

ATTN

Claire Cronin, Chair, House Judiciary Committee
Aaron Michlewiz, Chair, House Ways and Means Committee

CC

Robert A. DeLeo, Speaker of House
Ron Mariano, House Majority Leader
Rep. Carlos Gonzalez, Chair, Black and Latino Legislative Caucus

RE: Testimony in Regards to Police Reform Bill (S.2820)

While this current bill has some good aspects, such as the establishment of a database and the ban on some force. Qualified Immunity is an integral element that needs to be included in the reshaping of policing in American. We recommend that an enhanced version of this Senate Bill get adopted with a much stricter banning or limitation on qualified immunity.

All NAACP Branches across the state of Massachusetts are calling for the abolition of qualified immunity. In this new world, we must change or modify all laws that seek to limit or stop a victim's right for justice and allow for violators actions to go unaccounted for. Qualified Immunity is just one piece of the puzzle, but it is an important one when criminal charges against the police are often difficult to prove or abandoned, leaving civil lawsuits as the only way for victims to seek redress.

1. By allowing courts to dismiss these cases without even ruling on constitutional claims allows officers to shoot first and think later. It also tells the public that egregious conduct can go unpunished.
2. We cannot allow unsubstantiated fears about an increase in frivolous lawsuits, undue financial burden on officers, and the notion that candidates will shy away from government jobs, as a reason to maintain a doctrine that goes against our common law principles.
3. The Qualified Immunity Doctrine has and will continue to discourage attorneys from bringing cases where a victim has had his or her constitutional rights violated. This doctrine as it stands has sent a very clear message to plaintiffs' attorneys that their cases will be dismissed even with the most egregious of facts.
4. Limiting Qualified Immunity will allow for more tracking of data in these types of cases. Officers names, underlying facts and amounts paid can help make policy and supervision decisions aimed at reducing the costs of those types of cases in the future.

We urge you to pass an enhanced version of S.2820 with more emphasis on the abolition or limitation on qualified immunity. It is imperative that a bill passes to ensure that police in the Commonwealth are held accountable for misconduct and sends a clear message that from now on, nobody is above the law.

Sincerely,

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