

Massachusetts Association of Minority Law Enforcement Officers, Inc.

M.A.M.L.E.O

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Dear Sirs and Madames,

We, the members of the Massachusetts Association of Minority Law Enforcement Officers (MAMLEO) feel compelled to express our concern and displeasure with some aspects of Bill s2800.

The Bill seeks to address some of the longstanding problems between law enforcement officers and members of the black population. This historic problem was magnified when the video of Derek Chauvin murdering George Floyd was circulated throughout the country and the world. Sadly, this was the impetus for most of America and the world to finally take notice and realize that the country that we espouse to be the land of freedom, equality and opportunity has not been such for many black and brown people. This is despite the long history of black people talking and telling of their negative, hate filled and racist experiences with police, government, education, and the many aspects of the private sector. This unfortunate incident lead to the expedited effort to get this bill passed before the end of this legislation session.

We, at MAMLEO, despite the fact that we are police officers have for years spoken about issues related to systemic racism by virtue of the many public battles we have fought with the City of Boston, i.e. failure to hire black and brown people, racist discriminatory hair test, lack of diversity in supervisory positions, disparate treatment with internal affair cases, lack of diversity in specialized units, etc. The list is endless, so we too are all too aware of what it is to live in racist system. That said, we were relieved to hear that the legislature was going to embark on landmark legislation to tackle these issues of race.

We engaged with some members of the Black and Latino Caucus to discuss some of the changes that were going to be in this bill. Despite some of the initial reservations, after several discussions with a FEW members of the State Senate we resolved that the bulk of changes would be positive and that those changes would benefit our communities and our colleagues, despite some of their reservations. A few weeks into the process, we were shocked by the introduction of “qualified immunity” in the bill and the limitation of “due process.” The bill was passed shortly thereafter with little public engagement and certainly without much context for how this bill would affect officers and certainly those same officers of color who had advocated for change.

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To give context to our concerns, I hope that the House will consider that for years MAMLEO has consistently invited public officials to assist us and be allies in our battles against systemic racism in policing within the Commonwealth. These conflicts quite often appeared to be the result of a racist application of the rules and/or procedures.

First and foremost, we are concerned about qualified immunity because it will have the “chilling effect” of dissuading young men and women of color from joining a profession that is in dire need of diversity. Individuals will now have to consider the possibility of being sued even when they are performing their duties in a “reasonable manner.” This is coupled with the harsh language that has been directed at police officers without qualification by many elected officials and public figures. Secondly, we are concerned with the due process component of the bill. Historically, black and brown officers have failed to receive fair and unbiased treatment when referred to Internal Affairs for alleged violations of department rules and regulations and the law. Oftentimes in those cases we have had to exhaust all avenues before getting a fair and unbiased decision that takes into account the lack of equity between how officers of color are treated and judged in comparison to their counterparts. The disparity is CLEAR as evidenced in the following cases.

[MCAD and Defay vs. Boston Police Department](#) and [Court orders Boston police to reinstate fired officer](#)

We hope that the members of the House will consider all that we have explained and will engage us in meaningful conversation before finalizing this bill.

Thank you,

Eddy Chrispin, MAMLEO President