



Commonwealth of Massachusetts

TOWN OF FAIRHAVEN POLICE DEPARTMENT

Michael J. Myers
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July 16, 2020

Rep. Claire Cronin, Chair of the Joint Committee on the Judiciary
Rep. Aaron Michlewitz, Chair of the House Committee on Ways and Means
Massachusetts House of Representatives
State House
Boston, MA 02133

Re: 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

Chair Claire Cronin and Chair Aaron Michlewitz,

As I am sure you are aware, we as police professionals, have deep concern for the current legislation being proposed regarding police reform. The bill that was voted in the Senate does very little to protect the citizens of this Commonwealth. I suggest to you that it puts everyone in greater danger. Not only will Police Officers be faced with greater danger as they are forced to second guess their training and knowledge, but because of these hesitations and uncertainty, so will the citizens they are supposed to protect.

By amending or reducing the qualified immunity section of the law you will inevitably be risking your continuants safety. Just two years ago yesterday, Sgt. Michael Chesna of the Weymouth Police Department was faced with this exact scenario. And with great tragedy Sgt. Chesna was killed by a rock wielding suspect who knocked him unconscious, stole his gun, shot him to death in cold blood as he lay unconscious AND then proceeded to shoot and kill an innocent elderly citizen as she sat peacefully in her home. The current qualified immunity law allows Officers to do their job without hesitation but it also still protects citizens from violations of their rights. Having clearly established law guides these decisions.

In terms of the establishment of a POST (Peace Officer Standards and Training) Program, the various police chief's organizations here in our state wholeheartedly support the general concept. Utilizing the word "Accreditation" in the title is misleading and should be eliminated. To the best of our knowledge 46 other states use the acronym POST which seems to work without any

problems or a need to create a new description of the important program. We support that part of the reform bill and are more than willing to work together to see that happen.

Reducing the availability of any use of force options is very concerning and troubling for our profession and the safety of our citizenry. For years the Police profession has evolved to create, test and establish those less than lethal uses of force options that best control violent situations with the least risk to the suspects, innocent citizens and the Officers. This includes the very effective use of K-9's, "Tasers", tear gas and less lethal projectiles. By eliminating these items from the available uses of force options you would essentially be creating more lethal force scenarios which is the opposite of your purpose. We can only strongly encourage you to leave the selection and use of these force options to the professionals and experts who develop and deploy them.

The movement of this bill in both the Senate and House is at an extremely rapid pace. With very little time to read, digest and vote on such a life changing piece of legislation for all citizens we ask that you do not create law based solely on emotion. This very bill moves to change legislation that was created just a few years ago after the Parkland School shooting in Florida. At that time legislation was passed to require ALL communities MUST have at least one School Resource Officer in their jurisdiction. I suggest to you that legislation may have been passed based on emotion. Here we are four year later changing that exact legislation based on a different emotion. We ask that you don't create this legislation based on emotion, or pressure, that you will only be required to come back in a couple of years to change when a new emotion arises. Further just a few months ago the hands free bill was heavily debated and eventually held up by members of the House regarding the data collection piece. The Senate bill threatens to change those areas the members of the House fought so hard for.

We as Police Chiefs are committed to improving our profession and being a model for the rest of the country. We believe we have been doing this for years. We have a use of force continuum that teaches and requires de-escalation as much as it does escalation. The neck area has been considered a lethal force area in most if not all levels of use of force and the MPTC(Massachusetts Police Training Committee) has not and does not teach neck restraints as part of Police Officer training. We were one of the first States to adopt many of the recommendations from President Barack Obama's 21st Century policing model and implement the 6 pillars of success. We have taught all our officers in our in service training classes on unconscious bias, procedural justice, mental health first aid and de-escalation.

As a profession we are doing all that we are asked. We ask that you assist us in becoming better and not dismantle everything we have tried to build. By reaching too far on this bill you will push quality Officers and candidates away from the profession. This will leave us with less qualified individuals to do the job. Less qualified Officers result in more issues and thus having an opposite effect of what this bill is intended to do. Embracing the profession and providing the proper training, equipment, funding and support is what will reduce community concerns with Police Officers. We ask that you do what is right and support a bill that brings us all together and not drive us further apart. We ask for your support and thank you for your consideration when debating this bill.

Sincerely,

A handwritten signature in black ink, appearing to read "MJM", with a long horizontal stroke extending to the right.

Michael J. Myers

Chief of Police

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