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Honorable Aaron Michlewitz
Committee on Ways and Means
State House Room
Boston, Mass 02133

Honorable Claire Cronin
Committee on Judiciary
243State House Room 136
Boston, Mass 02133

Dear Chairman Michlewitz and Chairwoman Cronin:

On behalf of our 20,000 members of the Massachusetts Police Association, representing campus, municipal, state and federal law enforcement professionals in the Commonwealth, I would like to thank you for allowing us to weigh in on the critical piece of legislation. An Act to Reform Police Standards (S2820) will shape the future of policing here in the Commonwealth.

Since 1900, the Association has worked with the legislature to advance professionalism in law enforcement. Although we have made gains since the civil rights movement of the sixties, we know there is much more to do. We join you in seeking to remove bias, racism and prejudice from policing. We agree that standardized training and education will place all Massachusetts law enforcement officers on equal footing. We have always promoted the idea that Massachusetts has the highest educated officers in the nation.

Although well intentioned, we believe S2820 is flawed in several important areas:

1. Decertification Process

We feel that allowing POSAC to claim jurisdiction after one year regardless of the status of any local investigation infringes on the rights of the officer to collective bargaining rights and due process.

2. Makeup of the Board

We feel that a separate 7 person board with a background in law, use of force, defensive tactics, firearms, psychology and social science serve as the decertification committee. Allowing civilians without experience or expertise to decertify an officer runs contrary to any other such oversight board in the Commonwealth. Are doctors or lawyers barred from practice by civilian review boards? Of course not and rightfully so

3. Qualified Immunity

We feel this issue so complex that any decision must be hashed out by legal scholars, academics and members of the judiciary. We asked that a body be formed and given an adequate period of time to report back with their findings.

We look forward to working with you to find solutions to make Massachusetts a place where all citizens can enjoy the freedoms and prosperity of this great country. Please contact us with any questions. Again, thank you for this important exchange of ideas.

Sincerely,

James Machado

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Massachusetts Police Association
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