf_GkGDD&m=sYiWt-LfFIiltOeSJDgOsmCCiDjqnKBlxGVPW0kX-es&s=E9Ah_AJh5hYcE1lFWuPL_hDYscq4M1cjmW7zv3Ifh04&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.</p></div><div data-bbox=)

I am a member of the League of Women Voters. We advocate against systemic racism in the justice system and support preventing excessive force and brutality by law enforcement. We will continue and organize and advocate for racial justice to ensure everyone regardless of the hue of their skin can achieve the promise of the Declaration of Independence to have the right to life, liberty and the pursuit of happiness.

Judy Zaunbrecher
Concord, MA
978-371-7466
League of Women Voters member

--

<<https://lwvma.org/wp-content/uploads/2020/02/100-years.png>>

From: Irene Gibbons <ikgibbons31@gmail.com>

Sent: Friday, July 17, 2020 10:05 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820.

I am a constituent from Stow, MA. I have grave concerns about the passing of bill The Act to Reform Police Standards S2800 as it stands. I don't believe it will have the effect you would like and believe it will have unintended consequences.

I have worked in poor neighborhoods of Dorchester, Mattapan, and South Boston. At that time, the wonderful residents I visited in their homes to help take care of their children, would let me know that they didn't feel it was safe to take their children to the playgrounds. Not because of police, but because of gun violence. There were in fact shootings during the day at the playground, BEFORE police were called to the scene. People at that time were asking for more police and I remember people being upset that police "wouldn't come into their neighborhoods".

Passing this bill without qualified immunity will most certainly turn good people away from becoming police officers. Many people would not want to put their families and livelihood that they have worked so hard for put at risk over a frivolous lawsuit. We have good samaritan laws to protect those who administer CPR. I think police officers who are trying to help should be extended this same privilege. I am sure you understand the importance of this as you have absolute immunity.

Our country is based on due process. Innocent until proven guilty. This does not matter if the person is a police officer or not. Improving and being more stringent so that EVERYONE gets due process is the answer, not removing this right for police officers.

I respectfully ask that you do not pass bill The Act to Reform Police Standards S2800.

Respectfully a consistent voter,
Irene Kounelas Gibbons
Saw Mill Road
Stow, MA
617-291-4801

From: mkmfarrell@comcast.net
Sent: Friday, July 17, 2020 10:05 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,

Mark Farrell

From: Laura Pawle <lhpawle@yahoo.com>

Sent: Friday, July 17, 2020 10:05 AM

To: Testimony HWM Judiciary (HOU)

Subject: Pass comprehensive police reform now!

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Laura H. Pawle with the Greater Boston Interfaith Organization (GBIO). I live at 159 Concord Ave., Cambridge.

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

The time for action is NOW. Thank you very much.

Laura H. Pawle
159 Concord Ave., 4-A
Cambridge MA. 02138
lhpawle@yahoo.com
617-285-7944

From: Cindi Anderson <lucyanderson4@icloud.com>
Sent: Friday, July 17, 2020 10:05 AM
To: Testimony HWM Judiciary (HOU)
Subject: Strong Opposition to many parts of 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,

LuCinda Anderson

35 Willard Avenue Worcester, MA 01602

774-535-3302

Sent from my iPadFrom: Yuriy Bukhenik <ybukhenik@gmail.com>

Sent: Friday, July 17, 2020 10:05 AM

To: Testimony HWM Judiciary (HOU)

Subject: S 2 8 2 0

Dear Representatives,

I thank you for your time and diligence in this matter. This is the most important bill, which needs the most attention and consideration in our recent history. The unintended results from this law will impact not only law enforcement, but all of our communities, and most importantly our children's futures. I write to you not only as a diligently voting constituent, but also as a first generation proud immigrant, US Marine Corps Veteran and Law Enforcement professional for over seventeen years. My training and experience spans years of service honorably enforcing the law in the Armed Forces, Federal facilities, local Massachusetts Police Departments and now Massachusetts State Police for over nine years. I take immense pride in serving my community and this great Commonwealth of ours.

Aside from the key concerns outlined in detail below, I fear that these laws will dramatically impact all of us in ways that could be irreversible. The reason it strikes such fear into me is that ultimately everything boils down to dollar signs. For years I have seen chiefs of police and colonels beg and plea for appropriate funding for training, equipment, and recruited personnel. Each and every year the police budget line item has been on the chopping block. Whenever there was a cut to be made, police departments suffered that loss. Not only lacking appropriate training and equipment funding but being stripped of what was already

insufficient. Under Gov. Patrick, MSP did not see a Recruit Training Troop in 6, SIX years!! That sacrifice and burden ultimately fell on the shoulders of the rank and file, but the commonwealth as a whole suffered and continues to pay dividends for those decisions. Fast forward to 2020 and we are hearing cries to "Defund" the police, when images of inappropriate training and tactics are clearly displayed on national media and social platforms. Please keep in mind that as all of our United States are independent and sovereign jurisdictions, those departments thousands of miles away are also far from the quality of police we are so fortunate to have serving us here in Massachusetts. If as proposed S 2820 goes into law, we will absolutely see drastic deterioration in the quality of police services, quality of personnel seeking the profession and most importantly immense deterioration in all of our safety. Simply put, look at what is happening in New York. If you disagree and say, "That's New York, it will never happen here." Then please subscribe to the same logic and say "That's Minneapolis, it will never happen here!" We as law enforcement professionals feel this fear, not only because we suspect that the aforementioned negatives will come true, we wholeheartedly know they will. We work these streets, we live in this environment each and every day, and not simply through the camera lens of the local TV News station.

Having spoken to several professionals in the insurance industry, it is very clear that police officers already have a difficulty obtaining home owner's policies, since some companies will not insure them simply because of the risks and liabilities that come along with the profession. Here we have those that put on a uniform and go out into the night serving and protecting our communities doing an honorable job, but yet they struggle in obtaining insurance for their homes where their loved ones lay their heads. How unfair and quite honestly disgusting is that? If Qualified Immunity is altered in any way, NO INSURANCE COMPANY WILL COVER Law Enforcement member's home policy. Now we are stripped from the right to own a home in this great land and our pure pursuit of happiness. The insurance wholesalers are licking their chops at the bit to sell additional liability policies to officers at \$7,500/ year for 1 Million in coverage. Some of us already struggle with putting bread on the table and now have to worry about yet another expense that will be inevitable if S. 2820 passes unchanged and we public servants lose Qualified Immunity. If my personal liability insurance expenses do not tug at your heart strings, I assure you that frivolous suits will not stop at simply taking my house and property, they will continue to pass that expense onto the cities, towns and the state when they go after all of our tax dollars.

I believe in good police service and know that accountability is absolutely necessary within our profession. Peace, Safety, Equality and Justice are all stitched into the fabric of every civilized society and we as citizens of Massachusetts should absolutely strive for same. What I

cannot understand is that S. 2820 is calling for Equality and Accountability through MSP construction detail assignment procedural changes. What does Construction Details and Safety have to do with racial equality and police accountability? The sly tactics of union busting and stripping bargaining power from associations through maniacal laws is absolutely sickening. Again, allow those that do the job, and live in the environment 24/7 <x-apple-data-detectors://1> continue to service the commonwealth, and not a civilian agency that has no business in law enforcement. This agency will simply incur another needless and careless expense.

Sir Robert Peel, the father of modern policing wrote that "Police are the Public and the Public are the Police". We are the public, we are citizens of this great land and we deserve the same rights under the constitution as anyone else. We as public servants deserve due process and should be treated with the same justice as anyone else being "accused" of improprieties. Why should we pick and choose who deserves protection under the law? Are we all not created equal? With that said, when cases go to trial, the defendants are judged by jurors of their peers. When Law Enforcement members go before a panel of POSA, it too should be their peers in Law Enforcement that do the job, work the streets, walk the beat and serve the community.

We, as the voting public, tax paying residents watch the actions of Beacon Hill. We take note of what happens up under with careful examination, since we understand that it effects us a great deal more than what happens on Capital Hill. Please take note of my points within this communication, to include the detailed explanations below when you draft the house version of the bill.

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

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

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

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

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

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

Thank you,

Yuri Bukhenik

60 Jamie Lane <x-apple-data-detectors://4/1>

Stoughton <x-apple-data-detectors://4/1>

YBukhenik@gmail.com

Sent from my iPhone
From: Peter DiPietro <dipietro409@aol.com>
Sent: Friday, July 17, 2020 10:05 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform

To whom it may concern:

As a lifelong resident of Massachusetts I would like to express my displeasure with the current police reform bill that was passed through the Senate. While I do not oppose A reform of the police and criminal justice system, the amendments laid out before us would more negatively impact our communities than provide positive change.

Specifically taking away qualified immunity for police officers will result in those officers being afraid to take proper action while enforcing the law. Please officers will be deterred from doing proactive work which will result in an increase in crime across the state. Qualified immunity does not protect an officer who violates the law while conducting his or her duty. I believe that there needs to be open dialogue between the state and police unions across the state in drafting a better proposed reform bill.

Thank you for your time,
Peter DiPietro
Tewksbury , MA
From: Orin Nisenson <orin@nisenson.com>
Sent: Friday, July 17, 2020 10:05 AM
To: Testimony HWM Judiciary (HOU)
Subject: police reform

As a RN I had to obtain a college degree in nursing, take and pass a national standardized test and every year since take required continuing education credits.

We require similar paths for doctors and teachers.

I think it is time we require police officers, of all ranks, to do the same.

Thank you,
Orin Nisenson
61 Amherst Rd.
Pelham, Mass. 01002

U.S. Virgin Islands Snow Plowing Service
Serving St. Croix, St. Thomas & St. John
Fast reliable service
Driveways and parking lots / No job too small or large

From: JUDITH M FLYNN INSURANCE <Judie@jflynnins.com>
Sent: Friday, July 17, 2020 10:05 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 SHOULD NOT PASS!

My name is Judie Flynn and I live at 43 Kelly Way, Canton, Ma. My phone number is 617-412-7073 and I am not part of any organization. I am a private citizen expressing my dissatisfaction with Bill S2820.
1) This conversation is too important to "rush" into without proper AND extensive debate and dialogue. Public hearings are part of our democracy

and the idea that an email received by a certain deadline provides little opportunity for the public to be heard on this issue.

2) While I agree there is room for a discussion on policing improvement, this bill simply goes too far. We should respect those that put themselves in harm's way every day and afford them the same Due Process as every other citizen.

3) Ironically, this bill will MANACLE the very people who have been hired to protect and serve our communities.

4) The POSAC (Police Officer Standards and Accreditation Commission) would be made up of far too many lay people (especially because those appointed would be from historically anti-police groups). In my opinion, POSAC should be made up of only other law enforcement members. Would a surgical review board involve a bookkeeper to determine if a surgeon did or did not perform correctly? To think that members of the general public could put themselves in the officers' positions on the streets and dictate what the proper response should be is outrageous and ridiculous!

5) Finally, the most offensive part of this bill changes the "Qualified Immunity". If officers are going to be held personally responsible, there will be a mass exodus from law enforcement and far fewer candidates to replace the departed. Officers that remain on the job will be restrained and therefore reluctant. This bill will seriously undermine public safety by limiting police officers' ability to do their job. Crime WILL GO UP and our communities WILL BE LESS SAFE.

There is no doubt that the events surrounding George Floyd horrified our nation but this bill is an attempt to "punish" all of the great men and women in law enforcement for the bad act of one.

I urge you to vote AGAINST S2820.

Thank you for your time and consideration,

Judith M Flynn

617-412-7073

From: John Gilmore <jzgj022@yahoo.com>

Sent: Friday, July 17, 2020 10:03 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 t the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools ,organized retail theft and terrorists.

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

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

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

Sincerely,

John Gilmore

Resident

3 Hunter Ln

Medway, MA. 02053

From: mcokell189@yahoo.com
Sent: Friday, July 17, 2020 10:04 AM
To: Testimony HWM Judiciary (HOU)
Subject: Important House Vote

Good morning Representative Mahoney,

We just wanted to send our thoughts as taxpayers in your area, We feel very strongly about the Criminal Justice Bill that is presently in the House. The bill as it is worded now is going backwards for our brave law enforcement professionals who protect our community. We are fortunate to have extremely intelligent and highly trained professionals that go out everyday and put themselves in harms way so that the community can live without fear. They leave their loved ones at home and their families have to pray that they make it home safely. They do this because they love their careers and the community that they protect. The law enforcement community has made great strides and now a lot is at stake. Massachusetts has the best trained law enforcement officers in the country and the issues that have taken place in other parts of the country are unfortunate and deplorable that do not happen here where the officers are partners in the community. These officers have made partnerships with the young disadvantaged youths who need it the most. To take away some of the tools that have been achieved like qualified immunity without due process or collective bargaining is anti labor union and we feel that taking a knee jerk reaction would harm all taxpayers in Massachusetts and it is not the democratic way. If the bill pass as it is written law enforcement as we know it will change and not for the better. We ask that you and your colleagues take all the time that is necessary to make an intelligent and informed decision. To pass a bill of this magnitude without due process for all citizens of this state is a mistake that will have long standing repercussions for years to come. So please take your time with this extremely important decision that will impact ALL citizens of Massachusetts.

Sincerely,
Michael & Lisa Coakley

From: Becky Danning <beckydanning@gmail.com>
Sent: Friday, July 17, 2020 10:04 AM
To: Testimony HWM Judiciary (HOU)
Subject: Strong Police Reform from the House

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

Hello,

My name is Becky Danning and I am a member of the Greater Boston Interfaith Organization (GBIO). I live at 55 Eustis Street #3, Cambridge. I am writing to urge you and the House to pass police reform that includes:

- * Implementation of 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.

Becky Danning
beckydanning@gmail.com
617-797-6538
55 Eustis Street #3, Cambridge

From: Debby Dugan <debbyrdugan@gmail.com>
Sent: Friday, July 17, 2020 10:04 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,

Debby Dugan
Republican State Committeewoman
Second Suffolk-Middlesex
Renew MASS Coalition, Board Chairwoman

Sent from my iPhoneFrom: FayeRuth Fisher <fayeRuth.fisher@1199.org>
on behalf of Tim Foley <tim.foley@1199.org>
Sent: Friday, July 17, 2020 10:04 AM
To: Testimony HWM Judiciary (HOU)
Subject: 1199SEIU S.2820 Testimony

July 17, 2020

Dear Chairs Michlewitz and Cronin,

Thank you for the opportunity to testify on 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 are committed to working with you and all stakeholders to ensure we pass meaningful police and other reforms furthering our goal of racial equity.

As frontline healthcare workers, we are committed to delivering quality healthcare services to all people and to eliminating social determinants of health based on what one looks like, how much money one earns, and where one lives. We know that racism is a public health crisis.

Consistent with our mission, 1199SEIU is committed to building a racially, economically, and just world. We advocate for policies and investments that will help dismantle racism and end police brutality that has threatened Black lives. We support and advocate for policies that are centered on Black voices and experiences.

We have developed several principles on reform efforts that reflect both our member's lived experiences as a multi-racial union and the concrete policy priorities of organizations and coalitions led by communities of color and elected leaders of color. These principles informed our support of S.2820 and shape our policy priorities for the upcoming House debate.

In this moment, we must accelerate transparent, accountable police reform, which includes:

- * Establishment of a strong, statewide police certification, de-certification, accountability and oversight process
- * Statutory limits on use of force including, banning of choke holds
- * Require independent investigations of deaths and injuries resulting from officers
- * Limiting police use of face surveillance technology until the state enacts regulations
- * Reforms to qualified immunity, including redefine the standard of clearly established law
- * Expand youth expungement

Further, it is critical for us to increase community voice by ensuring any laws or reforms enacted are reflective of the demands of communities of color and Black lead organizations that have historically led this work and to help create and support spaces for communities to impact on-going systemic reforms.

We understand there is much debate on the impact of this bill on public employees and collective bargaining rights. During Senate debate we were supportive of the clarifying amendment adopted to ensure indemnity protections remain for public employees and continue to be supportive of this provision. We do not believe the potential limited impact on collective bargaining rights outweighs the urgency and necessity of passing these reforms. The impact of inaction on our Black and Brown lives is far greater—we must make difficult decisions in the pursuit of justice and equity for all.

Again, thank you for your time and careful attention to these critical and urgent issues. As always, we are ready to work with you to ensure any final bill moves all of us towards our shared vision of an inclusive and just Commonwealth.

Sincerely,

Tim Foley, 1199SEIU Executive Vice President

From: Amanda and Jon-Richard Gibson <gibson2017@yahoo.com>
Sent: Friday, July 17, 2020 10:01 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Good morning,

I'm not going to copy and paste a paragraph or two like I'm sure thousands of your constituents have done, and like I've done for other "battles" I've been passionate about.

What I am going to do is ask you, with all of the respect in the world, to reconsider all aspects of S.2820.

I've always had the utmost respect for those in public service, especially our police officers. I told myself I would never marry one (or active military) because I couldn't help thinking, "what if something happened, and it left me raising children all on my own? It left my children without a father?" Well, I'm sure you know this by now, but you can't help who you fall in love with. So yes, I married a police officer (and Veteran). He has worked incredibly hard since well before the day we met. He currently serves the city of Revere as an officer in the Criminal Investigation Division as well as on the North Metro SWAT team (the team, if you recall, that was able to apprehend Dzhokhar Tsarnaev after the Boston Marathon Bombings).

Parts of S.2820 brings these fears that I had to a greater likelihood. I, like most, watched too much "cop tv" before realizing how far away from reality they are. No, most officers aren't shot at on a daily basis. And most officers aren't involved in high-speed chases more often than not. But they are put in danger in many other ways. Situations that make a single second too much time to waste when trying to decide if you'll be able to make it home to see your family again.

I think many of us are well aware of frivolous lawsuits to all professions. For example, we've seen a drastic decrease in those applying to medical school simply because the malpractice insurance is just too

high. Law enforcement officers do not have salaries even close to that of physicians. Removing Qualified Immunity and forcing these officers to obtain their own private insurance would bankrupt police families. Removing Qualified Immunity would allow an increase in abuse toward police officers, resulting in injuries that could be life or career threatening. Removing Qualified Immunity will without a doubt increase frivolous lawsuits against police. Imagine a police officer handcuffing a suspect, and now that suspect decides that he or she has PTSD from being in the back of a police car and not having the ability to use her hands. Ridiculous, but it seems to be the way things are heading.

I beg you to reconsider the points in S.2820. I beg you to discuss this with our other representatives and ask them to say no to dismantling qualified immunity as well. You have many more amazing police officers than bad ones. This will effect their families, their livelihood, and most importantly, the safety of the community.

I am more than happy to discuss this with you further if you would like to hear from someone this would directly effect; the wife of a very good police officer.

Thank you for your time,

Amanda Gibson

7 Cherry Tree Lane <x-apple-data-detectors://3/1>
Groveland, MA 01843 <x-apple-data-detectors://3/1>
860.877.8097

From: DJ <dpjoseph4@gmail.com>
Sent: Friday, July 17, 2020 10:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: Citizen testimony

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,

Daniel Joseph
30 Evergreen Ave, Somerville MA 02145
From: Anne Erde <anne.erde@gmail.com>
Sent: Friday, July 17, 2020 10:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please pass S. 2820

Chairman Michlewitz and Chairwoman Cronin,

I am very concerned about the issue of police violence and the use of unnecessary force by police officers against citizens of color. 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.

Thank you,

Anne Erde

39 Boylston St.

Jamaica Plain, 02130

From: Emily Buck <horowiem@gmail.com>
Sent: Friday, July 17, 2020 10:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony for the House on Police Reform in Massachusetts

Dear Representatives Aaron Michlewitz and Claire Cronin,

I would like to first thank you for hearing my testimony and allowing me to express my thoughts regarding our police reform. I am a resident of Somerville, Massachusetts. I was born in Boston and have spent my entire life, including upbringing, education, and career thus far in Massachusetts. I am a Psychiatric Mental Health Nurse Practitioner, working with children and adolescents in crisis and have been doing this work for the past 12 years.

Working with children, adolescents, and their families in crisis has opened my eyes to how much of an impact our health care, welfare, education, and police systems (among other systems) have had on this population. As a health care and mental health provider, I, along with my colleagues, am trained in Crisis Prevention - the word Prevention is very important. In my line of work, I am constantly working with people in extreme emotional distress and at times these people are aggressive and dysregulated. Yet we manage to help provide support and care to these patients with compassion, empathy, and avoid hands-on intervention as much as possible. When we use hands-on or physical intervention, we are required to follow strict guidelines in order to reduce the risk of harm to ourselves and others. The goal is always to help provide immediate safety and this is only used as a last resort, if the person is actively trying to hurt themselves or others and we were unable to deescalate using non-physical intervention and de-escalation techniques. Physical intervention is certainly not without risk and we have noticed over time that as we have utilized less and less of this intervention within our program, there has been a decrease in escalations, our patients have been able to reach a level of stability and return home more quickly, and there have been less staff injury.

Unfortunately, many of my patients and their families have had negative experiences with their local police. While working in various psychiatric facilities in Massachusetts, I have had first-hand experience of how the police have worked with some of my patients. I have seen children with known mental illness taken by police in handcuffs (from a psychiatric facility to an Emergency Room in order to have further psychiatric evaluation). These children were not committing crimes and needed additional mental health treatment and therapeutic interventions. I have seen police use physical force, ignoring the advice of mental health professionals about the risks of using physical intervention with a

child, a person with mental illness and trauma, and specific risks for the individual, including asthma or obesity, placing the person at increased risk for asphyxiation.

On discharge from the psychiatric program and when I work with children and their families around creating safety plans for when they are back home and in the community, our recommendations often include contacting their local police department when in crisis and if they are at immediate risk. However, these children and families do not always feel safe or comfortable calling the police for help. They have shared stories of trauma associated with police brutality, particularly patients and families of color. I am currently working with a 6 year old male with a history of trauma who expresses his experiences and emotions through play. This child's play consistently includes themes of good versus evil and a sense of wanting to protect others and be protected. The police in his play do not represent protection, safety, or comfort but rather, he fears the police. This child is 6 years old. So what do these children and families do when in crisis, including being at risk of harm to self or others but they feel that the risk of police involvement or intervention exceeds their current risk? What does that say about our current system?

According to a study conducted in the Commonwealth of Massachusetts by the National Institute of Mental Health (grant MH-65615), which included examining the arrest records of 13,816 individuals receiving services from the Massachusetts Department of Mental Health from 1991 to 1992 over roughly a ten-year period. In this study, approximately 28 percent of the cohort experienced at least one arrest and the number of arrests for those individuals ranged from one to 71 (Fisher et al., 2006). According to the National Alliance on Mental Illness (NAMI), 2 million people with mental illness are booked into jails each year and approximately 15% of men and 30% of women in jails suffer from serious mental illness (NAMI, 2020).

It is essential that the police force have requirements in place to have ALL police trained in crisis prevention and minimal use of physical intervention. This testimony is not about a dislike or disrespect for our police officers. I have friends and family in the police force and I have also had positive experiences working with police throughout my career. This includes the Boston Police Department helping us recently with a child who ran from our psychiatric program. The police officers at the scene allowed the mental health professionals to continue to work with the child, as we were also on scene, and to provide support based on our expertise. These police officers were compassionate and heard our concerns, allowing us to continue to do our jobs and help keep this child and everyone else safe.

This testimony is to advocate for appropriate training for ALL police with regards to use of physical intervention, de-escalation techniques, and how to effectively work with people who suffer from mental illness. It is also essential for ALL police to have training with regards to racism within the police system and how to provide safety and protection for EVERYONE in Massachusetts, including Black and Indigenous People of Color. These trainings need to be mandatory. There need to be consequences for those who do not follow the guidelines in place to help keep everyone safe, this must include use of physical force or physical intervention. If people are injured or killed at the hands of police, there need to be thorough, independent, and non-bias investigations.

Thank you again for hearing my testimony and taking my experiences and concerns into consideration.

A concerned citizen,

Emily Buck

Somerville, Massachusetts

Citations:

Fisher, William H., Roy-Bujnowski, Kristen M., Grudzinskas, Albert J., Clayfield, Jonathan C., Banks, Steven M., & Wolff, Nancy (2006). Patterns and Prevalence of Arrest in a Statewide Cohort of Mental Health Care Consumers. *Psychiatr Serv.* 57 (11), 1623-1628. DOI 10.1176/appi.ps.57.11.1623

Jailing People with Mental Illness. National Alliance on Mental Illness. Retrieved July, 2020 from <https://www.nami.org/Advocacy/Policy-Priorities/Divert-from-Justice-Involvement/Jailing-People-with-Mental-Illness> <https://urldefense.proofpoint.com/v2/url?u=https-3A_www.nami.org_Advocacy_Policy-2DPriorities_Divert-2Dfrom-2DJustice-2DInvolvement_Jailing-2DPeople-2Dwith-2DMental-2DIllness&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=z3pbU28Rj6xkMRFpg8aEHoWd_H-NnWic3VlWEW9rThc&s=nLJo2rLQD3apa_Xo6Pqe6dX1404WhF36hpyaOaRQ3fE&e=> .

From: matt anderson <andersson_34@hotmail.com>

Sent: Friday, July 17, 2020 10:02 AM

To: Testimony HWM Judiciary (HOU)

Subject: OPPOSE BILL S.2820

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

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

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

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

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

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

Thank you,
Ryan Anderson
35 Willard Avenue, Worcester Ma
Andersson_34@hotmail.com

Sent from my iPhone
From: Christine Powers <christine.p.powers@gmail.com>
Sent: Friday, July 17, 2020 10:02 AM

To: Testimony HWM Judiciary (HOU)
Subject: Comprehensive Police Accountability

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

Hello,

My name is Christine Powers with the Greater Boston Interfaith Organization (GBIO). I live at 4 Lester Place, Jamaica Plain, MA 02130.

I am a social worker in the state of Massachusetts working at Boston University providing outpatient therapy for adults. Part of the National Association of Social Workers Code of Ethics states - "(a) Social workers should engage in social and political action that seeks to ensure that all people have equal access to the resources, employment, services, and opportunities they require to meet their basic human needs and to develop fully. Social workers should be aware of the impact of the political arena on practice and should advocate for changes in policy and legislation to improve social conditions in order to meet basic human needs and promote social justice."

I believe it is part of both my civic duty and my ethical duty as a part of the social work profession to urge the House to pass 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

Police violence and structural racism needs to be addressed now, before another black life is lost.

Thank you very much.

Christine Powers
christine.p.powers@gmail.com
978-697-6845
4 Lester Place, Jamaica Plain, MA 02130

From: Lesley Cogswell <lescogs@gmail.com>
Sent: Friday, July 17, 2020 10:02 AM
To: Testimony HWM Judiciary (HOU)
Subject: Hi

July 17, 2020

To Whom It May Concern:

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

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

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

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

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

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

Thank you,

Lesley and Kyle Cogswell

21 Norman Circle

Turners Falls, MA 01376

lescogs@gmail.com

From: Jane H <jmarquedos4@gmail.com>
Sent: Friday, July 17, 2020 10:02 AM
To: Testimony HWM Judiciary (HOU)
Subject: I Support S2820!

Chair Michlewitz, Chair Cronin and Honorable Members of the House Ways and Means and Judiciary Committees:

My name is Jane Hucks. I'm a resident of Haverhill and a member of the League of Women Voters of Greater Haverhill, the UU Church of Haverhill, Greater Haverhill Indivisible and the Merrimack Valley Project. I am writing today to express my support for the Senate police reform Bill S. 2820.

It's time to pass these much-needed, overdue reforms in how police officers are certified, how they interact on our streets with residents and how our courts will consider their actions when they are charged with using excessive force, breaking the law or otherwise abusing their power. It also notably includes provisions that would reduce student criminalization and cut off the school-to-prison pipeline. The past six weeks have brought into clear focus how much these, and the many other reforms included in the bill are needed.

The voices of black and brown MA residents must be heard and the time is now! For too long, racial profiling, harassment, inexplicable brutality and wanton disregard for human lives has been all too prevalent in the policing of POC. It is time to begin to right what has been an accumulation of injustice done to families and communities.

I urge the committee to report this bill out favorably and that the House members take swift action to pass it thereafter.

Thank you for your consideration,

Jane Hucks
1 S Maple Ave
Haverhill MA
978-857-9261

From: Julianna Cogswell <julianna.cogswell@gmail.com>
Sent: Friday, July 17, 2020 10:02 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

Good morning,

My name is Julianna Cogswell with the Greater Boston Interfaith
Organization (GBIO). I live at 247 Pearl Street in Somerville. 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.

Julianna Cogswell

julianna.cogswell@gmail.com

518-209-3045

247 Pearl Street Somerville, 02145

From: Meg Glazer <meg@glaconcontracting.com> on behalf of
megglazer@gmail.com
Sent: Friday, July 17, 2020 10:00 AM
To: Testimony HWM Judiciary (HOU)
Cc: Meschino, Joan - Rep. (HOU); O'Connor, Patrick (SEN)
Subject: support and passing of S.2820, an Act to reform police
standards

Importance: High

Good morning 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.

Meg Glazer

28 Liberty Pole Rd

Hingham, MA 02043

617.290.6322

From: Sandra Lord <sandra.h.lord@gmail.com>
Sent: Friday, July 17, 2020 10:02 AM
To: Testimony HWM Judiciary (HOU)
Cc: Blais, Natalie - Rep. (HOU)
Subject: House Bill 2820 Police Reform

Dear Members of the MA House of Representatives,

While there are many needed and valid improvements included in the police
reform bill S2800 I find certain of these amendments problematic.

The majority of police officers are good officers and while egregious behavior can never be tolerated, these men and women, who put their lives on the line every day to protect each and every one of us, deserve qualified immunity so every interaction with the public, when people's behavior can be so unpredictable, doesn't have to include the thought "am I going to be sued for my actions or should I just let this go?" It takes only 1 second for an individual to travel 19 feet. A police officer then has 1 second to decide on their reaction. If police have to worry about lawsuits this will compromise their ability to react speedily and appropriately. Once police can no longer be proactive, crime will increase. This portion of the bill was rushed through Senate. It needs further study.

Allowing the public access to the police officer database makes all police officers a target. It puts them at a disadvantage as knowledge of a complaint provides fodder for further complaints, whether or not the first complaint is justified. It can also place their families at risk. Unsatisfactory performance should be dealt with by a supervisor, not the public, where there is so much ignorance about what this job entails.

Police deserve our support and respect. No one will want to be a police officer if we continue to bow to extremist's demands. By failing to protect the people who protect us, all of the citizens of this state are at risk. Please stand up for them.

Sandra Lord
Deerfield, MA
July 17, 2020

From: john jarzobski <jjjjarzobski@yahoo.com>
Sent: Friday, July 17, 2020 10:01 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: Steven Thomasy <sthomasy@hotmail.com>
Sent: Friday, July 17, 2020 10:01 AM
To: Testimony HWM Judiciary (HOU)
Subject: POLICE REFORM

To Chairs Michlevitz and Cronin :

I support the bill S2820, to reform police standards and shift resources to build a more fair and just Commonwealth. I believe that we need strong use of force guidelines for police in MA, public records of police misconduct, duty to intervene policy, and bans on chokeholds, no-knock warrants, tear gas and other chemical weapons.

We need you to pass a bill to enact these reforms.

Steven Thomasy 17 Longwood

Ave. Brockton, MA 02301

From: Patrick hanlon <phanlon1855@gmail.com>
Sent: Friday, July 17, 2020 10:01 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2820

Dear House,

I am writing you to express my utter disappointment with bill S2820. With that said, I thank you for allowing public and personal input in this matter. I feel as though you have create a pathway for due diligence that your colleagues in the senate failed to do. As a born democrat, I find their actions extremely detrimental not only to the safety of our community but to the future of the Democratic Party in this state. I find it hard to believe a person that was "on the fence" looked as their actions as inclusive and adherent to democratic values. The right was in the right when confronting a bill that will greatly affect this state going forward. A monumental piece of legislation that will have a deep impact on party affiliation if not pushed with bipartisan support. I have major concerns with the bill. The anti-labor rhetoric that is palpable as I read. This state's principles should not be circumvented due to the noise of a few. It is evident in Massachusetts we are reacting to a national hysteria that is not supported by statistical analysis here in this state. Officers are highly educated and trained as well as paid accordingly. I reject the notion that the police are brute enforcers of subjective law. Officers respond to a plethora of situations at the behest of State and local official expectations. Officers do so in a society of constant surveillance and entitlement. Qualified immunity protects the vetted, trained, and monitored from the radical, irrational, and ill willed public. An officer that breaks the law is held to the same standard if not higher as those in society. There shouldn't be any confusion about that. Finally, a expert committee with the power to impact an officers livelihood should be comprised of just that. Colleagues that are are experienced and trained with the expertise far beyond that of an average citizen. I thank you for time and ask you

reject the hysteric rhetoric that is not supported by the good and common people of this state.

Respectfully,
Patrick Hanlon
508-450-4534
Worcester, MA

Sent from my iPhoneFrom: Sarah Henderson
<sarahmhendersonlicsw@gmail.com>
Sent: Friday, July 17, 2020 10:01 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 Sarah Henderson 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 deeply concerned about racial profiling, the militarization of local police departments, and the school to prison pipeline. All of which disproportionately impact low income and communities of color. Without legislation prohibiting facial recognition and limiting qualified immunity excessive force will continue to present unnecessary and unethical risks to men, women, and children of color. Let's please ensure that there is necessary funding and political leverage to support the passing of this bill.

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,

Sarah M. Henderson, LICSW
11 Bradfield Avenue

Boston, MA 02131

March like a Mother: for Black Lives

--

Sarah M. Henderson, LICSW, RYT-200

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From: Camille Provenzano <camillepro606@gmail.com>

Sent: Friday, July 17, 2020 10:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: OPPOSITION TO BILL S. 2800

To the Ways and Means Committee of the Massachusetts House of Representatives:

My name is Camille Provenzano and I live in Hyde Park, MA. I am writing this letter to voice my concern that again no public hearing was held on this matter and it lacks transparency.

The people I know who are police officers are the most compassionate and caring people I know. I trust them to protect my family and community. The police departments in Massachusetts are some of the best in the country and represent what policing should look like around the country. This bill is a slap in the face to the hard working and professional police officers and their families. This bill is not reform. It is a rushed bill to pander to the few who believe what happened across the country applies to Massachusetts. It is disheartening and shows the lack of respect the politicians of Massachusetts have for their constituents.

I am submitting this letter as my written testimony. I write to you today to express my strong opposition to the hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote AGAINST Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.
The proposed changes to QI will have a serious impact on critical public safety issues. Unintended and unnecessary changes to QI will hamstring police officers in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions.

Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

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

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

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

The Governor and support 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 laborrelations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Camille Provenzano

From: Jennifer Brody <jennifer.brody@gmail.com>
Sent: Friday, July 17, 2020 10:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony in Support of Police Accountability

July 17, 2020

The Honorable Rep. Aaron Michlewitz

Chair, House Committee on Ways and Means

The Honorable Rep. Claire D. Cronin

Chair, Joint Committee on the Judiciary

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

Dear Chairs Michlewitz and Cronin,

As a primary care physician caring for people experiencing homelessness in Boston, I write in strong support of the many provisions in S.2820 designed to increase police accountability. In particular, our organization urges you to:

1. Adopt strict limits on police use of force,
2. End qualified immunity, because it shields police from accountability and denies victims of police violence their day in court, and

3. Prohibit government use of face surveillance technology, which threatens core civil liberties and racial justice.

As a physician taking care of unhoused people, many of whom are living with substance use disorders, and mental health challenges, including complex trauma, I have borne witness first hand to the harms of a police force that is not held accountable to their mandate to protect and serve the least of us with dignity and respect. I have seen first hand physical evidence and heard stories from my patients of both physical abuse (one schizophrenic woman that I care for had her arm broken by a police officer in recent years, another was pinned to the ground during arrest while other officers taunted him.). I see surveillance cameras being used in spaces that are meant for harm reduction and public health interventions. It is unclear if such technologies are being used for "safety" or to criminalize and jail people who use drugs, many of whom are people of color and all of whom are homeless. I could go on. Many of my patients have been so traumatized by negative interactions with police, that they do not trust our health center's security team, which makes providing health care to this community more complicated and difficult.

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

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

Of critical and urgent importance: Massachusetts must abolish the dangerous doctrine of qualified immunity because it shields police from being held accountable to their victims. Limits on use of force are meaningless unless they are enforceable. Yet today, qualified immunity protects police even when they blatantly and seriously violate people's civil rights, including by excessive use of force resulting in permanent

injury or even death. It denies victims of police violence their day in court. Ending or reforming qualified immunity is the most important police accountability measure in S2820. Maintaining Qualified Immunity ensures that Black Lives Don't Matter. We urge you to end immunity in order to end impunity.

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

As a physician caring for unhoused people, the majority of whom are Black and Latinx, the most crucial health intervention that I can make is to assist them in obtaining supportive, low threshold housing, access to healthy foods, dignified, high quality substance use disorder treatment, job retraining and educational resources, and mental health services. But there is no room in the budget for such services, if so much of our city and state budget goes to policing and imprisonment.

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

Sincerely,

Jennifer K. Brody, MD, MPH, AAHIVS

Director, HIV Services, Boston Health Care for the Homeless Program

Director Social Justice Curriculum, Division of General Medicine Primary Care Program, Brigham and Women's Hospital

Instructor of Medicine, Harvard Medical School

From: james mackey <mrjamesmackey@gmail.com>
Sent: Friday, July 17, 2020 10:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: I urge you to support Juvenile Justice Data, Raise the Age,
and Expungement

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 tax-paying resident of the commonwealth, I urge you to support
Juvenile Justice Data, Raise the Age, and Expungement.

1. Require transparency in juvenile justice decisions by race
and ethnicity (as filed by Rep. Tyler in H.2141)
2. End the automatic prosecution of teenagers as adults (as
filed by Rep. O'Day in H.3420)
3. 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.

Respectfully,

?

James Mackey
Founder of #StuckOnReplay
<[Social Philanthropist
Community Builder
National Activist
Consultant
Facilitator](https://urldefense.proofpoint.com/v2/url?u=http-3A__stuckonreplay.org_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiuKl3zIs16rchf_GkGDD&m=0XOzUQDn3ZRr-X3R-145daKsaXuVAoft0UZufyLvBJo&s=uFezzJbxuXgObbEBloNSMALPo_Lgbz6QtkJfHrHanug&e=>></p></div><div data-bbox=)

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Summer of 2019: ?I ?facilitated a conversation with Obama's??

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From: Emily Benson <ejbenson4@gmail.com>

Sent: Friday, July 17, 2020 9:59 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,

Emily Benson
22 Barr St
Salem, MA 01970
ejbenson4@gmail.com

From: Ezra Fischer <ezrafischer@gmail.com>

Sent: Friday, July 17, 2020 10:00 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

Hello,

My name is Ezra Fischer and I'm a home owner in Arlington, MA. My phone number is 732-429-8802. I'm writing to urge house to pass the bill that got through the Senate as is, or stronger. In particular, I am concerned about these parts 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. If we do nothing else, we have to change qualified immunity, which makes police officers essentially above the law.

* 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.

Thank you,

Ezra Fischer

From: Lili Ibara <lilianaibara@gmail.com>

Sent: Friday, July 17, 2020 10:00 AM

To: Testimony HWM Judiciary (HOU)

Subject: Pass SB.2800, Reform, Shift, Build Act

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

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

Massachusetts should do these basic things to ensure the safety of all 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,

Lili Ibara

19 Kingsboro Park, Apt. 1, JP MA 02130

March like a Mother: for Black Lives

From: Caroline Sherrard <cbsherrard@gmail.com>
Sent: Friday, July 17, 2020 10:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support S. 2820 including Qualified Immunity Reform

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,

Caroline Sherrard
45 Josephine Ave, #3
Somerville, MA 02144
From: Hughes Pack <hpack2249@gmail.com>
Sent: Friday, July 17, 2020 10:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Please help.

As your constituent and a parent with two sons in Massachusetts law enforcement professions, 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,

Hughes Pack

Northfield

hpack2249@gmail.com

--

Hughes Pack
Northfield, MA

<[From: Celina Leger <oobycelina@gmail.com>
Sent: Friday, July 17, 2020 9:59 AM
To: Testimony HWM Judiciary \(HOU\)
Cc: wleberg@comcast.net
Subject: MA Bill S.2820](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.avast.com_sig-2Demail-3Futm-5Fmedium-3Demail-26utm-5Fsource-3Dlink-26utm-5Fcampaign-3Dsig-2Demail-26utm-5Fcontent-3Dwebmail-26utm-5Fterm-3Dicon&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=D6xkf3XdNIoeFGriXvfEalRIC64UL0E0P9X4IPiW6Ic&s=jZN4w3Vdvpchbx17LiAK4aU53Zz8XumlqUvfrbTgcaI&e=> Virus-free. www.avast.com
<<a href=)

Hello,

I am writing today to let you know that I oppose Bill S.2820 being passed. We, as MA residents and US Citizens, need more time to vet through the contents of what the bill represents and the lasting impact it will have if passed.

Please listen to the people and do NOT pass this bill.

Thank you for your consideration,
Celina Leger
29 Turnpike Road
Westminster, MA 01473
978-874-0458

From: Miller, Tara <tkingmil@bu.edu>
Sent: Friday, July 17, 2020 9:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on the Policing Omnibus Bill S.2820

Dear members of House leadership,

S.2820 does almost nothing to prevent state violence against Black people or stop the flow of Black people into jails and prisons.

I believe S.2820 will cause more harm than good by increasing spending on law enforcement through training and training commissions, expanding the power of law enforcement officials to oversee law enforcement agencies, and making no fundamental changes to the function and operation of policing in the Commonwealth. Real change requires that we shrink the power and responsibilities of law enforcement and shift resources from policing into most-impacted communities. The definition of law enforcement must include corrections officers who also enact racist violence on our community members.

Instead of funding for police training and commissions, communities need investments in businesses, jobs, healthcare, mental health, parks, transit, arts, community programs, and so much more.

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,
Tara Miller, Allston MA

Tara King Miller

she / her

Ph.D. Candidate

Primack Lab

Boston University

<https://primacklab.blogspot.com/>
<https://urldefense.proofpoint.com/v2/url?u=https-3A__primacklab.blogspot.com_&d=DwMFAw&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu k13zIs16rchf_GkGDD&m=ZRNO37_pUhX7uDcONE2BFKH1q_dsf0-fgA3pIusr2gE&s=ch63Om3hUubZAEJhP8qG97amHMJI9NWTkVlg9-IHAFk&e=>

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From: Laurie Kiley <lkiley15@gmail.com>
Sent: Friday, July 17, 2020 9:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified immunity

An enlightened person I'm in favor of qualified immunity. If you expect any municipal employee to do their job they can not be in fear of a civil suit.

Laurie Kiley

Waltham

From: Bob Sansoucy <bsansoucy41@gmail.com>
Sent: Friday, July 17, 2020 9:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

To the members of the Massachusetts House of Representatives,

I ask that you please listen to the many MA police officers reaching out as we voice our displeasure over the recently proposed police reform bill.

I believe the members of the POSAC committee should be represented by members of law enforcement, as they are the only ones that have the proper knowledge and experience to set the standards for professional policing.

I also feel the decertification process presented so far infringes on our collective bargaining and right to due process.

Lastly, qualified immunity is a necessity for all public employees. This is a very complicated topic that must be addressed with the appropriate amount of time and effort. It should not be rushed.

Thank you for your attention regarding this matter.

Respectfully submitted,

Bob Sansoucy
Worcester Police Department
From: Gerard Shea <gerardshea50@yahoo.com>
Sent: Friday, July 17, 2020 9:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill SB 2820

Good morning,

My name is Gerard Shea and I am a Firefighter. I am writing to you today in regards to the recent Bill Which is now assigned SB 2820. This Bill that is under review and looking to be pushed into actual legislation is troublesome to myself as a member of a municipal organization, not only myself, but to all other members as well. Whether that be Police Officers , Firefighters, Teachers , Nurses, etc. As you see I capitalized all of them due to their importance in our community. Although we all agree that changes need to be made throughout our nation to address certain situations regarding racial equality and justice for all in a fair and equitable manner, this Bill to me is an attack on the 99.9 percent of good Police officers. We are all aware that there are some officers that should not be on the force and that some have acted inappropriately. We all also know that these type of people exist in every type of field. With that being said , it just isn't fair for our states Police officers and I mean all of them , to be lumped into this because of the actions of another Police Officer in a different state.

The men and woman of law enforcement in this state do a fine job day in and day out to protect our communities in Massachusetts. Now we

are looking to take their job security and push them to a place where they are not going to want to act due to the fact that every bit of scrutiny will come down on them and they could potentially lose their job for doing there job. Not only that but they can be held possibly into a civil lawsuit, if qualified immunity is attacked. I feel that individuals in public and maybe even some elected officials don't quite understand what qualified immunity is and just attack whatever they feel necessary to appease themselves. Qualified immunity is what gives us protection from any John Doe from suing us and taking our houses due to us acting a certain way during performing our duties, and what I mean by that is what if we are attacked while given emergency medical care , and someone decides from a far that they are going to film us, and it is perceived we are in a fight. Well that individual is now going to potentially sue us for what he claims is assault and what ever other nonsense they can come up with to get a pay day. Well, qualified immunity prevents that from happening. I consider it "reasonable immunity " because it only makes sense that we are protected from potential nonsense that may arise from emergency situations. Not all emergencies are pretty , by nature they are not, that's why they are emergencies, and sometimes things can go in a certain direction that are not ideal however not controllable. To take away a Municipal employees protection and life security on the whole is outrageous. The men and woman who serve our municipalities have families , children , husbands , wives , bills to pay, and we're going to potentially put them in a situation where they could lose everything if they don't have the proper protection they need in the judicial process? We can not do that, we can not allow it. I ask that you all reconsider this Bill or at least fine tune it to a point where we can all agree that everyone is still protected and the needs of the community are being met. Thank you

Gerard Shea
617 699 9351
From: Brifreeman@comcast.net
Sent: Friday, July 17, 2020 9:57 AM
To: Testimony HWM Judiciary (HOU)
Subject: Today's police reform bill

I am simply asking for you to slow down and to at least listen to members of law enforcement, school officials, health officials, etc about what they think the consequences of these changes will be. Please give the people who these changes will affect a chance to tell you what they think.

Some of these changes can be implemented with little or no consequences. However some will destroy our communities and endanger the vulnerable.

Lastly, Taking school resource officers out of schools is ridiculous. The only reason we are not reading about school shootings is because of covid. Cops in schools is not a problem, it's an answer.

Sincerely

Brian Freeman
Police officer/ concerned parent
Westfield.

Sent from my iPhone
From: Vincent E <vgolemme@gmail.com>
Sent: Friday, July 17, 2020 9:57 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reforming Police Standards Bill

Please,

Emotional reactions cloud judgement. We need a conversation, not rush legislation.

Please see reason and at least allow for everyone to communicate appropriately.

--

Vgolemme@gmail.com
From: LUDMILA STAROSELSKY <l.staroselsky@comcast.net>
Sent: Friday, July 17, 2020 9:57 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

Dear representative Aaron Michlewitz and representative Clair D. Cronin,

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

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

Respectfully

Ludmila Staroselsky
Brookline, MA

From: Janine Young <janineyoungbos@gmail.com>
Sent: Friday, July 17, 2020 9:57 AM
To: Testimony HWM Judiciary (HOU)
Cc: Tarr, Bruce E. (SEN)
Subject: 2820 Qualified Immunity

Good morning,

I am emailing you to voice my opposition to Police Reform Bill regarding the removal of Qualified Immunity for Police. I've been in correspondence or have called Senator Keenan , Senator Tarr, Representative Mariano and the Governor to express my sincere concern what the ramifications of this provision will do to EVERYONE in our beautiful state of Massachusetts. Since March 15, when the Governor put the state in lockdown we have been told , " thank our first responders " they are ESSENTIAL people in ESSENTIAL jobs. This is how our legislators and politicians thank them. I see and read of other major cities defunding and not supporting the police. I see and hear of deaths of innocent citizens and attacks on the police who are trying to help. I don't want to see the beautiful state that we live in look like, New York, Chicago, L.A, and Portland. I view this bill as being very hurried with no thought at all to all of the citizens of our beautiful state of Massachusetts. This issue isn't should not be about what happened in another state, party affiliations or a movement. There is so much going on here and in the country. The Boston Police Department is looked at as an example of how to police. That is what President Obama said of them. I find it troubling that in a matter of months the people that represent all of us have a change of opinion. If you are determined to handcuff our Police, Firefighters, Nurses and any one else who may try to help and aid us, I suggest you put yourselves, the Governor into this bill and ALL OF YOU lose your Qualified Immunity. This just is not right. I want to thank Senator Tarr for letting me know of this hearing. I just started back to work last week and I'm not in the situation to take a day off to be there in person today. Thank you for listening and please understand I'm just a very concerned citizen about where the direction our Beautiful state is going. Thank you for your time.

Sincerely,

Janine YoungFrom:Chris Williams <chrisew76@gmail.com>

Sent: Friday, July 17, 2020 9:57 AM

To: Testimony HWM Judiciary (HOU)

Subject: S2820

Honorable Representatives,

I am the proud mother of a highly decorated State Trooper, Keller Williams, who has been awarded three Medals for Valor. He is currently on the Violent Fugitive Apprehension Section which apprehends the most dangerous criminals in our society often requiring split-second decisions to accomplish this important mission safely and successfully.

It terrifies me that the Qualified Immunity amendment could result in a deadly distraction while performing his perilous duty. I implore you to keep the Qualified Immunity intact.

Please insure that our courageous Law Enforcement Officers are provided Due Process as every other citizen is granted. It is the fair and right thing to do.

Common sense dictates that you include experts and rank-and - file members of the law enforcement community to bring their first-hand knowledge and experience to a POSA Committee.

I am trusting you with the safety and well-being of my beloved son and his fellow law enforcement colleagues. Bring understanding, compassion, and respect for the commendable, demanding service our brave men and women provide every day to your vote amending and correcting S2820.

In anticipation of your support,

Christine Williams

58 Maplehurst Ave.

East Longmeadow 01028

413-525-0078

From: Elise Balzotti <balzottielise@gmail.com>
Sent: Friday, July 17, 2020 9:57 AM
To: Testimony HWM Judiciary (HOU)
Subject: please vote no to s. 2820

To members of the house and all others whom this message may concern,

I am taking the time to respectfully ask you to stand against the proposed police reform bill s.2800, now s.2820, that has passed in the Senate. I know that you have received a lot of outreach both for and against the bill, but I believe it is not only in the interest of our local police, but all of our state's residents, that we do not allow this bill to proceed further.

I have received a copy of the seventy-two page bill, I conferenced with a senator for two hours (one that strongly supported and voted for the bill), and watched the voting process live. I was appalled by the statements made by many in defense of the bill, and the outlandish examples given to persuade others into supporting the nullification of qualified immunity. I believe that much of the public is misinformed, not only in regards to what qualified immunity really means, but also the fact that this not only affects police, but all municipal workers. I think that they are also misinformed about the other amendments and things that are included in the bill aside from the qualified immunity piece.

I am an educator in middlesex county, which is an inner-city demographic, that can be characterized as being very diverse. I am concerned with this bill as it directly relates to me in my position in many ways. In terms of qualified immunity, I fear for my job. I have, on various occasions, been made aware of instances in which students have wrongfully accused teachers of being racist. For example, there have been times in which students who were simply moved to the back of the classroom in order to dispel an argument or negative behavior have claimed that they were moved simply because of their race. Although this action may seem as one that would be deemed inconsequential, I believe that in today's climate, even this instance could bring about a problem for a teacher.

When diverging from the topic of qualified immunity and moving onto school safety, I think there are also measures that are very troubling for me and my staff. The bill advocates for the removal of school resource officers from the building, while advocating to replace them with school adjustment counselors. While I recognize the value in school counselors, I do not think that school resource officers should be replaced, and I believe this for a few reasons. Firstly, school resource officers are vital in the event of a school shooting. They are vital when it comes to detaining a student who may be violent towards others. They are vital when it comes to breaking up large scale fights within our building. There are simply situations that a school counselor cannot adequately hand on his or her own.

As having been a victim of sexual assault at 17 during my junior year of high school, I relied on the security that my school resource officer provided for me.

At the time, in having filed a temporary restraining order against my perpetrator, my school resource officer very literally saved me and my sanity. I conferenced with many school adjustment counselors concerning my situation. They provided me with a lot of mental help that I valued greatly. However, it was solely the school resource officer that made me feel PHYSICALLY safe in my school environment. I fear for the children who may have a restraining order against a parent, another family member, or a perpetrator, as in my case, who will feel the loss of this physical protection in a place where they are meant to thrive.

I am deeply concerned with a portion of the bill that discusses officers' ability to communicate about gang members. In my opinion, this is an attempt to protect the criminal, and not the potential victims. I think that this lack of communication will also create a more dangerous environment in schools, as schools are largely a place of recruitment for gang leaders.

I am an educator who is in a relationship, and lives with, a police officer. Given the current climate of our country, and more specifically of our state, I am deeply concerned with what we have "going against us." I am concerned for our welfare and security within our jobs, and what that could mean for the trajectory of our lives. I plead with you to vote down this bill. There is room for improvement in policing. I think everyone can agree to that. However, maintaining a level of respect for our officers and all municipal workers is vital in order for us to come together as a people to improve in unison. Let us vote this down, have a discussion together with all sides being represented, to come to a solution we can all stand behind.

Respectfully submitted,

E.B.

From: Alex Taylor <alextaylor2008@yahoo.com>
Sent: Friday, July 17, 2020 9:57 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

I'm writing to express my opposition to the police reform bill recently passed by the Senate. While I understand why the state legislature is

acting, I'm not happy about how it is acting. Hastily passing a bill with no public hearings that has the potential for serious negative unintended consequences does not seem to be a responsible way to legislate. Please consider the unintended consequences that the legislation will have as it stands.

Sincerely,
Alex Taylor

6 Shawsheen Rd
Andover, MA 01810

From: Susan Provenzano <slprovenzano@icloud.com>
Sent: Friday, July 17, 2020 9:57 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony for Bill S2820

To whom it may concern,

Please reconsider the ending of qualified immunity for police, nurses, and fire fighters that is part of Bill S2820. Eliminating qualified immunity will prevent these heroes from doing their jobs, which is saving our lives. For example, if you are in a car accident and the car is burning, a police person or firefighter might pull you from the car but in the process injure your spine. Without qualified immunity you could sue the rescuer, so why should one joined the police or fire departments if there's this risk. Yes there are a few bad apples, but don't destroy the whole department. We don't want to be like NYC or Portland.

Thank you,

Susan Provenzano

Sent from my iPadFrom: NATHAN HAWKINS <nhawkins26@verizon.net>
Sent: Friday, July 17, 2020 9:56 AM
To: Testimony HWM Judiciary (HOU)
Subject: Do Not pass S.2820

Dear representatives,

Please do not pass this rushed bill from the Senate the way It is written. Many concerns inside of this bill will not only effect police work but all other public servants. Qualified Immunity has never protected officers who violated the law or constitutional rights. It protects public servants who, in the scope of their duties, did something under good faith and prevents them from frivolous law suits. Removing QI will only result in a massive stop to proactive policing and public servants protecting and saving citizens because of the fear that they'll be sued.

There are also concerns with the removal of the use of force standard "reasonable officer" and changed to "reasonable person". An officer has training and experience that the regular citizen does not when It comes to violent encounters. Officers can tell by body language and indicators of an impending attack and can't prevent them. With the change to this language, you will place officers in a situation where they need to be assaulted first before allowing them to defend themselves or others.

Please do not pass this bill and speak to ALL stakeholders that will be affected by this bill!

Sincerely,

Nathan Hawkins
Westminster Ma
From: Tiffany Lemon <tiffanylemon2@gmail.com>
Sent: Friday, July 17, 2020 9:56 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

Hello Representatives Aaron Michlewitz and Claire Cronin,

My name is Tiffany Lemon with the Greater Boston Interfaith Organization (GBIO). I live at 80 Fort Ave in Fort Hill, Roxbury. 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 for your time and service, and I look forward to the positive change that will result from these reforms.

Tiffany L. Lemon
tiffanylemon2@gmail.com
(337) 692-0311
80 Fort Ave, Roxbury, MA 02119

Tiffany L. Lemon, MSPH
Student | Ph.D. in Population Health Sciences (PHS)

tlemon@g.harvard.edu | 337-692-0311
LinkedIn: www.linkedin.com/in/tiffanyllemon
<https://urldefense.proofpoint.com/v2/url?u=https-3A_www.linkedin.com_in_tiffanyllemon&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuK13zIs16rchf_GkGDD&m=BN4UQiwe4ysG18xFTRf9xAMeh7ba-8bnH3LWSJIGbro&s=lemIf9Nexf0801eF92KSCuyVJGq80fxfjN4ik0gYAb0&e=>>

"How wonderful it is that nobody need wait a single moment before starting to improve the world." - Anne Frank

From: Office <Office@teammr8.org>

Sent: Friday, July 17, 2020 9:56 AM
To: Testimony HWM Judiciary (HOU)
Subject: SB2800

Dear House Ways and Means Chairman Aaron Michlewitz and Judiciary Committee Co-chair Rep. Claire Cronin:

Please pass SB2800, a police reform bill, passed in the Senate and now at the House floor, with no changes.

Thank you for your attention.
Denise Richard

Sent from my iPhoneFrom: Lenka Zbruz <lenkamusictogogether@gmail.com>
Sent: Friday, July 17, 2020 9:56 AM
To: Testimony HWM Judiciary (HOU)
Subject: police reform

"Hello, my name is Lenka Zbruz with the Greater Boston Interfaith Organization (GBIO) and I am your constituent. I live at 81 Wells Road, Lincoln. I am emailing to urge you and the House to pass police reform that includes:

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

I would like to know your position on the proposed legislation. Please email me back or I can be reached at 781-859-8327.

Thank you very much.

Lenka Zbruz
director
Music Together of Belmont
781-859 8327
www.musictogetherofbelmont.com
<

<https://www.facebook.com/MusicTogetherBelmontMA/>
<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_MusicTogetherBelmontMA_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=0rsPPJ7MtRgCKHXNm672Tl_hMq_8r4DmPRmRrx6IRtU&s=ykJco_VnAIAowNdnPDOpeil_GudERbtzUhsHGF9F1Vo&e=>>

"If you can walk, you can dance. If you can talk, you can sing."
(Zimbabwean proverb)

"If your heart is beating, you can feel the rhythm of the dance. If your heart is open, the song will fill you up."
(Jim True-Frost, father of a Music Together child with disabilities)

From: Jen Rogers <jllunsford@googlemail.com>
Sent: Friday, July 17, 2020 9:56 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill No. S2820 - Written Testimony

To Chair Aaron Michlewitz and Chair Claire Cronin,

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.

Jennifer Rogers
Member of Framingham Families for Racial Equity in Education
617-982-8841

From: Mitchell Rosenberg <mitchellrosenberg9@gmail.com>
Sent: Friday, July 17, 2020 9:55 AM
To: Testimony HWM Judiciary (HOU)
Subject: Raising the age at which individuals enter the adult justice system

Dear Committee Members

I am writing to you today to request that you and your colleagues in the MA House of Representatives consider an amendment to the Police Reform

bill that recently passed the Senate to raise the age at which emerging adults are processed in the juvenile system from 18 to 20 years-old.

This is a key area we see our young people, especially our young men of color, get derailed. In all the many efforts to promote racial justice and reform our criminal justice system, we need to prioritize not pushing our children into adult jail and serving them in a more developmentally appropriate juvenile system. Only 25% of Massachusetts' young adult population is Black or Latino, but 70% of young adults incarcerated in state prisons and 57% of young adults incarcerated in county jails are people of color. We need to get them out and keep them out.

The DYS census (juvenile system) is down and there is existing capacity to do this. The outcomes are better, education is required in the juvenile system, and we prevent young adults from being crippled by CORIs- all of which is better for public safety and the lives of young people.

Moreover, this change is supported by research into cognitive development and brain science.

Adolescents' brains are measurably different from adults. Adolescents are more likely to be influenced by peers, and engage in risky and impulsive behaviors. Courts, agencies and practitioners should use this knowledge to ensure a developmentally appropriate response.

An overly punitive approach leads to more offending:

Toxic environments, like adult jails and prisons, increase problematic behaviors and recidivism. Teens and young adults incarcerated in Massachusetts' adult correctional facilities have a 55% re-conviction rate, compared to a similar profile of non-incarcerated teens whose re-conviction rate is 22%.

In short there are many reasons to amend the Police Reform Bill to make the justice system both more fair and more effective.

Thank you for your consideration.

Mitchell Rosenberg
484 Washington Street
Brookline, MA 02446

From: Gabriel Camacho <GCamacho@afsc.org>
Sent: Friday, July 17, 2020 9:56 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800 Expungement
Attachments: image004.emz

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: 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,

On behalf of the American Friends Service Committee (AFSC), a 1947 Nobel Peace Laureate, I am writing to request your consideration to expand the existing expungement law (MGL Ch 276, Section 100E) as the House takes up S.2800 to address Racial Justice and Police Accountability. S.2800 includes this expansion and we hope you will consider it as it directly relates to the harm done by over-policing in communities of color and the over-representation of young people of color in the criminal legal system.

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

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

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

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

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

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

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

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

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

Thank you for your consideration,

Gabriel Camacho

American Friends Service Committee

2161 Massachusetts Av

Cambridge, MA 02140

(617) 947-7019

gcamacho@afsc.org

From: Michelle Bickerton <michellembickerton@gmail.com>
Sent: Friday, July 17, 2020 9:55 AM
To: Hwmjudiciary@mahouse.gov; Testimony HWM Judiciary (HOU)
Subject: Re: Police Reform Qualified Immunity-Testimony S2820

Please see below Thank you

On Fri, Jul 17, 2020 at 9:47 AM Michelle Bickerton <michellembickerton@gmail.com> wrote:

Dear Judiciary Committee:

I am writing with hopes you will consider reevaluating keeping the indemnification clause in the reform bill and keeping the protections in place for our officers. I don't feel officers should be personally held liable or sued for doing their job of protecting you, me and our families. A friend of mine (an officer on the Boston Police Dept) wrote a very powerful statement about qualified police immunity and its

importance to our officers and why, which I included in this email (see below). All I ask is that you read it in it's entirety. It not only is impactful but opens our eyes to what our officers encounter on a daily basis to protect and serve the great citizens of Boston. They spend their days and nights protecting us, who is going to protect them if our political leaders aren't?

From a friend and officer serving our great city of Boston MA:

"Two years ago in our own back yard, a US Army combat veteran, a husband and father and a professional Police Officer was murdered by an "unarmed person". After being struck in the head with a large rock and rendered unconscious, he was disarmed and his weapon was used to kill him and an elderly woman in the neighborhood who was just sipping her morning coffee.

Since we'll never be able to ask him, we don't know if he hesitated to use force because he didn't want to be the next police-related dramatic headline... after all it was "just a rock", not a knife or a gun. Perhaps thoughts of being benched and investigated and unable to provide for his young family were all factors.

The fact is events such as Ferguson, MO and other sensationalized events have created doubt in many officers. They may survive the fight but will they survive the witch hunt after? And how do we Thank this warrior for paying the ultimate sacrifice? We go after qualified immunity for those still here serving with pride, dignity and respect.

Sure, there are bad apples as there are in any field, any job. Cops are a cross section of society. Absolutely, there is room for improvement and those who are in the wrong need to be held accountable. The answer is not to vilify an entire profession and go after qualified immunity...one of the very few things that is still right about public service (for now).

Understand the concept before you demand that it is removed. Believe me, qualified immunity does not give police officers carte blanche to violate policy and law. And unions do not defend cops who act outside the scope of their duties or who are grossly negligent or violate the law. Qualified immunity protects the few who are willing to risk virtually EVERYTHING that is important to them to help complete strangers. It doesn't give them a veil of anonymity to hide behind a badge like some coward in the Midwest. It protects them from the harsh reality of incidentals that happen in the course of performing a vital public service.

The reality is the average citizen doesn't interact with the police during their best hour. Bad shit happens in life. When people lose the ability to control a situation, they call on police to take charge and restore calm and order. Sometimes it isn't pretty.

We are already experiencing an unprecedented recruitment and retention crisis in American law enforcement. Why on earth we want to

exacerbate that problem is beyond me. The vast majority of professional police officers don't tolerate shitty cops either and we are willing to accept some changes. Just don't force this rushed bill through the house and make it law. You will not be happy with the results in the short term and the long run.

Some examples of when police are called...

Your car slides off an icy road into a ditch and you need help. Now the responding officer has to navigate the same road conditions and gets in a crash on the way to help you. Driving a government owned vehicle on government time clock but you think they should be personally liable for an on duty crash with no negligence or intent to do harm?

A member of your household isn't breathing and police/fire/ems are simultaneously dispatched. While providing life-saving chest compressions, a rib is broken. Someone in the family isn't happy about the broken rib even though the loved one lives. Now the individual first responders can be sued?

Just everyday examples. I won't even get into the egregious examples of actual criminals who fight cops and are injured in the process of unlawful activity and while resisting lawful arrests. That may be too unpleasant for some people to think of...

Pay attention to what's going on folks. Be careful what you wish for. None of us, not even the cops, want government overreach or big brother watching everything....but the reality is a society without police will crumble under anarchy. Open your eyes and your ears. READ. Understand concepts. VOTE. Participate in the process. Stop blindly following party line and actually do your homework on issues.

And not that it's anyone's business, but I'm not an "evil Republican"..... there really is no such thing as a Republican in Massachusetts anyhow. I'm a registered Independent who votes for individuals based on issues. Sure I tend to be more conservative, but again it's Massachusetts so doesn't mean much to the political machine."

Thank you for reading this and I beg you to reconsider this bill.

Sincerely
Michelle Bickerton

From: Allyson Jaena <cajaena@gmail.com>
Sent: Friday, July 17, 2020 9:55 AM
To: Testimony HWM Judiciary (HOU)
Subject: Voicing my Opposition to S.2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Allyson Jaena and I live at 21 Hart Street, 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

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.

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

Sincerely,

Allyson L. Jaena

From: Carolyn Magid <cmagid@gmail.com>

Sent: Friday, July 17, 2020 9:55 AM

To: Testimony HWM Judiciary (HOU)
Subject: S2820

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

I am writing in support of S2820 but to urge the House to pass a stronger version that includes eliminating qualified immunity for police officers. The House bill should also ban use of choke holds, tear gas and no knock raids and introduce strong standards for decertifying problem officers. This is a moment when the attention of the public is rightly on reforming our criminal justice system to end racial injustice. I urge you to strengthen and pass S2820 now before this session ends. We will all be watching.

Carolyn Magid

71 Reed St

Cambridge MA 02140

From: Wrecky2 <wrecky2@gmail.com>
Sent: Friday, July 17, 2020 9:55 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform

Hello

I'm writing to state that I wholeheartedly oppose the police reform bill as passed by the Senate earlier this week.

The bill as I see it will make Massachusetts far less safe as it will handcuff police officers from doing their job effectively. I am afraid for this state and our entire country as to what will happen if we take away the ability for police to carry out their regular duties.

Please do not let this bill pass as it stands. Something this drastic can not be decided on the whim of a knee jerk reaction to one incident thousands of miles away. There needs to be conversation from all sides with all options being weighed out.

It's time to protect those who protect us.

Thank you for your consideration.

Michael Marra
Lynnfield, MA

From: Stephanian, Robert <rstephanian@pcsdma.org>

Sent: Friday, July 17, 2020 9:55 AM
To: Testimony HWM Judiciary (HOU)
Cc: Orrall, Norman - Rep. (HOU)
Subject: S.2820 | Written Testimony

Sergeant Robert Stephanian
Bureau of Criminal Investigation
Plymouth County Sheriff's Office
24 Long Pond Road
Plymouth, MA 02360
(508) 326-7814

July 17, 2020

Chair Aaron Michlewitz
Chair Claire Cronin
Rep. Norman Orrall

I hope this written testimony finds you all well - as I am sure you can all guess, I am you writing in opposition of certain aspects of S.2820. I have included Rep. Orrall on this testimony as I am his constituent.

To serve as a brief introduction, my name is Robert Stephanian and I am a Sergeant (I.D. Officer II) in the Bureau of Criminal Investigation (BCI) at the Plymouth County Sheriff's Office. This title may resonate with all of you as it is no secret that former Rep. Rhonda Nyman, now employed by the Sheriff's Office, has been assisting with championing a bill (H.2333) that would afford I.D. Officers in BCI the same Group 4 retirement benefits that our fellow law enforcement officers throughout the Commonwealth enjoy.

The intention of bringing up H.2333 is not to distract from the testimony of S.2820 at hand, however I would like to point to my first issue with the new legislation: Section 6 of S.2820 (Line 266) lists among its definitions of law enforcement officers in the Commonwealth "deputy sheriffs". This is great, and this is accurate, however this discounts the lack of equality (i.e. retirement classification, 111F injury-on-duty

protections, etc.) that deputy sheriffs are currently faced with, and it is my hope that if we are to be held to the same standard going forward that this be amended so that we may also be compensated with equal benefits.

Second, I would like to express my displeasure with Section 10 and Qualified Immunity (QI). I have taken the time to conduct my own research, to read opinions on this from both sides, and to read opinions that legal experts have rendered in recent days. To hastily enact any law(s) that change QI as we know it today will undoubtedly have unintended consequences, and my only request would be that if the legislature is so focused on this change that they at least have a 90-day study conducted so that we may all defer to the true subject-matter-experts.

I apologize that this testimony is very brief and matter-of-fact. Since the window has opened for this testimony I have wanted to write this - yet I find myself trying to get my voice heard at the last minute due to the nature of this job. In the past forty-eight hours I have worked my regular shifts and have also acted as a search manager coordinating the search for a missing young man in Canton that is still ongoing. I would welcome the opportunity for further public input at a later date if possible - as this window has made it nearly impossible for me to properly state my thoughts on this matter.

In closing, I want to make it known that I do agree reform is needed, I do agree that Black Lives Matter, and I do agree that law enforcement needs to be held accountable for their actions. In contrast, I wholeheartedly disagree with caving to the pressure of this political climate by quickly passing omnibus legislation such as this that has not been properly vetted. As I mentioned previously, this is only a mere subsection of what I would have liked to include in my testimony, however my duties to those I serve have taken precedent during this short window and have not allowed that happen.

Respectfully,

Sergeant Robert Stephanian

Bureau of Criminal Investigation

Plymouth County Sheriff's Department

24 Long Pond Road

Plymouth, MA 02360

(508) 830-6224 Office

(508) 326-7814 Mobile

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From: Patrick O'Keefe <patrokeefe@gmail.com>
Sent: Friday, July 17, 2020 9:55 AM
To: Tarr, Bruce E. (SEN); Testimony HWM Judiciary (HOU)
Subject: Re: Opposition of 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.

Patrick O'Keefe

47 AGOSTINO drive
Wilmington ma 01887

From: DEMET HAKSEVER <dhaksev@comcast.net>

Sent: Friday, July 17, 2020 9:54 AM

To: Testimony HWM Judiciary (HOU); Vargas, Andy X. - Rep. (HOU)

Subject: Testimony in Support of Bill S.2820

HOUSE WAYS AND MEANS AND JUDICIARY COMMITTEES
TESTIMONY IN SUPPORT 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

July 17, 2020

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

As a coordinator for the Greater Haverhill Indivisible and a member of the Indivisible Movement in Massachusetts, I am writing to you in support 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"). Greater Haverhill Indivisible is an independent and nonpartisan grassroots organization focused on local advocacy about 600 members in the area, which works to promote an inclusive agenda based on racial, environmental, social and economic justice.

As you know, the present language of the bill shifts some funding from policing and prisons to education and workforce opportunities that promote equity. It also includes several overdue reforms. The bill strengthens the use of force standards and increases de-escalation training. It creates a majority-civilian Police Officer Standards and Accreditation Commission (POSAC) that would certify and decertify officers. It establishes stronger oversight and limitations on the procurement of military equipment. It bans racial profiling and places a moratorium on racist facial recognition technology. And it includes measures that would reduce student criminalization and cut off the school-to-prison pipeline. These last six weeks have brought into clear focus how much these, and the many other reforms included in the bill, are needed.

I also would like to emphasize that we are in no way against our police officers or deny the value of service police departments provide for each and every city. We recognize that officers have demanding jobs and are often faced with dangerous situations and greatly appreciate their willingness to sacrifice their lives while they protect and serve our communities. However, when officers break the law, use excessive force, and otherwise abuse their power, they should be held civilly liable for their misconduct. I urge House members to keep the current language of the Senate bill that places limits on qualified immunity intact.

I strongly urge the House Ways and Means and Judiciary Committees report this bill out favorably, and that members of the House chamber take swift action to pass it thereafter.

Thank you for your consideration.

Demet Haksever, Coordinator at Greater Haverhill Indivisible
10 Rosewood Dr.
Haverhill, MA 01832
(978) 241-1001
dhaksev@comcast.net
From: Kaitlin Porter <kmporter24@gmail.com>
Sent: Friday, July 17, 2020 9:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2800

To Whom It May Concern,

My name is Kaitlin Porter, and I am the wife of a 10 year veteran of the Middleboro Police Department. My husband, Zachary Porter, has proudly served as a Patrolman for his hometown since 2012, after paying his own way through the Plymouth Police Academy. He has wanted to do this job since he was a child, after watching his uncle work for the same department for years. He wears his uniform with pride, does his job knowing he could sacrifice it all at any moment to save another person's life, also knowing that he is protected to do what it takes to save a life.

He has done the impossible job of informing our neighbor that his daughter was killed by a drunk driver; he has seen entire families lose

their lives in accidents, doing everything he can to save them from a crushed vehicle after a head on collision; he has talked people down from suicide; he has saved life after life from drug overdoses - an ever-growing problem in this state and country. He has seen more than your eyes would ever want to witness, and this reform bill is attempting to take away all the GOOD that police officers can do on a DAILY basis.

Bill S2800 would not allow my husband to perform any duty of his job without fear of civil lawsuit, so why would anyone want to stay? If your child were to go into anaphylaxis at the park, and a police officer arrived before EMS, you would want them to administer life-saving EPI-PEN, would you not? Bill S2800 would make them think twice about doing anything beyond their scope due to fear of civil litigation.

Police officers, who have a duty to serve their community, should not do so with their hands tied behind their back, with the fear that everything they have worked so hard for will be taken away in an instant for simply doing their jobs.

What happened to George Floyd is an absolute tragedy, but I can assure you, bad cops like that are few and far between and 99.9% are good, hardworking people who signed up for the job so they can HELP people, regardless of skin color. This bill you are trying to pass has nothing to do with Black Lives Matter or equality across communities of color, it's a way to take away the power of the police, but at the end of the day if you do that, there will be no one left to protect us, in all communities.

Cities who have already moved to defund the police and police reform bills are seeing gun violence in excess of 200% over last year's statistics. I urge you, do not let Massachusetts fall into that gory statistic. If you want to be the change, do not pass a bill at 4 am without the input from the community it directly affects. If you cannot put yourself in a dangerous situation and fully understand how you can handle it, then do not try to pass a bill without understanding it's direct cause and effect.

I appreciate your time in reading this email. I urge you to reconsider the removal of qualified immunity for police officers, as it would result in an inability for police officers to proactively do their jobs to the fullest and therefore the communities in the Commonwealth would not be protected to the extent they are now. Massachusetts would turn into another state of chaos, and that is not what this country needs. We need to come together and support those who protect us, because if you ask any police officer in this state, they do not care what the color of your skin is or what community you live in, they were sworn to protect you, and they cannot do so under Bill S2800.

Thank you,
Kaitlin Porter, wife of Patrolman Zachary Porter
Middleborough Police Department
508-947-1212

From: Kerri Babish <kerri.babish@gmail.com>

Sent: Friday, July 17, 2020 9:54 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 Kerri Babish. I am a resident of Medford, MA and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

This 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.

As a citizen, a parent and a former educator, I support this bill for a number of reasons. When I was teaching, our staff was trained annually on de-escalation strategies that focused on maintaining the safety of ourselves, the student exhibiting unsafe behaviors, and bystanders (other students and staff). Only a small number of staff were trained and allowed to use restraint maneuvers and these could NEVER involve anything that might impair a student's airway. If this sort of training and moderation in use of force can be expected of teachers (as well as other professionals, such as nurses and health aides) working with vulnerable populations, why should it not be expected of our police.

Again, as educators we are required to certify (and recertify frequently) with the state. Additionally, we are not shielded from consequences of actions that bring harm to those we serve. Should we not be able to expect the same from our police?

It is time to hold our police to the same level of expectations and scrutiny that we hold our other public servants.

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

Sincerely,

Kerri Babish
25 Hancock St, Medford, MA 02155

March like a Mother: for Black Lives
From: Matthew Seymour <mseymour@worcester.edu>
Sent: Friday, July 17, 2020 9:53 AM
To: Testimony HWM Judiciary (HOU)

To whom it may concern,

My name is Matthew Seymour and I live at 121 Root Rd in Barre Ma, I am writing you in opposition of s2820. This back door bill is absurd and will ruin police officers and policing in this beautiful state. Please reconsider this outlandish bill. Massachusetts is home to some of the best trained and highest educated officers in the nation. To do something like this that will change the way police respond and dictate their future is wrong in so many ways. Nobody wants to come to work and feel like they are walking on egg shells.

Thank you

Sent from my iPhoneFrom: Mike McGonagle <mjmcgoo@gmail.com>
Sent: Friday, July 17, 2020 9:53 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

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

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:
(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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

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

termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

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

Thank you

Michael McGonagle

611 East 8th St Boston MA 02127 <x-apple-data-detectors://1/1>

Mjmcgoo@gmail.com

From: Patrick O'Keefe <patrokeefe@gmail.com>

Sent: Friday, July 17, 2020 9:53 AM

To: Tarr, Bruce E. (SEN); Testimony HWM Judiciary (HOU)

Subject: Opposition of S.2820

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

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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
Address
City state

Sent from my iPhone
From: R Baetzel <rbaetzel@hotmail.com>
Sent: Friday, July 17, 2020 9:53 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

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

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

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

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

employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

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

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

Thank you,

Ryan Baetzel

117 Edgemere rd Lynn,ma 01904

Rbaetzel@hotmail.com

Get Outlook for iOS <[heisny.moscat@gmail.com](https://urldefense.proofpoint.com/v2/url?u=https-3A_aka.ms_o0ukef&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=HtbO_fZO90y62IWA2gUW89upk-Q2xQia9yBHwvn4zaw&s=J_TFSmBYAgaNSnfMtJLf8wCusiKzbBnmhF87AR31MpE&e=> >
From: Heisny Moscat <
Sent: Friday, July 17, 2020 9:52 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.

Heisny Moscat - Lawrence, MA

From: Nida S <nidashut@gmail.com>
Sent: Friday, July 17, 2020 9:52 AM
To: Testimony HWM Judiciary (HOU)
Subject: Policing Reform

Hello,

My name is Nida Shuttari and I am a resident of Boston. I am hopeful things will get better but first we must all hold ourselves into account. One thing I really hope is that we can have increased police transparency and accountability. Maybe police officers could keep a daily log of events and someone could overlook this log. If something seems skewed, there should be greater conversations as to why this is happening. We could have more community discussions together to better understand one another. Also, I hope for less use of violence and more community engagement/building.

Thank you for the opportunity to voice my thoughts!

Best,
Nida Shuttari
--

Nida Shuttari

From: Keisha Jagroop <ktjagroop@roxbury.edu>
Sent: Friday, July 17, 2020 9:52 AM
To: Testimony HWM Judiciary (HOU)

Dear Chair Michlewitz and Chair Cronin,

My name is Keisha Jagroop and I live at 87 Wellington hill st
<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.google.com_maps_search_87-2BWellington-2Bhill-2Bst-3Fentry-3Dgmail-26source-3Dg&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuK13zIs16rchf_GkGDD&m=U4PCglHP8N2Ti2RwQyMEPPL3HP98Ai1KXhUDZw5Nx1w&s=ywR6FLLEZdMxQt6_ISBMgSZtKhPSj_UO7wkvgDmVLkA&e=>. Apt2 mattapan Ma. I work at the Suffolk County Sheriffs Department and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

Keisha Jagroop

From: Michael Hoffman <michael.joel.hoffman@gmail.com>

Sent: Friday, July 17, 2020 9:54 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Bill S.2820

To whom it may concern:

My name is Michael Hoffman, and I am a resident of Westford, MA. I am emailing to say that I support the policing bill, S.2820, recently passed by the Massachusetts senate and that I specifically support limiting qualified immunity for police officers.

My wife and I are both teachers, and I have several doctors in my family. All of us can be held accountable for actions we take in our professional lives in a court of law. Why should police be different?

Although teachers and doctors perform jobs that are significantly less dangerous on a day-to-day basis than a police officer, these professions all carry a consistent risk of lawsuits, so I do understand the difficulties of working in a field where a well-intentioned mistake could bring about legal trouble. I will not lie and say that having the ability to just hand wave away any issue sounds appealing, but I believe that such a lack of accountability would make me a worse teacher and my family members worse doctors. The knowledge of my culpability under the law ensures that I watch for signs of home abuse in my students more carefully (as I am a mandated reporter) and that I am even more vigilant against disciplinary issues that could lead to student injury (as such an event could put me in legal trouble, if I were negligent).

Qualified immunity has its place and was granted to police officers with good intentions, but it has clearly become a system that can be abused to make police officers feel above the law. None of us should be above the law--especially not those who are paid to uphold it. I therefore ask that you vote for this bill and continue the fight to remove systemic racism in our policing force. Thank you for your time.

Best,

Michael Hoffman

From: Rachel Amaral <rachel.a.amaral@gmail.com>

Sent: Friday, July 17, 2020 9:52 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. In a troubled economy, asking this community to carry additional insurances and worry to their already stressful jobs is an abomination.

(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.

On a personal note, I feel this bill is reactionary rather than being of action. It is overcompensating for actions of officers not even in the state of Mass. Trust your training practices, trust your employees. As a former teacher, I look at it as punishing an entire class for one child's decisions. Does reform need to happen? Of course, everything can be better in almost every job on the planet. This is by far overreaching and needs to be reigned back. Taking qualified immunity away won't help bad people, it will only hurt the good people that care about their job and the communities they love.

Thank you,

Rachel Amaral

Rachel.a.amaral@gmail.com

11 5th Ave, Lakeville, MA 02347

From: denadimarzo <denadimarzo@gmail.com>

Sent: Friday, July 17, 2020 9:52 AM

To: Testimony HWM Judiciary (HOU)

Subject: My opinion on the bull..I mean bill you snakes passed in the dead of night.

First let me say to all senators...I wish you all put this much effort in any and all bills drafted in the Commonwealth. But we all know that wont happen. Anyway...

My name is Dena DiMarzo and I am extremely curious why 30 voted yes on the police reform bill. And I would like to know why the 3 coward Senators voted present? I understand you all have a cushy job with tons of perks but do you have any idea what it's like to go out and fight crime every day? Every night? Run into burning buildings? Treat the sick? Have you ever missed family functions or child milestones just to PROTECT THE PUBLIC? Do you have any idea what it's like to live in a violent

neighborhood WHEN NOONE SPEAKS OUT AFTER SOMEONE...even children ARE SHOT DEAD? So tell me something Senators, what are your reasons for voting yes for this bill? Boston, in my opinion is the best police force along with the best commissioner that city has ever seen, so explain to me and the VOTERS why this bill is such a good idea? How much police brutality is really in Lexington? Winthrop? Belmont? Ipswich? Statistics show that Massachusetts has one of the lowest police brutality complaints and police muder/shootings IN THE COUNTRY!! Why are we as a STATE not praising and encouraging other states to follow our police procedures. Facts dont lie! So why would you and your cronies decide this at 4 in the morning and without a public hearing? Please explain to the voters of Massachusetts why ALL public officials including judges, district attorneys or even you and your buddies are not included in the immunity portion of this bill? I think if all 30 senators who showed such strong work ethic in getting this done in 24 hours and put so much work into this bill, you would all be willing to stand up and put yourselves in the same bill as the people who serve and protect. Limited immunity should also be handed to you and the rest of you snake politicians. You passed this bill in the dead of night and its disgusting. I know I wont get an answer but I will be looking into each and every one of your campaign contributions and see what first responder services donated to your campaign. This way, that will give you a solid number on the amount of money you should be giving back. We as a people, should be standing up for our amazing low record of police brutality. We should be praising the men and women that run into burning buildings and especially in today's covid crisis..nurses should be paid double. But, I'm speaking to a politician..and in your cushy neighborhood and on your beautiful street and in your lovely summer home or gated residence im sure you must come across so much crime to be such a strong advocate for this bill. What you and your fellow "for the people" cohorts did with this bill was a waste of time was an absolute disgrace. Reform comes with public opinion and real discussions. Not snakelike actions to disarm a class of people..thought we are trying to make MA a better place? This bull just divides us and the police further apart. LOOK AT THE STATISTICS!!! You want to ban choke holds, then have a PLAN IN PLACE to help police subdue an unruly criminal. You want racism training, fine, but to take away their immunity to stand up for one cause is not fair and it's not what Massachusetts is about. Please enlighten me with your response..I'll be waiting holding my breath.

Sincerely,
Dena DiMarzo
Peabody, MA
Denadimarzo@gmail.com

Sent from my Sprint Samsung Galaxy S9.

From: nicole mainey <namainey@gmail.com>
Sent: Friday, July 17, 2020 9:52 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S 2800

As a nurse at Mgh I am Greatly opposed Limiting qualified immunity aspect of this bill. As I do agree that SOME police reform is needed this is not

the way. Opening up all first responders to civil suits is reckless and in no way beneficial to us or the people of this commonwealth. Having entered into this career because of The desire to care for the public in the best way possible I truly believe that this will hinder the care and decisions we as the front lines make everyday. I ask you to reconsider and take more time to review what a devastating impact limiting qualified immunity will have on ALL, nurses, firefighters and police officers. There is little room for any of us to be second guessing our actions and decisions when someone's life/health is at stake.

Nicole Mainey
Registered Nurse
Massachusetts General Hospital
617-413-4172

Sent from my iPhoneFrom: Rachel Gordon <rachel.h.gordon@gmail.com>
Sent: Friday, July 17, 2020 9:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on Police Reform Bill

To Whom It May Concern:

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 urge the House to include these provisions in your version of the bill:

- Qualified immunity must be limited. 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, as opposed to 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.

It is imperative that you keep these important provisions in the bill. We are watching, and we know the danger is real that the House might pass a watered-down bill that does little to actually change policing and protect Black and brown and other marginalized communities. Please do what is right for your most vulnerable constituents and for us all.

Thank you,
Rachel Gordon

"Work as if in the early days of a better nation."

-Alasdair Gray

<mailto:Rachel.Gordon@tufts.edu> From: Gena Michael
<gena.michael@gmail.com>
Sent: Friday, July 17, 2020 9:52 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony S.2820

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

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

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

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

Gena Hayes

Reading, MA 01867

Sent from my iPhone

From: Samantha Gasbarro <sjgasbarro@gmail.com>
Sent: Friday, July 17, 2020 9:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: S 2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Samantha Gasbarro and I live at 36B Valley 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,

Samantha From: donna marchand <dlgmarchand@gmail.com>
Sent: Friday, July 17, 2020 9:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Chairman Michlewitz and Chairwoman Cronin,
Massachusetts can take a positive step forward to help end systemic racism in policing by passing S. 2820. This Act will help reform police standards and move resources to build a more equitable, fair, and just commonwealth that values Black lives and communities of color. Please provide our communities with 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. Please pass a bill that includes each of these critical reforms. It is so important to protect all families in Massachusetts.
Donna Marchand
1 Queen Anne Lane
Hingham, MA 02043

From: Loftus, Bridget <bloftus@worchester.edu>
Sent: Friday, July 17, 2020 9:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: [EXT] RE: [External]: Bill S.2820

Hello,

I strongly oppose the passing of bill S2800.

Thank you,
Bridget Loftus

----- Forwarded message -----
From: Berthiaume, Donald - Rep. (HOU) <Donald.Berthiaume@mahouse.gov>
Date: Fri, Jul 17, 2020 at 8:14 AM
Subject: [EXT] RE: [External]: Bill S.2820
To: Loftus, Bridget <bloftus@worchester.edu>

Hi Bridget,

Hi,

Thank you for your email regarding the Senate's police reform Bill S2800. I am opposed to this bill in current form. Please consider offering your testimony to the committee by 11:00am today.

Please email comments to Chair Aaron Michlewitz and Chair Claire Cronin at :Testimony.HWMjudiciary@mahouse.gov

Thank you,

Donnie

From: Loftus, Bridget [bloftus@worchester.edu]
Sent: Friday, July 17, 2020 3:00 AM
To: Berthiaume, Donald - Rep. (HOU)
Subject: [External]: Bill S.2820

Hello,

I strongly oppose the passing of bill S.2800.

Thank you,

Bridget Loftus

From: Annahid Dastgheib-Beheshti <annahiddb@gmail.com>
Sent: Friday, July 17, 2020 9:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony in Support of Senate Bill S.2820

Dear Representative Michlewitz and Representative Cronin,

My name is Annahid (Anna) Dastgheib-Beheshti and I am a resident of Brookline, MA. I am writing in support of Senate Bill S.2820. Over the years, the ability of our City and Town governments to create and manage policing that meets the needs and aspirations of our communities has been dismantled by the non-statutory judge-made doctrine of qualified immunity, the Chapter 150E collective bargaining law, and the Joint Labor Management Committee statute. Together, these essentially eliminate local government options for effective police accountability.

This bill provides important legislation that begins to return those rights to our communities. It also creates a much needed system for the training and certification of police officers, and makes other necessary changes to law and policy to improve and enhance the accountability of policing in the Commonwealth. This is landmark legislation that would

help transform how law enforcement is practiced in Massachusetts, with a long overdue focus on racial equity in our justice system.

Thank you for your consideration on this matter.

Sincerely,
Anna Dastgheib-Beheshti
Brookline, MA
From: beth trout <troutnbaby@gmail.com>
Sent: Friday, July 17, 2020 9:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Good Morning Mr. Straus,

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

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:
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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Beth Trout
3 Garbie Dr.
Rochester, Ma 02770
From: James D'Andrea <james.dandrea87@yahoo.com>
Sent: Friday, July 17, 2020 9:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: S. 2820

Good Morning,
I am emailing to speak about my deep concern about the Police Reform Bill, S. 2820. I am currently in the Army National Guard and am active Police Officer in Massachusetts. This bill is what I perceive as an anti labor legislation. It removes our rights to due process, collective bargaining and inserts a board that has no experience, background or knowledge of what Police do on a day to day basis. Nurses, accountants, doctors all have review/certification boards that consists of people, atleast partially consisting of individuals with some type of experience or back ground in that profession.

Recruiting and retention will become a bigger problem than it already is in a non desirable occupation this day and age. The lack of qualified immunity in the daily performance of my duties makes me question my position. The fact that I will have to worry about paying for a lawsuit, frivolous or not and risk my home, children's welfare and just anxiety that the senate passed that is saddening. I have seen numerous cases where a judge has let a violent, career criminal back on the street that resulted in a serious injury, some deaths (even Police Officers in this state) with immunity from being held liable at all.

I deeply appreciate your time for reading this. I hope the House of Representatives puts deeper thought, input and consequences if the bill is not amended. Thank you again for your time and consideration.

Very Respectfully,
James D'Andrea
774-230-3535
From: Laura Durgin <ldurgin4@gmail.com>
Sent: Friday, July 17, 2020 9:50 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Police Reform Bill

My name is Laura Durgin, I am a voter from Plymouth MA and a member of Indivisible Plymouth. I am writing to urge you to support the inclusion of the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety (State Representative Liz Miranda
<[HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth \(State Representative Michael Day\) which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.URGENT ACTION!](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_voteliz_-3F-5F-5Ftn-5F-5F-3D-2DUK-2DR-26eid-3DARAoqrvxbqxcHkbaGFFDal2duSLy5lzQwskyvWjSckN0ysQRjD-5FhYuVo9hUS8qQ7GsXpQxRtDfuqyFxu-26fref-3Dmentions-26-5F-5Fxts-5F-5F-255b0-255d-3D68.ARCpDWxSSsBCAr4mlQWUG89eamUATJiOejOVVzTb-5Fh5TYPotPwTkxZ2JtqfZoMTFI-2D1fSGgJE-5FAdM69hnlW0GxpWGCmB-2DDeQIkK4gMQFDv9KdbzTqybbTQab81GKdWQqCJl6NpVz0rWrm5Tat7OE-2Dj1U99acZZdP8YctIDWcI-2DQfxYjvYfn5aO-5F-2DtZqgE1N7OCvfaYTnFPi6-26-5F-5Fcft-5F-5F-255b0-255d-3DAZVrEulvheuMcI2S7TrBUn5XMf8gKfSnQvRoH5zy4iOJ3gCWSGJKylav6WHruE3wFD3YEzu-5FP4xYQspN7wXDfFq6E9Q6aVALFVy6FVFu-2DPVlyVlbnWNQGQfz-2DEQ9my8bvbKuiPNa38fQcvQPPaU0Hy9BRnKvsPcx47HJ6MhH2D48IY6esoUtCfw-5Fw5utGUg7K2w&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=1Viq4U0xR61HoaNorCe5r4qtSxnN6eWNzFjEcDBUjgU&s=Eq5003 Tty4tCzqtPqBlh8rJsRil4BtH4QqkcCCpinP4&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.</p></div><div data-bbox=)

Right now we have a chance to make a positive cultural change to support the lives of POC in our community and reform our police force. Let's make sure Massachusetts is investing in our future and upholding the civil rights of all.

Thank you for being our voice.

Laura Durgin

Plymouth, MA

Member Indivisible Plymouth.

From: Samantha Tennaro <stennaro@gmail.com>
Sent: Friday, July 17, 2020 9:50 AM
To: Testimony HWM Judiciary (HOU)
Subject: Re: Police reform Constituent testimony!!

My name is Samantha Tennaro and I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the House and Senate consider legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the

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

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous. Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

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

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

Thank you.
Samantha Tennaro
Uxbridge, Ma,
18 year old new Voter "Do the right thing"!!!
774-280-3250
(registered voter)
From: sam porter <spporter560@outlook.com>
Sent: Friday, July 17, 2020 9:50 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

Hello, my name is Samuel P. Porter and I am with the Greater Boston
Interfaith Organization (GBIO). I live at 241 Perkins Street, Boston, 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

I 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 very much.

Samuel P. Porter

241 Perkins Street C505

Boston, MA 02130

sporter560@outlook.com

From: Tara McKenna <taralynnckenna@gmail.com>
Sent: Friday, July 17, 2020 9:50 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support for Police Reform Bill S.2820

Dear MA House of Representatives,

My name is Tara McKenna and I am a resident of Westford. I am writing to encourage you to support the police reform bill S.2820. I believe that police need to be held accountable for their actions, especially in light of the Black Lives Matter movement and the fact that too many black people have been killed due to police violence. I do not think police should be protected by qualified immunity, which has been used to protect police who have abused their power. No one, not even our police, should be above the law.

Thank you,

Tara McKenna
From: Crystal O'Keefe <crystalaokeefe@gmail.com>
Sent: Friday, July 17, 2020 9:50 AM
To: Testimony HWM Judiciary (HOU); Tarr, Bruce E. (SEN)
Subject: Please support our heroes

Mr. Tarr,

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.

Crystal O'Keefe
47 Agostino Drive Wilmington MA

Thank you

From: ED J ROSS <ej_ross@comcast.net>
Sent: Friday, July 17, 2020 9:50 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,
" And miles to go before I sleep." Ed & Marie
From: Karen Cirillo <ka.cirillo.10@gmail.com>
Sent: Friday, July 17, 2020 9:49 AM
To: Testimony HWM Judiciary (HOU)
Subject: Former Lowell City Councilor Karen Cirillo - Support of the Juvenile Justice Expungement Law Included in the Senate Racial Justice Bill S.2800

Good Morning,

I am Former Lowell City Councilor Karen Cirillo and I thank you for committing to confront racial injustice in our communities. I am writing asking you to urge the Speaker to include these youth-focused policies in the House race equity bill. These proposals will address racial disparities in our justice system and hold law enforcement accountable when interacting with young people in our communities and in our schools:

* Require transparency and accountability by reporting race/ethnicity data at each major decision point of the juvenile justice system, as filed by Rep. Tyler (H.2141). Require law enforcement and other juvenile justice agencies to report data on young people at major decision points with the juvenile justice system to improve the state's policy and planning. For too long, we have waited for transparency
<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.cfjj.org_just-2Dthe-2Dfacts&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=uRc3KGPgRkutT8G8X85g0jZm1HEFljtkk6y3T8xeSSQ&e=> on how our legal system responds to children and youth by collecting and reporting race and ethnicity data
<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.cfjj.org_data-2Dcollection&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=sINgFX_BmXt4YjuDn7-sEXXwQ7uMsvGIRQ1Yi9pKpl8&e=> to allow us to see disparities where they occur and to identify policies or practices to reduce these disparities.
FACT SHEET <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.cfjj.org_s_FACT-2DSHEET-2DData-2DCollection.pdf&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=pvKvAe9Dd066gKk2Soo_HKv9o6hhc3oXK1qDhjvUeXA&e=>>

* End the automatic prosecution of older teens as adults, as filed by Rep. O'Day and Rep. Khan (H.3420): Massachusetts' youth of color bear the harshest brunt of our legal system with their over-representation in the adult criminal justice system. By raising the age at which a teenager can be automatically tried as an adult, we can hold young people accountable in a more developmentally appropriate setting, giving them a better chance to succeed and turn away from offending and reduce the harms of

legal system involvement all while reducing crime in our communities.
FACT SHEET <[* Expand eligibility for expungement to rectify the collateral consequences of the over-policing and criminalization of communities of color, as filed by Rep. Decker and Rep. Khan \(H1386\) and as passed in S.2800: There is overwhelming evidence
<\[https://urldefense.proofpoint.com/v2/url?u=https-3A__www.washingtonpost.com_graphics_2020_opinions_systemic-2Dracism-2Dpolice-2Devidence-2Dcriminal-2Djustice-2Dsystem_-23School&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=TN3JtgRnous31Jd3aMR6q8VV0nTojEotmZF-7lzo1Cg&e=>\]\(https://urldefense.proofpoint.com/v2/url?u=https-3A__www.washingtonpost.com_graphics_2020_opinions_systemic-2Dracism-2Dpolice-2Devidence-2Dcriminal-2Djustice-2Dsystem_-23School&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=TN3JtgRnous31Jd3aMR6q8VV0nTojEotmZF-7lzo1Cg&e=>\)> that racial disparities against Black individuals at every stage of the legal system - from policing and profiling, court proceedings to sentencing and every stage in between. Expungement is an important tool to rectify the over-policing and disparate treatment of people of color be expanding. The current law limits does not distinguish if a case ended in a conviction or a dismissal. We ask that eligibility is modified so that \(1\) all non-convictions are eligible for expungement; \(2\) change the limitation on the number of cases on a record, to length of time since last conviction \(3 years for misdemeanors and years for felonies\); and \(3\) limit the list of offenses ineligible for expungement to only those resulting a felony conviction. FACT SHEET
<\[https://urldefense.proofpoint.com/v2/url?u=https-3A__www.expungema.org_s_FACT-2DSHEET-2DExpungement-2Dv2-2Dwith-2DSponsors.pdf&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=9aglkJZcI5JS-31yc7OaZubSEn_j4KcdRoLQy_Eb3uk&e=>\]\(https://urldefense.proofpoint.com/v2/url?u=https-3A__www.expungema.org_s_FACT-2DSHEET-2DExpungement-2Dv2-2Dwith-2DSponsors.pdf&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=9aglkJZcI5JS-31yc7OaZubSEn_j4KcdRoLQy_Eb3uk&e=>\)>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.cfjj.org_s_FACT-2DSHEET-2DRtA21-2Dwith-2Dsponsors.pdf&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=pW6y9rahh6zH0LgQcCUSF3zwHfwvH1gVATXI3K7SpAA&e=>></p></div><div data-bbox=)

* End the surveillance and profiling of students in schools as amended in S.2800 Section 49 by prohibiting school police from sharing student information they gather through their interactions with students with the Boston Regional Intelligence Center (BRIC) and the Commonwealth Fusion Centers that are accessed by local, state and federal law enforcement. FACT SHEET
<https://urldefense.proofpoint.com/v2/url?u=https-3A__docs.google.com_document_d_1YmlnfAJUax0GO3Qo05Ch4IUiBYbVb2q1fUC1v4WF0EM_edit-3Fusp-3Dsharing&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=Xy4Snv_ZFFApHuMKebERXOsoZKCgpNBV2grQo8KNXa0&e=>>

* Prohibit law enforcement restraints of minor children in a prone or hog-tie position and require that de-escalation techniques are developmentally appropriate and require that law enforcement consider calling parents/guardians to de-escalate a situation with a child. Some of these provisions passed in S.2800 amendment 41.

* National and local studies have overwhelmingly shown that Black and Latinx students are significantly more likely to be suspended, expelled, and arrested in school than their white peers. Repeal the state mandate that every school district be assigned at least one school resource officer; require school committee approval by public vote for assigning SROs; require that law enforcement officers be stationed in a police station and on-call for schools, rather than being stationed on school property; and mandate that school districts and police departments comply with the reporting requirements of school-based arrests to qualify to have an SRO. These provisions passed in S.2800 amendments 25 and 80.

Thank you and I look forward to hearing back from about your position on these priorities.

All of my very best,

Former Lowell City Councilor Karen Cirillo

ka.cirillo.10@gmail.com

From: Tom Green <tgreen.inhudson@gmail.com>
Sent: Friday, July 17, 2020 9:49 AM
To: Testimony HWM Judiciary (HOU)
Cc: stowkate@gmail.com
Subject: Support for S.2828

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

I'm writing in favor of S.2820, to reform our criminal justice system.

I believe that during the debate in the Senate on S.2820 and their review of many amendments to the legislation, they have crafted a bill which shows an excellent compromise over the most controversial portions of the legislation. While I would prefer to have a bill which completely eliminates qualified immunity, the use of teargas, chokeholds and no-knock raids, I believe that adoption of S.2820 as passed by the Senate is an excellent step toward the type of policing that all Massachusetts citizens wish to see.

Thank you for all of the work that you are doing during the pandemic. Since there are so many issues which need to be resolved, I also hope that you seriously consider continuing the Legislative Session past the July 31st deadline so that you have the ability to address the issues that we are facing with the opportunity for fully-considered debate.

Best regards,

Tom Green

Hudson, Massachusetts

From: romaniukrebecca@gmail.com
Sent: Friday, July 17, 2020 9:49 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate bill 2800

Hello,

I am writing in to give you my thinking of senate bill 2800.

First I'd like to ask, are any of you police officers? Have family in law enforcement? Friends in law enforcement? I'd like you to think of them in this time, and realize how much of a burden you are putting on them.

I am a police officer. I have worked for my police department for four and a half years. I have worked inside the high school protecting, answering calls, deescalating situations for two of those years. I'd like you to think of me before voting on this bill.

When I am asked why I became a police officer, my answer is and has always been, to help people. I wanted to help people my whole life, I take pride in it. I want you to now think of what will happen if you pass 2800. I can no longer help people, because now I have to think of my family, my children, my house, my livelihood. I can no longer help someone seek refuge from their abuser, because I will be sued. I can no longer help someone's child, maybe your child, or your friends child, who is choking, because I could be sued. I can no longer protect you from someone breaking into your house, from violently assaulting you, because now I have to worry about how I will feed my family, my children. Will this be the time I get sued? This will constantly be in the back of my head, and my coworkers heads.

I want you to take a moment to imagine if this bill passes. Honestly. Think about the reality. A mass exodus of police officers. No new recruits. Who would want this job? It's already thankless enough, now add on the reality of being sued. Ask yourself, would you honestly take ANY job where you could be sued over absolutely everything and anything? You would be lying to yourself if you said you would. And you would be naive to think that no bad things would happen to you. Because in reality, if this bill passes, you have to realize no more cops will come to help you. Are you prepared to take down your own home intruder? What about all of those domestic violence victims? Who will help them?

I want you to take into consideration how hard it is already to find new recruits for this job. It takes MONTHS to find people, who pass background checks, physical checks, and mental tests. Now add in the removal of QI, you can bet that those numbers are going to plummet. I hope you are all prepared to protect yourselves and your family.

Do you know what the elements needed to commit a crime are? A willing offender, a target/victim, and an opportunity. Take a step into a

criminals shoe. They'll know that the police in Massachusetts won't respond to things due to fear of being sued. Right there your opportunity has sky rocketed. Massachusetts will be the perfect place to commit crimes now, I hope you are ready for those repercussions.

I sincerely hope you think of all that this bill will bring to Massachusetts, mainly the bad, before you vote on this. Because I sure will not be staying in policing, or Massachusetts for that fact, if this passes.

Sincerely,
Rebecca
Attleboro Massachusetts

Sent from my iPhoneFrom: Aaron Manzali <aaron.manzali@gmail.com>
Sent: Friday, July 17, 2020 9:49 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony in support of Senate bill S.2820

Dear Chair Michlewitz and Chair Cronin,

I am writing in support of Senate bill S.2820.

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

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

Thank you for your consideration on this matter.

Sincerely,
Aaron Manzali
254 Saratoga St Apt 3
617 866 9479
From: Cara Steinborn <steinborncarav@gmail.com>
Sent: Friday, July 17, 2020 9:49 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 Cara Steinborn with the Greater Boston Interfaith
Organization (GBIO). I live at 13 Kernwood Ave in Beverly. 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

It is crucial that we work toward ending systemic racism and the systems
of oppression that exist today. We have to make changes to support the
BIPOC of our wonderful commonwealth.

Thank you very much.

Cara Steinborn

SteinbornCaraV@gmail.com

781-708-2192

13 Kernwood Ave, Beverly, MA 01915

From: beth trout <troutnbaby@gmail.com>
Sent: Friday, July 17, 2020 9:49 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Good Morning Mr. Rodrigues,

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.

Beth Trout
3 Garbie Dr
Rochester, Ma 02770

From: robert gillan <rpgillan@gmail.com>
Sent: Friday, July 17, 2020 9:49 AM
To: Testimony HWM Judiciary (HOU)
Subject: LEGISLATION TO CHANGE QUALIFIED IMMUNITY FOR PUBLIC SERVANTS

Dear Reviewing Official:

I'm hoping that the citizens can count on your support to fix the severely flawed legislation labeled S2800.

If qualified immunity is changed from its current definition, the safety of the public will be severely jeopardized.

It is unfair and immoral to change current collective bargaining agreements without negotiations

When you view these considerations along with other problems with the bill, no one will desire to be (or will be able to afford to be) a police officer, firefighter or nurse.

Look around the country and see what's happening. New York City Police Officers are retiring in droves. Minneapolis Police Officers are leaving on medical stress. Atlanta Police Officers stopped answering calls on shifts.

Do you really want inevitable similar events to occur here in the Municipalities of Massachusetts?

If the subject bill passes in its present form, no young person with any sense of self-preservation will enter public service.

When the police are gone, there will be no one to protect innocent civilians of all colors from the evil that the political radical left refuses to acknowledge.

Please consider your actions on this issue extremely carefully. Be completely aware of the unintended consequences. The Citizens of the Commonwealth do not want to live in a society of complete chaos due to the inability of public servants to do their jobs. Your careful review and consideration is critical.

Sincerely

Robert Gillan

Quincy Ma

From: Paula Wiseman <paulawisewoman@gmail.com>
Sent: Friday, July 17, 2020 9:49 AM
To: Testimony HWM Judiciary (HOU)
Subject: I oppose Bill S2800

As your constituent, Paula Wiseman of East Walpole, I am writing to you today to express my strong opposition to S.2800 which was passed by the Senate. I ask that you oppose this bill as constituted when it is debated in the House of Representatives. This bill is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities. It will cause many good officers to leave due to the new burdens it imposes and will likely only encourage poor candidates for the job.

S2800 establishes a review committee board with overly broad powers, including the power of subpoena, in active investigations. Review boards typically review a process or an event after it has occurred for the purpose of implementing a change. Reviews should not be conducted during the course of an investigation as that would in all likelihood jeopardize the investigation. Why is this language part of the bill?

The current language sets the groundwork for unconstitutional violations of a police officer's 5th amendment right (see *Carney v. Springfield*) and constitutional protections against double jeopardy. Qualified immunity protections (which are really the hallmark of sound and reasonable protections against frivolous lawsuits) are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability protections for the police officers we send out to protect our communities and who often deal with the most dangerous of circumstances with little or no backup. Removing qualified immunity protections in this way will open up officers to personal liabilities the likes of which they cannot withstand. That is a standard that makes no sense and are unnecessary as current laws today adequately address any overreach by law enforcement officers.

I am also demanding that this bill be debated in the light of day and not in the cover of darkness. If you have to resort to sneaking a debate and vote in the middle of the night, then I assert it is "prima facie" a bad bill and "prima facie" bad faith on your part as my Representative.

In summary, this bill is ill conceived, and quite frankly, it is a cornucopia of drivel. If you could set aside for one moment your partisan loyalties, perhaps you will admit to yourself that it is a bad bill and bad policy. Further, how can you or any other Representative reform something of which you know little. Until and unless you have taken substantive police training, I would again ask that you oppose this bill. While I agree that some policing reform should be addressed (good policing should always be evolving as new things are learned) but passing a poor bill for the sake of passing a bill is not in the best interest of the good people of Massachusetts.

I would also encourage you and all your colleagues in the House to perhaps live in a poor urban community with a high crime rate for one month before you decide to change something about which I am going to assume you have little to no knowledge or experience.

For all the reasons stated above, I ask that you oppose this bill.

Sincerely,

Paula Wiseman
East Walpole, MA
339-206-8484
From: Caroline Bays <cjbays@gmail.com>
Sent: Friday, July 17, 2020 9:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on Policing Bill S.2800

Dear Chairs and Members of the Committee,

There is a gap in the Senate policing bill that I hope you will address

Several years ago when I was first elected as a town councilor, the police chief invited me to take a tour of the police facilities in Watertown. As we were touring the building he described some of the training that they did with the police and one aspect of the training struck me as counter-productive at the time, but now, in retrospect, strikes me as horrific. He told me about how they trained the police to deal with "dangerous" situations and as he talked, it became clear to me, that in our relatively small town, with almost no gun violence, the police officers were trained to be afraid! In our peaceful town, they are trained to see the people they are supposed to protect as potential deadly threats. And our town is not alone - all police are trained this way.

In a WBUR interview this week, Michael Sierra-Arévalo described what an officer told him about their mental state when making a simple traffic stop.

"... One officer in Elmont proposed to me the hypothetical, 'You don't know if the person that you're stopping is coming from a murder or if they've just finished kidnapping somebody.' You don't know. And so this uncertainty is core to their understanding of what makes every interaction dangerous. You simply do not know. And the potential cost is so high that they must take steps to keep themselves alive."

People keep asking why these officers keep killing people and the answer is very simple because we train them to act from a place of fear and when you let fear control your responses, you kill people.

I strongly encourage you to look at the way we are training our police force and end the use of trainings that promote the preparedness of using violence in just about every situation that can possibly be considered dangerous - which in their current training is just about every interaction with the public.

When you consider your bill on policing in Massachusetts, please consider dis-allowing this type of training in order to receive certification from the state.

I am including a few links that further elaborate on this problem.

<https://commonwealthmagazine.org/criminal-justice/how-we-can-build-better-police-departments/>
<https://urldefense.proofpoint.com/v2/url?u=https-3A__commonwealthmagazine.org_criminal-2Djustice_how-2Dwe-2Dcan-2Dbuild-2Dbetter-2Dpolice-2Ddepartments_&d=DwMFAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIsl6rchf_GkGDD&m=HPVZeHuSE7uAECxodoob6m-PjCPOclf2KOWKxo9nwkI&s=3iK1EETG1R4ACw8FEgenEevPtMiXPcN1_kPulbxKr9s&e=>>

and you can find the interview with Mr. Sierra-Arévalo here -

<https://www.wbur.org/onpoint/2020/07/16/sociologist-michael-sierra-arevalo-on-how-police-expectation-of-danger-drives-brutality>
<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.wbur.org_onpoint_2020_07_16_sociologist-2Dmichael-2Dsierra-2Darevalo-2Don-2Dhow-2Dpolice-2Dexpectation-2Dof-2Ddanger-2Ddrives-2Dbrutality&d=DwMFAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIsl6rchf_GkGDD&m=HPVZeHuSE7uAECxodoob6m-PjCPOclf2KOWKxo9nwkI&s=VBTZ8IP9m-JLwRkDK8ww66CooMwXdFyYl4p0VjxQtDs&e=>>

Thank you to the chairs and the committee for "hearing" my testimony

Caroline Bays
Councilor-at-Large, Watertown
617-894-0045
From: Sean Dore <sdorefreme@gmail.com>
Sent: Friday, July 17, 2020 9:47 AM
To: Testimony HWM Judiciary (HOU)

Representative Aaron Michlewitz, Chair of the House Ways and Means Committee

Representative Claire Cronin, Chair of the Joint Judiciary Committee

House Ways and Means and Judiciary Committees Boston, MA 02133

This letter is written testimony regarding the Police Reform Bill

While I believe some reform is needed in law enforcement, this legislation as written has serious flaws and is not in the best interest of law enforcement or the citizens of the Commonwealth. My concerns relate not only to substance but to process.

Regarding process, this proposed legislation came out of committee in the Senate without a public hearing, some debate and vote was not done in the light of day but after midnight with a vote taking place at 4:30 AM. While I appreciate the House scheduling a hearing, I disagree with the House requesting testimony just being submitted by email. It limits discussion and free flow of ideas. Much more can be learned through oral testimony and questions by legislators.

It appears that substance is taking a backseat to speed of passage of this legislation. It does not seem passage is being done in a manner that is thoughtful and deliberate manner. Rushed legislation is flawed legislation that will have long term negative consequences.

Regarding substance I will just focus on a couple sections which I have concerns.

How is an amendment included in the bill that bans schools from collaborating with law enforcement to identify students who are known gang members. This clearly is not in the best interest of student safety let alone public safety. This is a recipe for disaster.

I believe the qualified immunity section of the senate bill that removes this protection for law enforcement is a drastic and dangerous overreach because it wrongfully puts them at risk for lawsuits targeting their personal assets. Currently we live in a litigious society.

Law enforcement as a whole seems to be being punished and attacked for the actions of a small minority.

Many seem to have very short memories, just a few weeks ago police officers were hailed among the COVID heroes.

It was on July 3 the officers from multiple departments rushed into harms way at the South Shore Plaza to protect the public when individuals decided to shoot at each other.

Thank you for your time

Sean Dore, MS MPH
Z S Consulting Group
781 956 6108

From: William Auger <walnut2210@icloud.com>
Sent: Friday, July 17, 2020 9:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2800/2820 Reform Bill

To whom it may concern,

Not sure when they say don't paint one group w a broad brush and here we are. We are having a hard time now trying to fill positions with qualified people and now you want to take away or alter Qualified Immunity. Talk about handcuffing us, it is a tough enough job as it is never mind to think now you could lose your house for doing your job with good intentions. I really hope the House drafts a much better bill that allows us to keep what we have with collective bargaining, Qualified Immunity and most importantly Due Process. Thank you and please think if this does pass good chance we will look like NY.
Respectfully Submitted,
Concerned Mass Resident
William Auger Worc PD
(774) 535-1674

Sent from my iPhoneFrom: Emily Radwin <emilyradwin@gmail.com>
Sent: Friday, July 17, 2020 9:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on s. 2820

the House needs to preserve Senate language on:
?Creating an independent and civilian-majority police certification/decertification body
?Limiting qualified immunity so that victims of police brutality can sue for civil damages
?Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records

And go further than the Senate bill with regard to
?Strengthening use of force standards
?Fully prohibiting facial surveillance technology
?Lifting the cap on the Justice Reinvestment FundFrom: Shemiram Fabian <shfabian@gmail.com>
Sent: Friday, July 17, 2020 9:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform

Generally speaking I have a lot of respect for our police. The system has imposed endless responsibilities, and expectations, and this is wrong:

Police, and policing has to go under a heavy review and reform. We live in a country where civilians are allowed to carry gones. This situation makes it extremely difficult for police to fight crime, and at the same time to protect themselves from getting shot or injured. We need to pull our resources wisely, and dissect the situation. Not all the 911 calls require to have the police presence directly, but for a backup.

I happened to call 911 twice yesterday.
Both of the situations were required for EMTs to get involved with the presence of Boston police. Luckily everything went smoothly.

Teaching the public to comply with rules, and conduct of civility is a major task for those of us who want to see reforms in our society. It takes two to tango.

Thanks for the opportunity.

Shemiram Fabian

From: Stacey Ober <Stacey.Ober@akc.org>
Sent: Friday, July 17, 2020 9:47 AM
To: Testimony HWM Judiciary (HOU)
Cc: Phil Guidry
Subject: Public Records Law Changes in Reforming Law Enforcement-
Comment to HW&M and Judiciary Committees
Attachments: Screenshot MA Puppy Mill Coalition 1.jpg; Screenshot MA
Puppy Mill Coalition 2.jpg

Good morning Chairs Michlewitz and Cronin, and Members of House Ways and Means and the Judiciary Committee:

It has come to our attention that your committees are being asked to increase transparency for special state police officers with inclusion of the following change to the public records law in SB 2820:

SECTION 1. Chapter 66 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after section 21 the following section:-

Section 22. A document made or received by special state police officers as defined in Chapter 22C, including but not limited to, special state police officers as defined in sections 51, 56, 57, 58, and 63 shall be considered a public record under this chapter and under clause twenty-sixth of section 7 of chapter 4 and subject to all applicable exemptions. See attached social media posts from July 16, 2020.

As a courtesy, we are writing to acknowledge that the Human Society of the United States (HSUS) is party to litigation currently before the New Hampshire Supreme Court regarding the distribution of photos taken during the execution of a search warrant they assisted with resulting in the seizure of dogs. The question before the court is whether the distribution of those photos online to solicit donations to the non-profit resulted in a violation of the defendant's constitutional rights to a fair trial and privacy. The docket can be viewed here.

<https://www.courts.state.nh.us/caseinfo/pdf/fay/index.htm>

<[https://urldefense.proofpoint.com/v2/url?u=https-](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.courts.state.nh.us_caseinfo_pdf_fay_index.htm&d=DwMFAG&c=1DF7oMaP)

[3A__www.courts.state.nh.us_caseinfo_pdf_fay_index.htm&d=DwMFAG&c=1DF7oMaP](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.courts.state.nh.us_caseinfo_pdf_fay_index.htm&d=DwMFAG&c=1DF7oMaP)

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Pending the court's decision in the NH Supreme Court case, the defendant
filed suit last month requesting \$25 million in damages against HSUS.
https://www.concordmonitor.com/Tina-Fay-hopes-the-doggone-story-ends-soon-35165146?fbclid=IwAR2jMBHe8OgRaw5mEL1Fb36Qlmg5dMIz6wNoofAf1P4VrvLdA9hI6lu5n_c <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.concordmonitor.com_Tina-2DFay-2Dhopes-2Dthe-2Ddoggone-2Dstory-2Dends-2Dsoon-2D35165146-3Ffbclid-3DIwAR2jMBHe8OgRaw5mEL1Fb36Qlmg5dMIz6wNoofAf1P4VrvLdA9hI6lu5n-5Fc&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu
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cYDoW80bAAZjGl3Dgpb2oVvrbJ_RPCFoLmAcIHqFY&e=>

Our recommendation is that you not include changes to the public records
law for special police officers identified in the above text, without a
full vetting by legislative committee and a public hearing process to
fully understand the consequences of such a change in law here in
Massachusetts.

Thank you for your consideration,

Stacey Ober, J.D.

Legislative Analyst & Community Outreach, New England Region

Government Relations

t: 919-816-3348 | e: stacey.ober@akc.org

AKC's website: www.akc.org
<https://urldefense.proofpoint.com/v2/url?u=http-3A__www.akc.org_&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu
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AKC GR's website: www.akcgr.org
<[From: Anne Licciardello <\[kerfuffles@gmail.com\]\(mailto:kerfuffles@gmail.com\)>
Sent: Friday, July 17, 2020 9:46 AM
To: Testimony HWM Judiciary \(HOU\)
Subject: Police Accountability Hearing Testimony](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.akcgr.org_&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu k13zIs16rchf_GkGDD&m=_VmOXwOSra8XLHXbqnh6K6quHgN6dFImu5tcZAiB0ys&s=jOx_lqR9ahS3FcSqrKnWWVZr8hckZAxlimVFdPsgv7E&e=>></p></div><div data-bbox=)

I am Anne Licciardello, a resident of Arlington, MA, and an active and motivated volunteer organizer with the Greater Boston Interfaith Organization (GBIO). I am writing to urge you and the House to pass strong police accountability measures that include:

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

PLEASE do adopt the Senate language to reform the legal doctrine of qualified immunity. Currently applicable cases cannot be heard by a jury as they are dismissed because the particular violation of 4th Amendment rights by a public official, such as a police officer, had not 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 time to put an end to this outrageous injustice preventing those who have suffered from the egregious violations of police officers from getting their day in court.

Do not be swayed by claims that qualified immunity reform will have devastating financial impact on individual police officers as they are indemnified by the municipalities that employ them. Any such claims are not based on fact.

We are calling for real reform to bring justice to our communities.

Thank you.

Anne Licciardello
61 Newport St
Arlington MA 02476
603-494-2507
kerfuffles@gmail.com

From: tea wellbeing <tea.wellbeing.healing@gmail.com>
Sent: Friday, July 17, 2020 9:46 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 Teaka Isaac. I am a resident of Roxbury 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.

Transformation of police departments, their role and relationship to our communities requires a change in culture, accountability, training, policies and practices. It also requires STRONG leadership and transparency! Without organizing and authentically engaging our black and brown communities to build new systems centered around people from this population and persons with lived experience of oppression by the Police system of MA - nothing will change.

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,

Teaka Isaac

18 Park View Street

Boston, MA 02121

March like a Mother: for Black Lives

From: Jennifer Bartak <jen.bartak@gmail.com>
Sent: Friday, July 17, 2020 9:46 AM
To: Testimony HWM Judiciary (HOU)
Cc: jpaciorek@police.deerfield.ma.us; Blais, Natalie - Rep. (HOU)
Subject: Written Testimony for S2820

Honorable Chair Aaron Michiewitz and Chair Claire Cronin,

My name is Jennifer Bartak, and I am a police supervisor in Deerfield Massachusetts. I have had the privilege to serve my community since 2003. Working in the town in which I was raised has been such a rewarding opportunity to give back to the community that has given so much to me. I go to work everyday with compassion, empathy, integrity, and an open mind to keep striving to be better.

First let me start by saying what happened in Minneapolis to George Floyd was deeply disturbing. I was speechless, angry, confused, and saddened for the senseless loss of his life. I was so angry at the Minneapolis Police Department for allowing that officer to still be on the streets terrorizing the community. It made me question my identity as a police officer, and I contemplated leaving the profession. However, I saw that all of my coworkers were feeling the same anger and sadness I was and it led me to remember why I chose this career. I chose this career to be a change for the positive in the world. I chose this career because I deeply care about my community, and strive to make each and every interaction as compassionate, respectful, and empathic as possible, even in a person's darkest life moments. I want to be on the forefront of making the criminal justice system better for everyone and finding solutions and avenues to difficult problems. I believe that Massachusetts has some of the best officers in the nation and our training model should be a catalyst for a national standard moving forward.

I have some grave concerns about S2820 and how it will impact policing and the safety of citizens in Massachusetts. No officer in

Massachusetts feels that the policing can't improve and we can work to do better. We want the communities we serve to feel trust in their police departments, and some things outlined in this bill will work to achieve this. I believe having a recertification process for working officers is a positive way to make sure each officer is receiving the most current and up to date training. After the shooting of Michael Brown in Ferguson Missouri, I started to do my own research on how other States train their police. I was disturbed to find that many states have a police academy that is less than four months and no training thereafter to keep officers current on national trends and developments. I was relieved to learn that in Massachusetts, we do it right. Our officers are held to a high training standard from day one attending the MPTC or MSP academies. We have yearly classroom and hands on training in-service which needs to be completed by each working officer. Many officers starting the profession come through the doors with a bachelor's degree or higher. I feel that in S2800 and S2820, these standards were not even looked upon or even researched when pushing the training outlined in the bill. I also have concerns that moving to a POST state would inevitably lead to the loss of "part-time" officers. Working in a smaller community, my department has only nine full-time officers and relies heavily on the part time staff to fill in almost sixty shifts a month. Moving to a POST would all but eliminate part-time employees. In the larger cities, this is a non issue, but for the small hilltowns in the western and central part of the State, you would see many departments dissolve and rely on the State Police for coverage. This would increase response times to emergencies and towns would lose the community aspect of knowing who their police are in their communities.

I was also taken back about the "optional" school resource officer portion of the bill. During the criminal justice reform act implemented a few years back, it was mandated that school districts bring in school resource officers (SRO). Our town did this, and we have seen such a positive outcome from having an SRO in the schools. We were all taken back by this positive effect, and our SRO deeply cares about the wellness of the students. Our SRO goes above and beyond for these kids, sometimes helping them purchase items needed with his own money, or bringing them to doctors appointments on his own time because the family does not have the means to. In S2820, I was also concerned about not allowing school officials to inform police about juveniles who are suspected to be getting involved in gang activities. Who is this protecting? Clearly not the student, other students, teachers, staff, or families in the school district. If an SRO is aware of possible gang activity, then this gives them the opportunity to get involved with the student and show them different avenues, or to find out what is going on at home to make a child want to get involved with a gang.

My next concern was about the data collection portion of the bill. If every single interaction with a citizen needs to be documented and put into a database, or citizens receiving a receipt of the interaction, police are going to be losing valuable time they could spend focusing on other community concerns. After the passage of the hands free bill earlier this year, data collection was a major portion of the new law. Obviously, the pandemic stuck, and the State and police departments have not had the same amounts of interactions to analyze the data. There are

many avenues already in place to obtain police interactions data points, and these can be explored instead of making an interaction with a citizen prolonged collection data for the State.

The bill talks about having cameras worn by each officer and honestly, I am a huge proponent for this. In today's modern world of everything being recorded, and with the national hostile attitude towards police, I feel having a recorded record will help citizens will feel their departments will have more transparency. It will also protect officers who are doing amazing police work everyday in the Commonwealth. However, recording systems are costly, and smaller towns finding the funds to buy the systems and technology is going to be difficult. Please consider more grants and funding to help all Massachusetts officers get cameras implemented, as well as clear and defined language in the legislature on what is for public dissemination and what is not. For example, I got into a house for a medical emergency, information seen and obtained there would fall under HIPPA. Or I respond to a domestic disturbance or sexual assault and my camera is on, if a neighbor or landlord wants to know what happened and requests this information through the freedom of information act, is the camera footage subject to be released? Please make the language clear and concise on this.

Finally, I wanted to address qualified immunity (QI). As the law as it is written currently, if a public servant violates someone's civil rights, or is subject to an excessive use of force incident, QI is lost. In the bill as it is written in S2820 leaves very vague language on QI, which will only open the door for numerous and frivolous civil lawsuits. I have never been subject to an excessive use of force or a police misconduct complaint, but I fear that with QI removed, and the vague language left for interpretation, any interaction can be "perceived" one way and now I am open to a civil lawsuit. It will be costly to defend myself, as many towns do not have the budget to pay for this. With the passage of S2800, I have already seen myself second guessing decisions on calls, and this could lead to getting hurt, or even killed. I have said for years that police are emergency social workers. We respond to sometimes violent and chaotic scenes, and we need to act quickly and then find avenues to solve the problem. This may mean the arrest of a domestic violence suspect, rendering aid to a drug overdose victim, removing children from abuse households while waiting for assistance from DCFS, and a host of other scenarios. Please do not forget, police are the first ones through the door in these chaotic situations. I would be remiss if I did not say that some of the things we witness changes the core of your person. I have seen deceased decomposed bodies, abused and sexually exploited children, horrific crashes, and I have to hold strong with families who try to make sense of it all. I have also cried with the loved ones of victims who try to come to grips with the incident. It is easy for everyone to sit back and point fingers at police on how we are doing it wrong, although they are not the ones who go through the door into the unknown and try to make a horrible situation better. Removing QI will only make it harder for us to perform our emergency social work to the community. We will be second guessing every single move, or not providing adequate protections to victims and families because we are concerned about a civil lawsuit to follow. If an officer acts outside of the law, is negligent, violates someone's constitutional

rights, or uses excessive use of force then QI is removed and the officer should be punished accordingly. Please don't make officers concerned to do their job they have been trained so well to do.

I am proud to be a police officer in Massachusetts. I am proud of the fact that if you become a full time officer in Massachusetts, you can work in any other State in the nation because our training is so superior. Let's build on this. Let's not allow the incident in Minnesota or other States change what we do so well here. We can improve, we can always do better, and every day we strive for this. As I outlined, some parts on S2800 and S2820 will hinder police with protecting their communities. This bill was rushed through without adequate collaboration with the stakeholders immediately affected by these changes or even transparency. You have the opportunity to make this bill something other States can model their own reform on. Please take the time to really research, collaborate with stakeholders, community leaders, and Police Chiefs State wide to make this bill the pillar of modern policing. Thank you for your time and consideration.

Respectfully Submitted,

Jennifer Bartak
266 Whately Road
Conway, MA 01341

cc: Representative Natalie Blais and Chief John Paciorek Jr.

From: Kyle Kobierski <kylekobierskik@gmail.com>
Sent: Friday, July 17, 2020 9:46 AM
To: Testimony HWM Judiciary (HOU)

I am a firefighter/EMT of the past 5 years working on an ambulance. This bill was hastily written and in my opinion is absurd. Politicians don't know the risks of walking into a situation at 0300. We face risks and dangers everyday in our job while we work alongside police. There are changes that need to be made to this bill. I needs input from those that actually work in these positions, all the public servant employees who this will affect should have a say. Please take into consideration the trickle affect this will have on all of us. No more middle of the night secret votes. You work for us, it's time to act like it.

Regards,
Kyle Kobierski

From: Nicholas Hayes-Mota <nick.nc@gmail.com>
Sent: Friday, July 17, 2020 9:46 AM

To: Testimony HWM Judiciary (HOU)
Subject: Please Pass Strong 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 Nicholas Hayes-Mota with the Greater Boston Interfaith Organization (GBIO). I live at 51 Langdon St, Cambridge (02138). 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.

Nicholas Hayes-Mota

nick.nc@gmail.com
781.866.3309
51 Langdon St, Cambridge, MA 02138
From: chouli1372 <chouli1372@aol.com>
Sent: Friday, July 17, 2020 9:46 AM
To: Testimony HWM Judiciary (HOU)
Subject: Stand up for the 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.

Corinne Murphy
45 Teresa Drive
Holden, MA

Sent from my iPhone
Sent from my Verizon, Samsung Galaxy smartphone

From: Gaetana Magliozzi <magliozzigaetana@gmail.com>
Sent: Friday, July 17, 2020 9:46 AM
To: Testimony HWM Judiciary (HOU)
Subject: DO NOT DEFUND THE POLICE

My name is Taylor Melanson, my residences is Beverly mass.
DO NOT DEFUND THE POLICE. PEOPLE NEED THEM THEY PROVIDE SAFETY AND SECURITY. WE SHOULD HAVE A REFORM LIKE TRUMP SIGNED NOT DEFUND THEM. ALSO I FIND THIS EXTREMELY IRRITATING WE ARE CONSTANTLY SILENCED AND FORCED TO APPEASE A MINORITY WE ARE BEING CALLED RACIST THE DEMOCRATIC PARTY DOESNT SHOW ALL THE WHITE PEOPLE BEING KILLED AND BEATEN RIPPED FROM THEIR CARS BECAUSE THEIR WHITE. THATS RACISM NOT EQUALITY I WILL NOT APOLOGIZE FOR BEING WHITE. I WILL NOT WEAR A MASK OR FORCE OTHERS TO WEAR THEM TO BE SILENT YOU CALL YOURSELF A GOVERNOR OR A MAYOR BUT CHOOSE TO STIFLE THE MAJORITY ON EVERYTHING AND I'M SO FED UP WITH YOUR NARRATIVE IF YOU DEFUND THE POLICE, OR TRY TO MAKE MASKS MANDATORY WHEN THE RATE SHOWS 90% SUCCESS IN GETTING BETTER IM TAKING MY FAMILY. AND MOVING TO ANOTHER STATE OR WE THE SILENT MAJORITY WILL STORM THE STATE HOUSE THIS IS NOT OK YOUR RIPPING OUR COUNTRY APART AND ILL DO WHATEVER IS NEEDED TO MAKE SURE IT DOESNT CONTINUE.

From: ROBERT NUSS <robertnuss@comcast.net>
Sent: Friday, July 17, 2020 9:46 AM

To: Testimony HWM Judiciary (HOU)
Subject: bill S.2820

Good morning representatives,

I write to make sure that you are informed by the events of yesterday in New York City.

The city council passed, and the mayor signed, a measure that does most of what you are contemplating with this bill. The head of the New York State Police responsible for NYC immediately withdrew all of the state police who are policing in NYC and would be subject to this new law. You are playing with fire and will be held responsible by the electors if you pass this bill and the obvious consequences appear.

Respectfully,

Robert Nuss
764 Route 6A
YarmouthPort, MA 02675

508 362 3306

From: Shira Abramovich <sabramovich9@gmail.com>
Sent: Friday, July 17, 2020 9:45 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820: Pass Meaningful Police Reform!

Dear Chairs Aaron Michlewitz and Clare Cronin,

I am writing as a Massachusetts voter, imploring you to keep the Senate's proposed policing reforms by passing bill S2820.

This bill would strongly limit qualified immunity, a practice which routinely allows police forces across the country to get off scot-free for murder and assault of Black and Brown bodies. Allowing victims of police brutality to sue for damages is a good first step to eliminating qualified immunity entirely.

Further, I believe it is high time to pass stronger use-of-force standards, preventing police from using tear gas or chokeholds, as well as prohibiting no-knock raids like the one that caused Breonna Taylor's murder.

I also would press the chairs to look hard at the way police interact with our schoolchildren. Having been a young adult in public schools five years ago, I do not see a reason as to why the kinds of issues found within schools could not be handled by trained staff such as school counselors, mental health professionals, or social workers. Doing so would help cut off the school-to-prison pipeline which devastates young Black people's lives and the health of their communities.

Further, I would ask that the chairs take the courageous step to fully prohibit facial recognition technology in its use by law enforcement. These technologies are an unambiguous infringement on civilian privacy, and are already threats to rights of free speech and free assembly.

Finally, I implore the chairs to create an independent, civilian-majority police certification and decertification body. This cannot be a body from within the police force; it must be fully independent and able to dole out meaningful checks and consequences on police power and behavior. Only a civilian review board will be able to take us forward towards the goal of minimizing police and their harm to Black and brown communities.

Sincerely,

Shira Abramovich
Brown University (student; resident of MA)
Newton, MA 02461
617-244-4974
From: Andrew Kularski <akularski@ayer.ma.us>
Sent: Friday, July 17, 2020 9:45 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

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".

I writing you as a Police Officer.

The tumultuous events this country has dealt with over the past several months have been hard on all of us. Police Officers were hailed as heroes only a few short months ago during the beginning of the pandemic. More recently, we have all been grouped together and vilified because of the actions of one bad cop on the other side of the country simply because we wear a similar uniform.

I am urging you to closely inspect the language in the bill S2820 you will be debating about police reform. Massachusetts police officers have long been better trained and better equipped than many other parts of the country.

The specific language on Qualified Immunity is problematic for all of us. The existing language of qualified immunity does not defend the wrong doings of officers. It only defends actions taken that another reasonable officer in a similar situation would do as well. If this is changed there will be a mass exodus of law enforcement. We are not paid enough to go out and buy private liability insurance, and to be honest, I doubt most insurers would want to write that policy. This will have major negative implications in a career that is already under appreciated and under paid.

Any Officer will tell you no one dislikes a bad cop worse than a good cop, that being said it is imperative that police officers are given due process during any desertification process. A board of civilians will not be able to examine what is the right or wrong thing because they do not have the expertise or knowledge of police work to make an educated decision. Our Commonwealth has boards made up of experts in the field who makes decision on cases of misconduct for lawyers, doctors, barbers and dentists but for some reason when it comes to police this decision is going to be given to a civilian.

Please, I am asking for your support in re writing this bill and having experts in the profession of police work to aid in the process so we are able to have a bill the achieves the desired goals of this bill without undesired consequences.

Detective Andrew S. Kularski

Ayer Police Department

54 Park Street

Ayer, Ma 01432

978-772-8200 ext 506

978-772-8202 (F)

Akularski@ayer.ma.us <mailto:Akularski@ayer.ma.us>

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From: Bill Cohen <bill4cohen@gmail.com>
Sent: Friday, July 17, 2020 9:45 AM
To: Testimony HWM Judiciary (HOU)
Subject: Feedback on S2800

Comments on S2820 from Bill Cohen, private citizen, 20 Taft Ave, Maynard, MA

For the past 41 years I have been working as an electrical engineer designing computer and communication systems that hopefully make the world a better place to live in. This past decade, most of my colleagues have been from other parts of the world, a very talented set of individuals. They migrated to this country from Asia, Africa, and even Haiti. They are migrating not only for the technical prowess of this country and commonwealth, but also because of the promise of a more equitable society. One where their families can live in a state where freedom of expression and fairness dominate.

The legislation contained in S2820 is important to show that people on the margins are not to be treated as lesser citizens than people with power and money. People that do not look European can go about their business in Massachusetts without fear from the Police.

It is important in every organization to continuously improve the quality of that organization. My engineering company constantly improves on the quality standards and procedures. S2820 will improve the quality and standards of police departments across the commonwealth. Change is always hard to deal with. There will be a lot of push back as there was in my private firm when policy changes were instituted.

The twentieth century way of doing business will not work in today's twenty-first century world. We need to move forward with the S2820 legislation to create a better living environment for all the peoples of this commonwealth.

Thank you for considering my opinion.

Bill Cohen

From: Mark Schafer <msmexico2@gmail.com>

Sent: Friday, July 17, 2020 9:46 AM

To: Testimony HWM Judiciary (HOU)

Subject: Facial recognition should be banned as a part of the police reform bill

Dear Reps. Cronin and Michlewitz,

I believe that facial recognition automates discriminatory policing and exacerbates existing injustices in our criminal justice system. It is unjust and threatens my civil rights. Facial recognition should be banned as a part of the police reform bill.

Yours,

Mark Schafer

13 Highland Ave. #3

Roxbury, MA 02119

617 238-5776

msmexico2@gmail.com

From: Trinidad Baca <trinidad.baca@gmail.com>

Sent: Friday, July 17, 2020 9:45 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform Bill - repeal it

Hello,

I am writing to you as a concerned citizen of Massachusetts as well as of the United States of America.

Please stop the current police reform Bill and vote against it.

We the people do not want our police to be subject to false accusations and scrutiny that the compromise of qualified immunity will bring.

This is not the time to compromise on public safety.

There is too much tumult in the world to compromise the position of the police in Massachusetts nor in the rest of the United States.

We stand by and should cultivate a civil society and the police are our first line of defense.

Massachusetts police are doing a great job and have not been at the center of any of the civil unrest going on in the country.

Protect Massachusetts, it's citizens as well as the duty of our police that we truly cherish and need.

Sincerely,

A concerned citizen and supporter of the police across this great nation as well as within the United States of America.

Trinidad Baca

From: Paul A Thompson <milu83@mit.edu>
Sent: Friday, July 17, 2020 9:45 AM
To: Testimony HWM Judiciary (HOU)
Subject: BILL S.2820

Dear Sirs,

I implore you to please consider the suggestions below.

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 A. Thompson

56 Sawyer Way

Leominster MA 01453

milu83@mit.edu

From: Lauren Welch <lwelch820@gmail.com>

Sent: Friday, July 17, 2020 9:45 AM

To: Malia, Liz - Rep. (HOU); Chang-Diaz, Sonia (SEN); Testimony HWM Judiciary (HOU)

Subject: I'm a police officer and a Democrat (for now)

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

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

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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,

Lauren Welch

65 Tower St #2

Jamaica Plain, MA

LWelch820@gmail.com

From: Jess G. <mamagregg3@gmail.com>
Sent: Friday, July 17, 2020 9:45 AM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition of S.2820

Dear Sir or Madam,

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

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

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

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

Jessica Gregorczyk
14 Valley View Circle
Rutland, MA 01543

From: amy weinberg <amycraigs@gmail.com>
Sent: Friday, July 17, 2020 9:45 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 Amy Shulman Weinberg with the Greater Boston Interfaith Organization (GBIO). I live at 25 Copley Street in 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

Thank you very much

Amy Shulman Weinberg
a <mailto:ajsweinberg@gmail.com> mycraigs@gmail.com
617-645-8891
25 Copley Street
Brookline, MA 02446

From: Kenneth Hughes <kenneth.hughes1@comcast.net>
Sent: Friday, July 17, 2020 9:45 AM
To: Testimony HWM Judiciary (HOU); Sean Garballey; Rogers, Dave - Rep.
(HOU); Friedman, Cindy (SEN); dianemahon@verizon.net
Subject: Police Reform

Dear Committee Members,

Please allow me the privilege of introducing myself, my name is Kenneth W. Hughes, and I am a retired Lieutenant of the Arlington, MA Police Department. I am sending this correspondence to you because I see great troubles ahead if the legislation that you are currently entertaining in regards to police reform is passed in its current form. Most notably, the elimination of "Qualified Immunity" piece of the bill will severely hamper how policing is done in the future. I acknowledge the noble intent of this legislation for many of our State Legislators is for greater accountability of policing in Massachusetts. I too believe in accountability, in policing, as well as in all other professions. Legislation with the scope and impact of police reform should not be hastily rushed through the legislative process but instead is worthy of thorough deliberation by all sides of this highly emotionally-charged issue. Contrary to the belief of some, there are many control measures already in place that hold police officers accountable for their actions, and that if properly used, would guarantee what most good people want, fair and equal protection under the law without having to eliminate "Qualified Immunity". The Civil Rights of ALL people are guaranteed under the United States and Massachusetts Constitutions and there are many Federal, State, and Local laws and Regulations that further support that guarantee. Having been a law enforcement officer for over 26 years I vehemently resent the characterization that the Criminal Justice System is "Systemically Racist" throughout. That belief is such a broad-brush attempt to tarnish the image of so many people who have given so much to protect and serve ALL people. I am not a racist and I was part of the Criminal Justice System. I worked with some of the finest police officers

in Massachusetts and they were not racists either. By logical extension of the "Systemic Racism of the Criminal Justice System Theory " that would imply that not only those that not only those people who enforce the laws, but by also those people that try, judge, and even write the laws are racists and should therefore be also eliminated from "Qualified Immunity". I am not naïve enough to believe that the Criminal Justice System is perfect, it does have its share of problems, and those problems should and must be addressed but not in a "throw out the baby with the bath water" approach. Eliminating "Qualified Immunity" of police officers will drive many good people out of a noble profession and make those who chose to remain more tentative to respond in a situation in which will get themselves and others hurt and killed. Let cooler heads prevail, slow down, have more open hearings , bring all sides to the table , expand Education/Training and enforce existing Laws and Regulations in a humane and impartial manner. If you would like to discuss this matter with me please do not hesitate to contact me. Thank you.

Sincerely Yours,

Kenneth W. Hughes,

Retired Arlington, MA Police Lieutenant

From: Leonard Tshitenge <leonard@fathersuplift.org>
Sent: Friday, July 17, 2020 9:44 AM
To: Testimony HWM Judiciary (HOU)
Subject: Juvenile Justice Data, Raise the Age, and Expungement

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.

1. Require transparency in juvenile justice decisions by race and ethnicity (as filed by Rep. Tyler in H.2141)
2. End the automatic prosecution of teenagers as adults (as filed by Rep. O'Day in H.3420)
3. 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.

--

Leonard Tshitenge - M.S. In Psychology/Behavioral Health
Director of Coaching Services & Family Interventions
Fathers' Uplift Inc.
12 Southern Ave <https://urldefense.proofpoint.com/v2/url?u=https-3A__maps.google.com_-3Fq-3D12-2BSouthern-2BAve-2BDorchester-2C-2BMA-2B02124-26entry-3Dgmail-26source-3Dg&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=Lfv9nWcQ6ih-EGg0qTBr_zW0VG4VxZmKmvT20fm5D7U&s=GhNMQbmk1nhGVjrnRhtJgZvco8_JHh87IGkK3iI10wk&e=>>
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Phone: 617-708-0870
Fax: 617-516-8274

www.fathersuplift.org <[Origins of Fathers' Uplift, Inc.: <https://youtu.be/c9JSBSLGJ60>
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Uplifting Fathers and Strengthening Families Nationally

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From: Anthony <Scrunoap@aol.com>
Sent: Friday, July 17, 2020 9:44 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Dear Honorable State Representatives,
I am the Vice President of the IBPO Local 504 Worcester Police Official's Union.

?I am respectfully writing to you asking that you do not support Senate bill 2800-2820 as it is currently written.

This bill has so many far reaching dangerous affects on policing and organized labor in this bill.

If passed in its current form this bill gives the POSAC board the right to take away an

officers livelihood without Due Process. The make up of the POSAC board needs to be made of individuals who have the background, training and education in law enforcement, not members who have never walked a day in any of our boots.

I ask you this question, is there any public or private sector profession that doesn't have an allegation/ complaint investigated by an internal employer prior too going to a board; e.g. nurse/lawyer/dr/judge, are all afforded the opportunity to be heard before their employer. If the employee's complaint was sustained they had the right to appeal their complaint before a full panel/civil service commission for final disposition The senate & governor's bill eliminates this process thus taking away our rights to arbitration & due process. How can this POSAC board have the ability to conduct investigations and subpoena people without having any experience on how to even conduct an investigation? We were hired as civil service employees which gave us the right to arbitration. This senate legislation takes that right away without bargaining, which is another violation of union rights under collective bargaining. The Governor Baker's own admission when asked about this at his press conference he stated he would visit elimination of Civil Service at a later time, really, then how did this happen now?

This senate legislation weakens the standard on the Qualified Immunity. With all the debate that took place in the senate, we really believe amendment 137 should have been adopted and placed in a study where the right vetting could take place, with the right people with experience in this particular field.

In conclusion we are respectfully asking that when you do vote on any legislation you consider all the facts that have been presented to you. As it's been mentioned so many times, there isn't one police officer who condoned what happened to Mr.Floyd but it must be stated, it didn't happen here in our commonwealth and we shouldn't have our profession turned upside down. We have stated many times there are things in the senate bill we have no issues with, body cameras, no choke holds, more training.

After 26 years on the Worcester Police Dept I've never thought I would see the day when this noble profession would have so many individuals jump to conclusions that are not supported by real data. Prior too May 25th, police officer's & other front line personnel were being called hero's for actions being conducted during Covid-19. On May 26th we became the enemy and it's just not right. The things that have taken place in our commonwealth to police officer's, our families and across our nation is disheartening to say the least. We hope this legislative body will make the right decision and fix the other sides calculated mistakes.

Respectfully,
Sgt Anthony Petrone
Vice President IBPO Local 504
Worcester Police Officials
C 774-696-4974

Sent from my iPhone

From: Janet DeCarlo-Staples <janetdecsta@gmail.com>

Sent: Friday, July 17, 2020 9:43 AM

To: Testimony HWM Judiciary (HOU)

Subject: S. 2820 Reforming Police Standards

Good Morning;

I am writing with respect to S. 2820, and other police reform bills that may be proposed, one of which is Qualified Immunity.

I found the changes were rushed through by the Senate, without careful understanding of each and of what Qualified Immunity is and what it already does not protect police from.

Qualified Immunity protects not just Police Officers but all Government Officials from personal liability of civil lawsuits UNLESS HE OR SHE VIOLATES "Clearly established "legal principles.

Due Process - Police Officers as well as all citizens should be given DUE PROCESS in disciplinary proceedings.

Police Officer Standards and Accreditation Committee - Committee should be objective, with members who are actively working in Law Enforcement, both as Administrators and working on the Front Lines.

If we continue to attack our Police as being done now, both physically and by harmful legislation, we will not get the GOOD Police, we will lose.

No Good Cop likes a Bad Cop.

My son is a well educated Good Police Sergeant who I am so proud of and he is being attacked and treated unfairly by a few BAD cops.

Get the Bad Cops but not at the expense of our Good Cops as if you do this, we all lose.

Janet DeCarlo-Staples
Winthrop, MA

From: Cynthia Columbus <cynthia.a.columbus@gmail.com>

Sent: Friday, July 17, 2020 9:43 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony in support of Senate bill S.2820

Dear Chair Michlewitz and Chair Cronin,

I am writing in support of Senate bill S.2820.

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

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

Thank you for your consideration on this matter.

Sincerely,

Cynthia Columbus

978-332-4315

Resident of Norwood, MA (11 Allen Rd.)

From: Elise Barry <elisebarry@outlook.com>

Sent: Friday, July 17, 2020 9:43 AM

To: Testimony HWM Judiciary (HOU); Comerford, Joanne (SEN)

Subject: Testimony Against S2820

Dear Chairman Michlewitz and Chairwoman Cronin,

The MA Senate has recently proposed a massive police reform bill that it intends to pass without a public hearing. This bill was largely authored by people who consistently oppose police services. As a constituent, I request that you take the following action before voting on any such bill:

1. READ THE BILL
2. ASK HOW POLICE DEPTS IN YOUR DISTRICT ARE ACTUALLY PERFORMING
3. AT A MINIMUM, HOLD A PUBLIC HEARING ON THE BILL

These are VERY MINIMAL requests before passing such massive legislation that has such a huge impact.

As your constituent, I request and expect that you will represent me, and that you will do your due diligence. Please read and understand the bill. Please research how your own district's police officers are actually doing. Please hold a hearing.

We intend to hold ourselves accountable, and we trust that you will do the same.

Sincerely,

Elise Barry
Northampton, MA

<From: Igor Feinberg <igorfein@gmail.com>
Sent: Friday, July 17, 2020 9:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Reforming Police Standards Hearing Notice - HWM and Judiciary Committees

Dear Chair Aaron Michlewitz and Chair Clair Cronin,

I am writing in regards to the S.2820 Reforming Police Standards bill that is passed MA Senate. The measure, in my opinion, is counterproductive and would not lead to improving public safety especially in the current environment of elevated public unrest. Policemen should have necessary protection to perform their duties and should not hesitate to intervene in situations that require their involvement because they are uncertain whether they are protected or not.

I urge you to reconsider the bill.

Sincerely,

Igor Feinberg
781-799-2971

From: Nathan Hedberg <nhedberg@gmail.com>
Sent: Friday, July 17, 2020 9:42 AM
To: Testimony HWM Judiciary (HOU)
Subject: support for HD.5128 and HB.3277

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

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety (State Representative Liz Miranda)

HB.3277, An Act to Secure Civil Rights through the Courts of the Commonwealth (State Representative Michael Day)

Thank you,
Nathan & Theresa

Nathan Hedberg
5 Post Ct, Kingston MA 02364
From: WILLIAM CREED <williamccreed@aol.com>
Sent: Friday, July 17, 2020 9:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Police reform bill

From: williamccreed <williamccreed@aol.com>
Date: Friday, July 17, 2020
Subject: Police reform bill
To: Testimony.HMWJudiciary <Testimony.HMWJudiciary@mahouse.gov>

Please do not include the provision to limit immunity for our public servants. This would handcuff our police officers trying to do their job. People can already sue for egregious actions. This would jeopardize public safety as police would be afraid to do their jobs effectively.

Thanks,
Bill Creed
29 Blake rd
Weymouth Ma

Sent from my Verizon, Samsung Galaxy smartphone

From: Jamie St. Martin <jamiestmartin@yahoo.com>
Sent: Friday, July 17, 2020 9:43 AM
To: Testimony HWM Judiciary (HOU)

Subject: S.2820 - REJECT THIS BILL

I write to you today to express my strong opposition to the recently filed S.2820. This bill is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of this bill:

This bill authorizes for treble damages if a police officer is found to have submitted a false pay record. This would make police officers the ONLY public employees subject to this punishment. The courts will have a field day in overturning this.

This bill the POSAC Committee is granted broad powers, including the power of subpoena, in active investigations- even when the original law enforcement agency has conducted it's own investigation. The current language sets the groundwork for unconstitutional violations of a police officer's 5th amendment rights against self-incrimination (see Carney vs Springfield) and constitutional protections against "double-jeopardy".

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

Regards,

Jamie St. Martin

***A law abiding, tax paying citizen of Mass. who values the services police provide. Who doesn't?? Criminals? Once again, it seems like we punish the good in this state and reward the bad. It is not a good look for our state.

From: Stacey Wood <woody1732@icloud.com>

Sent: Friday, July 17, 2020 9:43 AM

To: Testimony HWM Judiciary (HOU)

Subject: Bill S.2820

July 17, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Stacey Wood and I live at 12 Mount Vernon street Saugus. I work at the Suffolk County Sheriff's Department and am a corrections officer. As a constituent, I write to express my opposition to Senate Bill 2820. Please take serious consideration of the full ramifications this could have if it were to pass. 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,
Stacey Wood

Sent from my iPhone From: Beth Thulin <bethul55@gmail.com>
Sent: Friday, July 17, 2020 9:42 AM
To: Testimony HWM Judiciary (HOU)
Subject: s2800

To Whom It May Concern:

I am writing this letter as an extremely concerned, frightened, and disappointed resident of Massachusetts. This bill essentially strips our police officer of the ability to do his/her job. Citizens are now on their own, and this is through no fault of the law enforcement officers. Who can blame them for not taking any risk and endangering themselves? No one will be standing up to defend them. They are automatically guilty of abusing their authority before the facts of the situation are even provided! Officers are retiring from many departments at an alarming rate. NO ONE wants this job! People say we need educated officers, well you just lost them. And the opportunity to provide officers with additional training along with expectations and detailed consequences has been lost. Good officers will be hard to find. The new "recruits" wanting this job will be criminals and other simply bad people wanting a legal gun in their hands.

I have been in education for over 20 years and I cringe at mandates from those who have no experience or knowledge in that field. I sense that this is happening to our law enforcement field. Has anyone talked to them? Of course there are bad cops. They need to be removed with a zero tolerance policy. But this is not the time for politicians to cave to these outrageous global demands. If this increase in crime we are witnessing right now is any indication, I shudder to think of how many lives will be lost in the coming weeks and months if this continues. This is the time to come together and communicate with all concerned. Voices need to be heard and talked through calmly, rationally, and realistically.

Thank you for your time.

H. Beth Thulin
From: sean o <seanhockey1514@gmail.com>
Sent: Friday, July 17, 2020 9:42 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

Good Morning

I am writing to you today in disappointment regarding the bill the senate passed regarding the Police Reform. This bill is an anti labor legislation. It removes due process, collective bargaining and qualified immunity. All key components to a steady and secure job, to which

police officers deserve. It also inserts a licensing board with little to no experience. Any board in charge of any group of people should be trained, experienced and respected by the people it licenses.

Thank you
Sean ORourke
774-696-9231

Sent from my iPhoneFrom: Maxwell Huber <huber.max@northeastern.edu>
Sent: Friday, July 17, 2020 9:42 AM
To: Testimony HWM Judiciary (HOU)
Subject: I support bill S2820

Hello,

I am writing to voice my support for S2820 - "An Act to reform police standards and shift resources to build a more equitable, fair, and just commonwealth that values Black lives and communities of color". I think the name alone contains sufficient reasons to support this bill.

Thanks,
Maxwell HuberFrom: Kinda touma <kindatouma@gmail.com>
Sent: Friday, July 17, 2020 9:42 AM
To: Testimony HWM Judiciary (HOU)
Subject: Regarding defunding the law enforcement

Hi,

As a female business owner that immigrated from Syria, and America welcomed and made me feel safe and protected as a female and a citizen, i know the value of having law enforcement protecting us.

My story of how the police officers stood by me and all Bostonians to protect and serve since the day i moved in here 12 years ago cannot described in words the appreciation and respect that i hold for them

I got attacked by 2 men to rob me 8 years ago, and police was there for me and protected me and even drove me home, and made sure i am safe.

A year later My friend was lost and we reported her, the police went above and beyond to find her but unfortunately someone already killed her.

And boston marathon bombing them e cannot even describe how we could have overcomes it, if it wasn't for law enforcement keeping us safe.

I see homeless needs help or ppl on drug needs help i call police they are there for them with EMS in seconds

We own business and the rioting that happened last month made us think do we really need less policing, businesses have lost a lot due to the DA low on crimes, and they keep repeating the same assaults on law obeying citizens because of the DA do not prosecute policy

It's not right or fair for low obedient tax payers that all they want is a safe environment to live in.

We are all in for more police training but no to defund the police

Just 3 days ago i got attacked by a male around 9:45 pm walking on newbury street, cussing on me for walking on the sidewalk, and didn't hear the honking as he was riding his bike on the side walk while empty streets, he even threaten to hit me, is that what the mayor and governor wants citizens to not feel safe anymore in their city, to businesses free the city !

They are attacking our religion and churches
I do not feel safe anymore after 12 years here as a citizen and a woman, if the governor and mayor do not step up and help us soon all of us will flee the city and the state to a state that values its citizens

Please start prosecuting offenders and do not defund the police

Boston and MA rise with its safety and without it will turn to another big crime city

Thank you

Kinda Touma

Sent from my iPhoneFrom: Kelley Saucier <eksauce120@gmail.com>
Sent: Friday, July 17, 2020 9:41 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

To whom it may concern:

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

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

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

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

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

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

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

Thank you,

Kelley Saucier

Sent from my iPhone

From: Patrick Hennessy <pathennessy@comcast.net>

Sent: Friday, July 17, 2020 9:40 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

I am asking for you to not support S.2820 as written. This bill was hastily written, with insufficient public comment. More so, it will impede law enforcement officers to fulfill their duties as they do today. Massachusetts has some of the best trained officers in the U.S. If this bill passes as written, all officers will now be second guessing every decision they have to make, which could take precious seconds away from them, possibly resulting in serious injury or death, either to themselves, or the public they are trying to protect and serve. Almost

every officer I know, of which I am father to two of them, are considering leaving the profession they love if this bill passes as written. Again I ask you not to support this bill. Thank you.

Patrick M. Hennessy

636 Chickering Rd,

No. Andover, Ma. 01845

978-771-6473

From: Lisa Sawyer <lks109@gmail.com>
Sent: Friday, July 17, 2020 9:41 AM
To: Testimony HWM Judiciary (HOU)
Subject: NEW BILL S 2820 OPPOSITION

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is LISA SAWYER and I live at 20 VALLEY STREET, WAKEFIELD, MA 01880. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

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

(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,

LISA SAWYER

Sent from my iPhoneFrom: Melissa Ganley <melganley@gmail.com>
Sent: Friday, July 17, 2020 9:41 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 Melissa Ganley. I am a resident of Somerville, 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 believe that many of our systems, including how we have come to police our communities, are set up to disenfranchise people of color. I believe that this bill is a first step in ensuring that all people, but particularly our black and brown neighbors are safe. Black lives matter and we must put an end to practices that allow the police to murder black folks in the street without repercussions.

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,

Melissa Ganley

55 Adams St #1

Somerville, MA 02145

From: Maggie Roth <margareteroth@gmail.com>
Sent: Friday, July 17, 2020 9:41 AM
To: Testimony HWM Judiciary (HOU)
Subject: SB.2800

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

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

As a parent of a mixed-race toddler, the idea of someone -- whose job it is to PROTECT my child -- causing my child bodily harm makes me ill. And as an extension, it makes me ill to think of ANYONE's child being treated that way. White communities are already policed way less than Black communities and are "safe." We need to invest the same money and time into Black and Brown communities because they matter, too. It's important that we ban violent restraint and encourage de-escalation for the humanity of us all.

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 an historical moment and this bill ensures that we in MA meet the demand of this movement. It means being on the right side of history. Let's do it together, for all of us.

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

Sincerely,
Maggie Roth
62 Patten Street
Boston, MA 02130

March Like a Mother: for Black Lives
From: Kristen Vezeau <03kristen@gmail.com>
Sent: Friday, July 17, 2020 9:41 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

To the House Committee,

I am writing to express that as a Massachusetts resident, I do not support a "Bill to reform police standards and shift resources to build a

more equitable, fair and just commonwealth that values Black lives and communities of color".

Although there is always room for changes that bring improvement, this bill has not been given thorough consideration. Such radical changes will leave first responders unable to do their jobs effectively, thereby endangering the general public - including minorities.

As both a resident who will be affected and wife of a first responder, I urge you not to pass this bill.

Sincerely,
Kristen Vezeau
Waltham, MA

From: Gerry Sullivan <gerrysullivan506@gmail.com>
Sent: Friday, July 17, 2020 9:41 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, and 137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

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

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

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

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

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

Sincerely,

Gerald D. Sullivan

319 Washington St.
Canton, MA 02021
From: Tod Hibbard <hibbard79@gmail.com>
Sent: Friday, July 17, 2020 9:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: Public Testimony

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

Representative Claire Cronin, Chairperson, Joint Committee on the
Judiciary

Hello, my name is George Hibbard with the Greater Boston Interfaith
Organization (GBIO). I live at 23 Ellsworth Ave. in Cambridge, MA. I am
writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

George Hibbard

hibbard79@gmail.com

617-797-2467

23 Ellsworth Ave, Cambridge, MA 02139

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From: Helena R <hifitica@gmail.com>
Sent: Friday, July 17, 2020 9:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 Public Testimony

To The Chair of the House Committee on Ways and Means, Rep. Aaron
Michlewitz, in cooperation with Rep. Claire Cronin, Chair of the Joint
Committee on the Judiciary ,

I am writing to you today to express my concerns with bill S2820 that is
before you and I sincerely hope that you will not let this bill move
forward as it stands. I am extremely disappointed and concerned at how
the Senate moved this through so quickly without any public hearings or
transparency in the matter. I have faith that you will not do the same.

This letter expresses my personal views and not that of my employer or
department.

I immigrated to this country in 2001 with my family from Albania. Growing up in a poor country definitely had its challenges, one of them being police violence. What I witnessed in my childhood, pushed me to make a change in the world, and growing up in the City of Boston and seeing the numerous positive interactions police officers had with the community, pushed me to become a police officer in the Commonwealth of Massachusetts.

I currently work at a community college in Boston, which has given me the opportunity to help so many people, including many Albanian immigrants. I can sincerely say that although policing as a whole does need some changes and reform, the many police officers I have worked with and trained with in this state, show up and do good every single day for their communities. Many, myself included, give their ALL to this job so that they can make a difference. The passing of this bill, would put these same officers in jeopardy, and many reconsidering staying in the profession, myself included.

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.

When people ask me why I became a police officer, I have a cliché answer, to make a change and help people. If this bill passes as it stands, how can I still go out there with the same passion, while fearing that I will be held liable for just doing my job in good faith? I give more to this job than sometimes I do to my family, but this bill would put their lives in jeopardy too by removing the protections and due process I am currently afforded for simply doing my job.

As I stated earlier, reform is needed, but I stand against S2820 as it is currently presented because it undermines public safety by limiting our officer's ability to do our jobs effectively. Police officers across the state support uniform training standards and policies and we have always pushed for it because it improves our quality of policing. We are already some of the most educated and best trained officers across the country. However, we do not support our due process rights and qualified immunity being taken away. 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.

The senate version of a regulatory board is unacceptable as it strips officers of due process rights and does away with protections currently

set forth in collective bargaining agreements and civil service law. Their version of a regulatory board would be made up of people that are anti-police and have an explicit bias against police, which would make any reasonable person believe that it will not give officers a fair chance.

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. On top of the negative financial impact, many police officers will leave the profession to protect their families, and I think it will be extremely hard to get people to fill their spots.

I love this job, I truly truly do. I am part of a Community Engagement Unit at my department because I love helping my community. This has been an emotional time for me because of the chance that I might have to make the hard decision of whether I can stay in this profession or not, knowing that I will not enjoy any other job as much as this.

Please do not move this bill forward as is. There are many positive aspects of the bill, but the negative aspects, such as removal of due process and qualified immunity for ALL PUBLIC EMPLOYEES not even just police officers, far outweighs the good.

Thank you for taking the time to listen to me. I hope you will do the right thing.

Sincerely,
Helena Rezendes
Bunker Hill Community College Police
617-458-6483
From: Linda Guinee <lguinee@gmail.com>
Sent: Friday, July 17, 2020 9:40 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 Linda Guinee. I am a resident of Jamaica Plain. 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.

We are at an historic moment in this country and in this state - a time when it is finally possible to reckon with our history and transform

policies and shift hearts and minds to live up to our highest ideals as a nation. It is time to do this work!

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. As I mentioned above, we are in an historic moment and this bill ensures that we in Massachusetts meet the demand of the movement.

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

Sincerely,

Linda Guinee
27 Kingsboro Park #1
Jamaica Plain, MA 02130
From: Kerri Martell <kerrimartell@gmail.com>
Sent: Friday, July 17, 2020 9:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

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 am perplexed at the rush to pass such an important piece of legislation at 4am without public hearing, but more so at the over reaching to include all public services EXCEPT yourselves from qualified immunity. Disgraceful.

You have included in the bill nurses, firefighters and other public service members yet the reason for the bill was Police reform due to police brutality of colored people. So if I understand this correctly a nurse can now be sued by a patient for care they received while under her care. As a result the nurse and her family could lose their home or be financially ruined because of her attempt to care for a patient. An 18 year old lifeguard could mistakenly injure a person in while saving their life while rescuing them from riptides and can be sued. Imagine being 18 years old and being sued while working a summer job that pays maybe \$20 an hour because you in good faith rescued a person.

As legislators you have a job to enact laws that protect all lives and pass bills for police reform for all people. You have again shown how out of touch you are with the real world. Most cops are good cops but I agree that there are others that are not. Pass reforms for more training and accountability and a system for tracking complaints and disciplinary actions.

As for "no knock" I would suggest you go with a police office and you knock and nicely announce you have warrant and to open the door. Live the

life of a police officer or undercover agent or a member of the gang force for a week. Let's knock and announce ourselves so the criminal has time to flee or perhaps retrieve a gun and shoot randomly at the door. Or maybe you could ride along and respond to a domestic violence call and see what actually occurs.

On another note voting "present" should not be allowed in any bill or piece of legislation EVER. Imagine if a police officer reports for duty and is just "present". Vote yes or no and if you need more time then put a motion forward for that. For the love of all things good take the necessary to get this bill right for all people.

I implore as the sister of a retired State Police Trooper and mother of an aspiring Nurse that you take the time to have public hearings and hear from ALL stakeholders for such an important piece of legislation.

Kerri Martell
Reading MA 01867 From: Bob Brower <bbrower831@aol.com>
Sent: Friday, July 17, 2020 9:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

As a parent of two Law Enforcement officers, Virginia Beach PD, please consider that the systemic racism referenced in the MSM only applies to a small number of police officers. The only provision, that I've seen thus far, that I can absolutely get behind is a citizens review board for problematic officers. Note that the Chief of Minneapolis PD stated that he's hogtied most of the time by the Union. In only 10% of cases is he able to properly discipline, that would mean fire/dismiss, overly forceful officers..

As a side note.. My daughter was one of 5 first responders to last years VB Courthouse shooting. She's an outstanding officer who if she sees something says something to get things rectified..

Please lets not be to hasty in correcting a problem that might not be as pervasive in Massachusetts..

Best Regards,

Robert Brower Gardner Ma
From: Francesca Miles <ffmiles40@gmail.com>
Sent: Friday, July 17, 2020 9:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

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. In my opinion and many other citizens, 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.

Sincerely,

Francesca Miles
7 Wabanaki Way
Andover, MA 01810
978-886-0152
From: Clare Kelly <a.clare.kelly@gmail.com>
Sent: Friday, July 17, 2020 9:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support of 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.

Massachusetts should be a leader on these issues across the country.

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.

Clare Kelly

196 Chestnut Ave, Unit J

Jamaica Plain, MA 02130

From: Kristin Hicks <smallhix@gmail.com>
Sent: Friday, July 17, 2020 9:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Kristin Hicks and I live at 163 Rockland St, North Easton MA. I work for Suffolk County Sheriff's Department as a correction officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

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

Sincerely,
Kristin Hicks
From: Stephanie Smith <stephs5391@gmail.com>
Sent: Friday, July 17, 2020 9:39 AM
To: Testimony HWM Judiciary (HOU)
Subject: Public Comment for bill S2820

Thank you Chairpersons, Representatives, Senators, Committee members, and interested citizens for the opportunity to voice my opinion regarding S. Bill 2820.

My name is Stephanie Duggan, a person who was born and raised in the beautiful state of Massachusetts, and who is now a mother, wife, and homeowner choosing to raise my family in this state. I'm also the wife of a Police Officer, who loves his community and who strives to be the greater good in the world every day - in or out of uniform. Being a Police Officer, I'm sure you are all willing to admit, is a very high stress job in the best of times, never mind the climate now where Police are seen as the enemy and racist as a whole. But even on the hardest of days, the officers I know take solace in the lives they have saved, and the positive impacts they have had on the people in the community, or neighboring communities.

When we saw bill S. 2800 pass through the Senate our hearts hurt and we felt betrayed by the Senators. We felt concerned that the life we built together and everything we have worked and sacrificed for is at risk now. To "water down" qualified immunity and blur the language so it's not clear what it stands for or protects now is a slap in the face to the amazing officers in our state, as well as all public employees. The doctrine exists for a reason. Whether people want to admit it or not, there are bad people in the world, and if this weakening of qualified immunity stands there will be people who take advantage of that. Please reconsider this portion of the bill.

Another issue I have is with the lack of Due Process and attack on Collective Bargaining. To eliminate Due Process for Police Officers and put sole discretion in the hands of the "Accreditation Committee" is unfair and un-American. Every single union has the right for disciplinary actions to be reviewed by a neutral arbitrator. Police officers should not be exempt from this.

My final issue I want to voice today is that this bill would create a Licensing Agency in which the majority of the members are not Police Officers. To only require 1 member of the board to be a Trooper or Patrol Officer is unjust. There needs to be more representation of people who actually do the job patrolling the streets on this board - as there are with other Licensing Boards in the State.

Thank you for your time, and thank you to the Senators and Representatives who were brave enough to stand up for our Law Enforcement

Officers when the popular thing now is to vilify them and punish them as though they are all evil people. I would recommend to anyone listening to my words and perhaps rolling their eyes, to request to go for some ride-a-longs at some of our Police Departments across the state to "take a walk in their shoes" and gain some perspective on what it means to be a Police Officer.

Respectfully,

Stephanie Duggan

Sent from Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu k13zIs16rchf_GkGDD&m=gE55vqUtHT0UEQFuuFsp9QBoX9MDKvnTCRgTWlpo89o&s=P1s145VAYrsp0ISCctUbmjQ3MEwhCTXggaRmF4Jwbs0&e=>> for Windows 10

From: danielthomasford@aol.com
Sent: Friday, July 17, 2020 9:39 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Bill 2800 police reform

Sent from AOL Mobile Mail

From: danielthomasford <danielthomasford@aol.com>
Date: Friday, July 17, 2020
Subject: Bill 2800 police reform
To: hwmjudiciary <hwmjudiciary@mahouse.gov>

My name is Daniel Ford. I am 69 years old and have been a resident of Mass my entire life. I am currently still teaching high school and have taught in Mass for nearly 30 years. I have never felt stronger about an issue than I do about this bill. This is the first time that I have requested ANYTHING from the people that represent me. I am an English teacher, so I could write 3 or 4 pages about the outrageous things requested in this bill.. Please be aware that I have queried most of the 60 teachers that I teach with (I have been at my current high school for 16 years) and over 90% of them are firmly AGAINST this bill... Everyone feels awful about what happened to Floyd! The police need improvements..

So do teachers, firemen, nurses and even representatives... Thanks for your time.. Dan Ford

Sent from AOL Mobile Mail

From: P Donahue <donahue.mp@gmail.com>
Sent: Friday, July 17, 2020 9:39 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform Constituent testimony!!

My name is Michael Donahue and I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the House and Senate consider legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous. Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

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

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

Thank you for your consideration.
Michael Donahue

Uxbridge, Ma, 01569

My voice matters, Silent majority!!!

(registered voter)

From: Logan Williams <lshewilliams@gmail.com>

Sent: Friday, July 17, 2020 9:39 AM

To: Testimony HWM Judiciary (HOU)

Subject: S2820 Concerns PLEASE READ

Dear Senate and State Representatives,

I am sending this email regarding S2820. I would like to first start off by saying how deeply disappointed and appalled I am that this bill was even a viable option in taking steps towards preventing police brutality. These men and women are putting their lives on the line for YOU every single day. They wake up and decide to go to work and be you and the communities protection and now with this bill all you are doing is preventing them from doing their one sole duty, enforcing the law and protecting their fellow citizens. Let me ask you a question, do you think if this bill is passed an officer is going to risk their entire life, not just their life but their families and all of their belongings, just to arrest some gang member in a neighborhood for someone to witness it and decide to sue them because they weren't "comfortable" with the arrest that was made. Say this gang member was a cold blooded murderer, rapist, pedophile, etc., and the officer who made the arrest gets sued for it; That is not just disgusting to only me but the other half of the community that is feeling fear and loss of protection in our towns, states, or cities. If this bill were to pass, you would not only lose many officers of the law, but the sole support of any politician to sign off on this. I come from a family of law enforcement. I have had diagnosed anxiety from an extremely young age due to my father leaving the house everyday in a bullet proof vest, not knowing if he will ever come home again. He's been in countless shootings, one where his cruiser was pelted with over 50 bullets, one where he had to save a fellow officers life after being shot multiple times from inside his cruiser with an automatic rifle. He has searched for missing children, and came upon a locked car in the woods filled with carbon monoxide with a mother and her child inside.. the mother attempting to kill them both. I wake up every day not knowing if I will ever see my father again. Now, due to this bill, my anxiety has never been worse, watching the news hearing about 5+ law enforcement officers being murdered a day. I am so disheartened to have to even be sending this email. You are giving anyone the option to sue my father and take our home, belongings, everything away from us solely based on my father doing his job. That is utterly terrifying. My father is an outstanding law enforcement officer, he is decorated with the highest of medals, including the medal of valor in which Brian Ashe presented him with. My aunt is also a Massachusetts State Trooper, it had been her dream to get into the academy and she was one of the best there. She has officially been a trooper for a year this past June, and now due to this bill I'm sure all of law enforcement are contemplating why they should stay in this profession; Risking their lives, all to lose everything in their's because someone didn't like the way they did something during an arrest, raid, etc. All this outrageous bill is doing is causing more fear, more anarchy, more confrontation, more separation in communities. This bill is not

beneficial, for anyone, including the oppressed. Please reconsider and continue allowing our only source of daily protection to do their job correctly without being penalized. There are other solutions to our day to day problems, this isn't it. All this is doing is causing a larger divide among communities. Please reconsider for the sake of not only law enforcement but the citizens who are absolutely terrified of this bill passing. Thank you for your time.

Sincerely,

Logan Williams, daughter of Trooper Keller Williams and niece of Trooper Chelsea Safford
From: Garry Turgiss <gturgiss@comcast.net>
Sent: Friday, July 17, 2020 9:37 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony for Bill S.2820
Attachments: Bill_S.2800.eml

Importance: High

As your constituent, I write to you to express my strong opposition to many parts of the recently passed S.2820. Attached is a letter expressing my views in regards to qualified immunity as it pertains toward police, which I have emailed to Senator Julian Cyr. I am equally concerned about the further expansion of this legislation targeting the fundamental protections of due process.

(1) Due Process for all police officers: Stripping police officers of any due process of law negates everything the justice system represents. The legislature cannot deem rights that are granted to all citizens be forfeit to others simply for choosing the profession of law enforcement. Full protections of the law which are afforded to all people through the US Constitution and the Constitution of Massachusetts cannot be viewed as annoyances and impediments to be ignored or discarded simply because they may become inconvenient in an unknown future disciplinary action.

(2) Qualified Immunity: As I expressed in my email to Senator Julian Cyr (see attached file) with regard to qualified immunity towards police, qualified immunity is a necessity for law enforcement professionals. Any stoppage of the freedom of movement by a police officer is considered an arrest, from a motor vehicle stop to actually placing a person in custody (for any arrest-able offense). If any court decision is found in favor of the defendant (from not responsible to not guilty), then the officer who stopped that person is now guilty of violating that persons rights and can be subject to a civil action against him/her. Qualified immunity IS NOT absolute immunity. Officers can still face civil litigation for violating peoples rights. Officers can still face criminal charges for violations of the law. Qualified immunity doesn't protect an officer from either of the these. Qualified immunity protects municipalities and officers from frivolous and vexatious lawsuits. As stated in my email to Sen. Cyr, the repercussions of eliminating qualified immunity is unfathomable; from the loss of

existing police officers to the inability to recruit qualified replacements. It is unconscionable to put police officers in a position to be afraid of losing their reputation, job, pension, property and face financial ruin for correctly and professionally performing the job demanded of them by the municipality for which they work. Lastly, all the other municipal professions in the public field that rely on qualified immunity for protection (corrections officers, fire fighters, EMT's) will face this same dilemma. It is the job and responsibility of the State Senators and Representatives to protect the people who serve the public.

(3) POSA committee: The POSA committee must include police officers. Law enforcement is not an abstract that one can assume knowledge of. Law enforcement requires vast amounts of academic study of state law, federal law, criminal procedure, practical applications, as well as the appropriate use of force. Along with departmental policy, departmental rules and regulations and many other aspects, a person must know Massachusetts training standards. Knowledge of the U.S. Constitution and the Constitution of Massachusetts is needed as well. Placing persons without expert knowledge in a position where they have the power to terminate the employment of a police officer is a miscarriage of responsibility, due process and justice. Police officers must be on this committee to provide expert knowledge in the field of law enforcement.

I repeat to you all my closing to Senator Cyr. Sir, I beseech you, please remember the officer's you want to sanction are the same one's you called hero's when the marathon was bombed. We are the same one's who kept our cities from becoming conflagrations and restored order when businesses were looted just last month. When other cities were out of control, the law enforcement professionals of this state kept not just order, but peace. We no longer feel we have the support of the Legislature. To do our jobs we have to have the ability to do so without fear or threat of being sued for enforcing the laws of the Commonwealth.

We feel abandoned by the people who charge us with performing a duty and attacked by the very people we protect. Having legislature brought against the police as a punitive action based on the behavior of an officer's actions in another state is reprehensible. We are not any of these things that are screamed into our faces.

Have the courage to stand by us. We are honorable, hard working and professional. We deserve the right to work without fear of losing our financial future.

Thank you,

Garry Turgiss

94 Fleetwood Path
Marstons Mills, Ma. 02648
GTurgiss@comcast.net

From: Nat Mele <nmele5671@icloud.com>
Sent: Thursday, July 16, 2020 4:55 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2820
Attachments: image0.jpeg; image1.jpeg; ATT00001.txt

To the judiciary Committee on the public hearing on bill S2800 and S2820. Here are the facts on what's going to happen if QI and due process are eliminated. What the senate passed was a slap in the face to all the men and women that wear the uniform in the Commonwealth. Here in Commonwealth I believe that the men and women do a fantastic job in policing. I would hope that what happen thousands miles away (Minnesota) would not be a rushed judgement on this issue. QI and due process would not just effect police officers. It would effect a number of government jobs stated below. I understand that change is need in certain areas. But not in QI and due process.

I hope you take a hard look at what the police do in the commonwealth and what a great job they do!

Thank you,
Nat Mele.

From: McGinn, Edward <McGinnE@worcesterma.gov>
Sent: Thursday, July 16, 2020 3:42 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 Citizen Testimony
Attachments: Edward J McGinn Jr.vcf

Dear Honorable State Representatives of the Commonwealth of Massachusetts:

From the outset, I wish to thank you for providing us the opportunity for input into this enormous and vital piece of legislation. I firmly believe that legislation of this importance and with its far reaching affects, needs to be contemplated fully and should allow the input of stakeholders and members of the public general. The middle-of-the night, 11th hour deliberations with zero public input represented a shocking demonstration of government at its worst. I respectfully commend this body for allowing the input of those who will be most affected by this landmark legislation.

Senate Bill #2800, in the form that it was secretly enacted outside the purview of the public is not only anti-police it is decidedly anti-labor. It is malicious and is intended to punish police officers for the sins of criminals masquerading as cops thousands of miles away. The police officers serving within the Commonwealth and particularly within my department, are a cut above and do not deserve this pejorative treatment. As currently written, the bill removes qualified immunity, strips police officers of due process procedures, and negates civil service collective bargaining gains that these officers have bargained for for years. In sum, it is punitive and destructive of the high quality of policing that the citizens of this Commonwealth enjoy.

I am a 35 years veteran of the Worcester Police Department and have risen through the ranks to the position of Deputy Chief of Police and have been so positioned for over 10 years now. That said, I believe that I am a considerable stakeholder and can properly "weigh-in" in this debate.

In the interest of your valuable time, I shall be concise and to the point in my requests:

Qualified Immunity: The doctrine of QI as it is currently in operation protects police officers and other public officials in situations where the law is unclear and does not give them adequate guidance. It DOES NOT PROTECT incompetent or officers or public officials acting intentionally in an unlawful way. Abolishing QI will have tremendous negative and unintended consequences for all Massachusetts citizens to include the police and public employees. I respectfully submit that QI as is currently stands, has NEVER served to protect incompetent officers or public employees or where those that have acted in an intentionally wrongful way. This proposal is nothing short of vindictive, is anti-police, anti-labor and will serve to harm officers and public employees where they act in good faith in the course of their duties.

Due Process/Collective Bargaining: Portions of this proposed bill serve to negate and erode the bargained-for and legislated gains of police officers individually and collectively by their unions have acquired insofar as due process and civil service protections. The so-called POSAC Committee will have the authority to deprive an officer (and by extension his family) of his career and livelihood by virtue of tribunals of POSAC board members where decisions may be rendered by simple majorities of hand selected members. By contrast, criminal defendants at court for the most minor and simplest of charges have their fates decided by juries where the decision must be unanimous and to a standard that well exceeds that of the POSAC board. I respectfully assert that the stakes of an officer losing his livelihood often trump that of criminal defendants facing the most minuscule of criminal charges. Accordingly, the decisions

of this boards needs to be unanimous and to the standard of surety beyond a reasonable doubt.

Make up the POSAC Board: The proposed bill goes a long way to describe the make-up of the POSAC Board insofar as race and other situational characteristics. Nowhere in this proposal are listed the qualifications of the Board. Knowledge of police operations, procedural law, use of force expertise, are not at all mentioned, nor is the need for impeccable judgement. I do certainly "get" and respect the need for diverse representation, but so-called "box-checking" should only take place AFTER the bona fide qualifications inherent in this important Board are attained insofar as background, skill set and judgement. Physicians, lawyers and virtually all other professional groups are governed by those with the respective professional qualifications they sit in judgement of. The work of police officers is very often captured in split second decisions of life and death situations. It is only fair that the 20:20 hindsight evaluation of an officer's actions be conducted and evaluated by persons who have operated under these intense conditions.

I respectfully ask that this bill be voted down or at the very least, the aforementioned elements be amended significantly.

Very truly yours,

Dep. Chief Edward J. McGinn, Jr.

From: Lacoste, Jena <jrlacoste@mail.roanoke.edu>
Sent: Thursday, July 16, 2020 3:31 PM
To: Testimony HWM Judiciary (HOU)
Cc: jbrown@town.dennis.ma.us
Subject: Testimony for s2820 formally 2800
Attachments: DC7A21AA-D255-4446-A652-240842B87FE2.jpeg

Good afternoon

My name is Jena Brown and I am the proud wife of a Dennis police officer who also happens to be a combat veteran serving two tours for this country as well as responding for Hurricane Katrina, and the ice storm in western Massachusetts here at home. To this very moment he continues to serve his community daily, it is not something he takes lightly, or with little regard nor is it something that stops once he

takes his uniform off and comes home to us. My husband bleeds blue for the job, he loves being able to help people, offer advice and make the communities we ALL live in a better, safer place. His brothers and sisters in a blue are like family to us all, he stands by them and supports them through every call, every arrest and every hateful, hurtful remark from the public. He upholds his oath that he took and he does it with respect for EVERY SINGLE HUMAN BEING HE COMES IN CONTACT WITH.

Just over two years ago I watched our governor, representatives and senators stand at Sgt Sean Gannon's funeral and vow to support our police officers, offer more training, make benefits better and to make sure they knew at least in the state of Massachusetts they were valued and supported. Two months later we watched it AGAIN for Sgt Michael Chesna. Thousands of police officers from around the country were present both of those days to honor two men who gave their lives trying to keep our communities safe (both of who's murderers have not been brought to trial YET, but i digress). They heard you all talk about how you would support and stand for our officers. their families heard it, their CHILDREN AND WIVES heard IT. Every house i passed had a blue light on it, or a blue line flag or sticker on their cars, departments were actually turning away food because it was so abundant, meals were comped for officers and their families everywhere they went. JUST OVER TWO YEARS AGO EVERYONE LOVED law enforcement, valued what they did and who they were. They were said to be some of the best and Thank you's were being said constantly. How soon we forget. Forgotten they have for two years almost to the day that Sgt Michael Chesna was horrifically murdered, the massachusetts state senate in the early morning hours, without ANY input from those most affected, no public hearing, a rush to judgement, a rush to create a 70 page bill was passed, forever changing the way in which police and emergency personnel can do their job safely, efficiently, and proactively.

Most of the responses we have received when questioning this bill which directly affects our families were "we were misinformed", "85% of the bill was agreed on but 15% which held the most controversial issues was not but in the end that was not enough to hold the bill", and my personal favorite "this bill although bad in language will help systematic racism." I have watched Senator Fattman's speech on the senate floor, and it brings tears to my eyes every single time i watch it. His passion and support for law enforcement, and their families while also understanding the racial problems our communities face was heart warming and so very needed. If you pass this bill you can be certain that a mass exodus of police will take place, and make no mistake it will be the " good ones" that leave. The oath they take will no longer have the meaning to them as they are not protected or supported from those they should be. I would not be able to have my husband, my heart walk out the door to a job that he cannot do to the best of his abilities without constant fear of retaliation. He has saved more lives of all ages during his eight years with dennis than any of us ever will in a lifetime, and yet this bill ties his hands to be able to perform in the way he best knows how... to PROTECT AND SERVE. My children watch their dad leave every day to go to a thankless , stressful, heart wrenching job , they kiss him goodbye, hug him, always tell him to "be safe and i love you" at the very young ages of 6,7 and 2 they understand how important that last hug and i love you

is. They understand it could be their last. They are proud of the man their daddy is, the way he treat so people, the respect he gives people, they stood tall and proud at a "back the blue" rally as people screamed swears at them and flipped them off, simply because they wanted to show support for their dad. This bill only allows those swears and vulgar actions to ring true.

I watched recently as eight new graduates became full time officers at Falmouth Police department my heart broke for them, the excitement in their eyes, the pride they felt as they were about to step out in their communities for the first time ready to put in to practice what they had learned over the last 6 months. My heart broke as this bill passed on the senate essentially sending these new, excited, and hopeful officers into the fire without protection from those very people they are trying to help. Taking away qualified immunity from our officers who leave their families day after day to do their jobs is absolutely atrocious. To think you expect them to perform higher than they do now, without more training, more support, more officers to work shifts and lower call volume while simultaneously taking away their protection makes absolutely NO SENSE AT ALL. Would you work in conditions such as that? Would you want to work in a place where you make a law and get sued for doing your VERY job asked of you? I highly doubt it. At a time when phrases such as "defund the police" and " All Cops Are Bad" is plastered all over signs, social media, the news, and usually with almost every interaction they come across lately, I would like to think our highest ranking officials in massachusetts would not echo that sentiment by creating a bill such as ma s2800. I sincerely that you read this all, that something i said makes you think twice about the current police reform bill. I also hope that you LISTEN to the concerns from those affected most with the outcome of this bill. If possible offer a seat at the table for the law enforcement community, the community agencies of color, law enforcement families, I for one would LOVE to sit and create a reform bill that helps ALL members of our community the safest, and most productive way possible. giving the communities who desire change, and wish for a seat at the table to talk should be accepted. Make this a bill we can all go to bed at night and know we did not rush it but instead had patience, knowledge, correct data, and understanding of the actual issues creating racism in our communities. Blaming one profession is easy, because you don't have to look at yourself, it's a finger point a judgement but it's wrong. Creating a bill with training, mental health, support and building or strengthening community relationships is what is needed, the current bill will only drive communities further apart and leave them defenseless because when the " watchers of night are no longer darkness has no keepers". I do not envy your job, the pressure involved i only ask that you treat this bill as if it was YOUR family at stake. Thank you for your time, should you have any further questions or wish to talk I am always available 508-280-8209. i attaches a picture of our hero and the kids so when you sit on the House floor you picture our officers as dads, brothers, husbands, mothers, sisters and most basic as human beings and not replaceable robots.

God Bless

with love and gratitude

A proud police wife and blue line support Jena Brown

From: Steve Kropper <steve@kropper.com>

Sent: Thursday, July 16, 2020 2:59 PM

To: Testimony HWM Judiciary (HOU)

Cc: Brownsberger, William (SEN); Friedman, Cindy (SEN); Stanley, Thomas - Rep. (HOU); Barrett, Mike (SEN); Garballey, Sean - Rep. (HOU)

Subject: Testimony re S.2820 - a cautious timely step

Attachments: steve.vcf

Dear Rep. Cronin and Rep. Michlewitz,

I support S.2820, the Senate's recently passed police reform bill. I urge quick House support of similar legislation, advancing through the conference committee for execution by Governor Baker near the end of July.

As a member of the International Association of Chief's of Police, I recognize this as a watershed moment when reform is essential to maintain public confidence in law enforcement. The status quo is not sustainable in the public eye, and ultimately policing stands or falls based on public trust and respect. Without reform, policing is at risk.

The Senate bill is cautious. It creates a state-wide certification board and state-wide training standards, limit the use of force, establishes a duty to intervene if an officer witnesses misconduct, bans racial profiling, mandates collection of racial data, sets civilian approval to buy military equipment, prohibits NDA in misconduct cases, and for the first time allows for outside State Police lead.

Devolving SRO deployment decisions to local Superintendents of Schools (not the state) is another appropriate and important provision.

Changes to qualified immunity are also modest. This bill maintains qualified immunity for sworn officers for reasonable behavior, with continued indemnification by tax-payers. Police officers would no longer be immune to prosecution for egregious misconduct.

Lets get this done by the end of July.

Steve Kropper

International Association of Chief's of Police member

617 306 9312 steve@kropper.com

60 Weston Road Box 6338 Lincoln, MA 01773

From: Shannon Reilly <reilly.sh@northeastern.edu>

Sent: Thursday, July 16, 2020 1:47 PM
To: Testimony HWM Judiciary (HOU)
Subject: Supporting the Reform, Shift + Build Act (S.2800)

Hello,

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

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

Thank you,

Shannon

From: Rick Rindels <policechief@townofgranville.org>

Sent: Friday, July 17, 2020 11:40 AM

To: Testimony HWM Judiciary (HOU)

Subject: FW: Qualified Immunity

From: Rick Rindels

Sent: Friday, July 17, 2020 9:05 AM

To: HWMJudiciary@mahouse.gov

Subject: Qualified Immunity

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.

I writing to you in regards to the proposed changes in "Qualified Immunity" for police officers. I have been a police officer for approximately twenty two years, and a police chief for approximately one

and a half years. I'm sure you are aware, I am not alone in my serious concerns over this subject. In my opinion, the senate was very quick in making a decision on this matter, without doing their homework, and without giving any regards to the burden it would place on police officers and their families, as well as the municipalities they work for. The Massachusetts senate never seems to be on the side of law enforcement, and in my opinion, acted too quickly on this matter, simply to answer the demands of these protestors and activists without thinking this through. My hope is that the house will seriously consider the ramifications this will cause, should these changes to qualified immunity be allowed to pass. As you know, qualified immunity has never served to protect the illegal actions of police officers. It is meant to give officers a layer of protection when they act in good faith, and truly believe in their hearts they are doing the right thing when performing their jobs. Police officers, in the course of their duties, very often have to make split second decisions. To now have to be concerned that they may lose everything they have worked for, just for merely answering a call for service, is just plain wrong on so many levels. This is going to force officers to second guess every decision they make when they encounter these difficult and sometimes violent situations for fear of losing their careers, and possibly their homes. Abolishing or amending qualified immunity will most definitely have a negative impact on not only police, but all public employees, courts, and citizens as well. Another serious concern should be the financial impact this will have on cities and towns. The lawsuits that will result from this change will cripple municipalities financially. To punish all Massachusetts police officers for the negative actions of a few police officers in other parts of the country is quite frankly unfair, and unreasonable. If this is allowed to pass, you will see a major negative change in the way policing is performed on a daily basis. Police officers will have to worry that any day could be their last day on the job if they know they aren't protected by qualified immunity. How can you expect a police officer to perform his job with enthusiasm, without the worry of being terminated or possibly sued for simply just doing his job. My hope is that you will give this serious consideration for the good of all concerned.

Respectfully,

Chief Rick Rindels

Granville Police Department

707 Main Road

Granville, MA 01034

Phone: 413-455-5585

Email: policechief@townofgranville.org
<<mailto:policechief@townofgranville.org>>

Fax: 413-357-8819

From: Alba Oliver <aoliver@empathways.org>
Sent: Friday, July 17, 2020 11:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

Hi,

My name is Alba Oliver and I live, vote, and work in Brighton. Thank you Chair Cronin and Chair Michlewitz for your time.

This bill would Ban chokeholds, Requires racial bias training, Limits militarization, Adds certification of police officers, Makes changes to qualified immunity and the bill must be passed in its strongest possible form to save lives, advance civil rights, and safeguard liberties."

This bill would needs to pass because I have close friends and as a Latina, and person of color, I have witnessed how my boyfriend has been racially profiled and how police has used forced to unnecessarily restrained him while he had been complaint. I have witnessed on numerous occasions how police use force and target minoritized folks and arrest them. This bill needs to pass to assure that our civil rights are being counted and taken into consideration. This bill will make changes on qualified immunities and I believe it would hold police accountable. This bill will require racial bias trainings and I believe racial profiling would decrease tremendously and we will have a more just criminal system.

The US Census shows that White people make up the majority of population in the U.S and yet people of color are still disproportionately killed by police. Black people are three times more like to be killed and 1.3 times more likely to be unarmed when killed. Boston is no different. Black people are disproportionately killed by police

Thank you again Chair Cronin and Chair Michlewitz for your time and I am asking you to give this bill a favorable report and offer your support to see this bill become law in Massachusetts.

Sincerely,

Alba Oliver / Stabilization Mentor

O: 857.559.2125 / C: 857.324.2116

aoliver@empathways.org <mailto:aoliver@empathways.org>

EMPath - Economic Mobility Pathways

10 Perthshire Road, Brighton, MA 02135

www.empathways.org <https://urldefense.proofpoint.com/v2/url?u=http-3A__www.empathways.org_&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu k13zIs16rchf_GkGDD&m=dWz27w7XO7JTrwW5Hqhz0aESweUxELXVVwmau3A_lMk&s=0cSolo zkHEPrdh3m1Lb1nm19SN-X6qS-1SRJq98U2LQ&e=>

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From: Lidiya Bensman <bensman@gmail.com>
Sent: Friday, July 17, 2020 11:44 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 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.

Lidiya Bensman

225 Waverley Ave

Newton , MA

From: Ethan Setnik <esetnik@gmail.com>

Sent: Friday, July 17, 2020 11:44 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.

Ethan Setnik
Somerville, MA

From: Carly Levy <carly.r.levy@gmail.com>
Sent: Friday, July 17, 2020 11:41 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S. 2800

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.

Carly Levy
88 Spring Street Pembroke, MA 02359
From: Daniel Phan <phan.daniell1@gmail.com>
Sent: Friday, July 17, 2020 11:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Police Reform Bill 2820

Massachusetts Senate,

I am writing this in regards to the Senate Police Reform Bill S2820 for resisting any changes in qualified immunity which will have negative interference on a police officer while he or she is conducting their duties of saving life or stopping a crime from happening.

This police reform bill will have officers second guessing themselves while conducting their duties under extreme stressful conditions. This is very dangerous for police officers and as well for the public because they will not be confident of their duties and hesitant of upholding their position to protect and serve the community.

Therefore, people who are victims of violence or crimes will lose their confidence in the police to protect them from harm's way. The public will believe that police officers will not be performing their jobs at their highest capacity. This will be extremely dangerous for people who are

mentally or physically vulnerable and they rely on law enforcement to keep them safe.

This bill will also jeopardize a police officer's livelihood because when they are performing their duties they have the worrisome of being sued individually by a person. When those possibilities arise their families who care for them or rely on them for financial, mental, or physical support will greatly be negatively impacted.

I write this letter again to not support the Senate Police Reform Bill 2820 that will be unsafe for the public and restricts officers from serving their community at their highest potential. This bill must not change for the safety of our community. Thank you.

Respectfully,

Daniel Phan

From: Allison Schmidt <missallisonschmidt@gmail.com>

Sent: Friday, July 17, 2020 11:31 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,

Allison Schmidt
121 Bridge St
Salem, MA 01970

missallisonschmidt@gmail.com